

**REGULAR MEETING  
APRIL 17, 2018**

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: Councilman Messler  
SALUTE TO THE FLAG  
ROLL CALL**

PRESENT: Mayor Mirabelli, Councilwoman Andre, Councilman Dierkes, Councilwoman Fech-Caccamo, Councilman Messler, Councilman Mortimer, Council President Turner, Administrator Debbie and Attorney Post. Also present were Public Works Manager Ronald Romak, Police Chief Allan Attanasio and Recreation Director Frank Masella.

**APPROVAL OF MINUTES:**

Upon motion by Councilman Mortimer and a second by Councilman Turner, the minutes of the Regular Session Meeting held on March 20, 2018 were approved. Roll Call: Ayes: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0.

Upon motion by Councilman Turner a second by Councilwoman Andre, the minutes of the Work Session Meeting held on April 3, 2018 were approved. Roll Call: Ayes: Andre, Dierkes, Messler, Mortimer, Turner. Nays: 0. Abstained: Fech-Caccamo.

-----  
**PROCLAMATIONS:**

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, on April 20, 2018 the 5<sup>th</sup> grade class at Deerfield School and the Department of Public Works will observe Arbor Day by planting a tree; and

WHEREAS, one of the qualifications for a municipality to be eligible to be designated as a Tree City U.S.A. is by having an Arbor Day Observance and Arbor Day Proclamation.

NOW, THEREFORE, BE IT PROCLAIMED, that the Mayor and Council of the Borough of Mountainside hereby recognize and commend the Deerfield School and Mountainside Department of Public Works for their observance of Arbor Day and for working toward making the Borough of Mountainside a more tree-lined municipality and a more attractive place in which to live and work.

-----  
WHEREAS, the Borough of Mountainside is committed to recognizing our growth and strength depends on the safety and economic value of the homes, buildings and infrastructure that serve our citizens, both in everyday life and in times of natural disaster; and

WHEREAS, our confidence in the structural integrity of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers and others in the construction industry—who work year-round to ensure the safe construction of buildings; and

WHEREAS, these guardians are dedicated members of the International Code Council, a U.S. based organization, that brings together local, state and federal officials that are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work, worship, play; and

WHEREAS, our nation benefits economically and technologically from using the International Codes® that are developed by a national, voluntary consensus codes and standards developing organization, our government is able to avoid the high cost and complexity of developing and maintaining these codes, which are the most widely adopted building safety and fire prevention codes in the nation; these modern building codes include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquake; and

WHEREAS, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown guardians of public safety—our local code officials—who assure us of safe, efficient and livable buildings that are essential to keep America great; and

WHEREAS, “Building Codes Save Lives” the theme for Building Safety Month 2018, encourages all Americans to raise awareness of the importance of building safe and resilient construction; fire prevention; disaster mitigation, and new technologies in the construction industry. Building Safety Month 2018 encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies; and

WHEREAS, each year, in observance of Building Safety Month, Americans are asked to consider the commitment to improve building safety and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, I, Paul N. Mirabelli, Mayor of the Borough of Mountainside, State of New Jersey, do hereby proclaim the month of May 2018 as Building Safety Month. Accordingly, I encourage our citizens to join with their communities in participation in Building Safety Month activities.

-----

**PRESENTATION:** Operation Blue Angel Program Sponsored by the Watts Mountainside Community Foundation

-----

**RESOLUTIONS:**

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

**RESOLUTION 55-2018**

WHEREAS, NJSA 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Borough Clerk as per the requirements of NJSA 40A:5-6 and a copy has been received by each member of the Governing Body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requirement that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body has reviewed, as a minimum, the sections of the annual audit entitled:

GENERAL COMMENTS  
RECOMMENDATIONS  
and;

WHEREAS, the members of the Governing Body has personally reviewed as minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

GENERAL COMMENTS  
RECOMMENDATIONS

as evidenced by the group affidavit form of the Governing Body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the Local Governing Body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52-27BB-52 – “A local officer or member of a local Governing Body who, after a date fixed for compliance fails or refuses to obey an order of the of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than One Thousand Dollars (\$1,000) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Mountainside, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0  
-----

The following resolution was introduced by Councilman Messler and seconded by Councilman Mortimer.

**RESOLUTON 56-2018**

WHEREAS, the Chief Finance Officer is required to submit a Corrective Action Plan of the 2017 Municipal Audit Report to the Governing Body;

NOW, THEREFORE, BE IT RESOLVED that the following 2017 Audit Corrective Action Plan submitted by the Chief Finance Officer be and the same is hereby approved; and

BE IT FURTHER RESOLVED, that a certified copy of the 2017 Audit Corrective Action Plan be forwarded to the Division of Local Government Services.

2017 Audit- Corrective Action Plan

Recommendation: None

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0  
-----

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

**RESOLUTION 57-2018**

WHEREAS, the Borough of Mountainside desires to constitute an additional project for the 2018 Temporary Capital Budget of said municipality by inserting therein refurbishment of tennis courts.

NOW, THEREFORE BE IT RESOLVED that the additional project in the 2018 Temporary Capital Budget of the Borough of Mountainside is hereby constituted by the adoption of a schedule to read as follows:

PROJECT

Refurbishment of Tennis Courts

METHOD OF FINANCING

Estimated Costs: \$90,000

Capital Improvement Fund: \$4,300

Bond Anticipation Note: \$85,700

The clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services within three days after the adoption of this additional project for the 2018 temporary capital budget , to be included in the 2018 permanent capital budget as adopted.

Roll Call: Andre, Dierkes, Feich-Caccamo, Messler, Mortimer, Turner. Nays: 0.  
-----

The following resolution was introduced by Councilwoman Fech-Caccamo and seconded by Councilman Mortimer.

**RESOLUTION 58-2018**

WHEREAS, the Recreation Director Frank Masella has requested refunds to the following participants due to a program cancellation.

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

Attanasio	Donna	227 Central Avenue	\$58.00
Crane	Merrilyn	1036 Harding St, Westfield, NJ	\$58.00
Stevens	Mary Lou	130 Gallows Hill Rd, Westfield, NJ	\$58.00
Huber	Norma	111 Parkway	\$116.00
Bromberg	Arlette	339 Linda Drive	\$116.00
Smith	Margaret	295 Chattin Rd	\$58.00
Christensen	Geraldine	1555 Coles Aveue	\$116.00
Mershon	Liz	10 Caldwell Pl, Warren, NJ	\$58.00
Hoffman	Holly	925 Sterling St, Plainfield, NJ	\$116.00
Corsi	Lillian	1156 Sawmill Rd	\$116.00
Sylvester	Nina	219 Oak Tree Rd	\$174.00
Lopez	Arturo	1400 Birch Hill Rd	\$116.00
Minick	Clare	1055 Sunny Slope Dr	\$174.00
Biswas	Chhabi	1295 Poplar Ave	\$174.00
Ingram	Linda Marie	PO Box 444, Westfield, NJ	\$58.00

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0  
 -----

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

**RESOLUTION 59-2018**

WHEREAS, Memorial Day symbolizes, and is a time for Americans to take a clear look, at both our past and our future. One day each year when we acknowledge the debt we owe to those men and woman who have given their all in service to their country; and

WHEREAS, the Borough of Mountainside is proud to take part in our 7<sup>th</sup> Annual Memorial Day Parade to be held on Monday, May 28, 2018; and

WHEREAS, we can show our appreciation for our Veterans and those brave individuals who have sacrificed their lives for our freedom and liberty; and

WHEREAS, the Governing Body of the Borough of Mountainside wishes to support this event.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Mountainside that \$500.00 shall be donated in order to support the Memorial Day Celebration.

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0  
-----

The following resolution was introduced by Councilwoman Fech-Caccamo and seconded by Councilman Turner.

**RESOLUTION 60-2018**

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the Chief Finance Officer be and she is hereby authorized to purchase two gift checks to be presented to the Valedictorian and Salutatorian from Deerfield School Graduating Class of 2018 in the Borough of Mountainside.

BE IT FURTHER RESOVLED that the gift checks will be in the amount of \$300.00 for the Valedictorian and \$200.00 for the Salutatorian.

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0  
-----

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

**RESOLUTION 61-2018**

WHEREAS the Mountainside PTA traditionally sponsors a party at the Mountainside Municipal Pool for the students graduating from the 8<sup>th</sup> Grade of the Mountainside School District; and

WHEREAS the Mountainside Youth Baseball sponsors an end of year party at the Mountainside Municipal Pool; and

WHEREAS the Mountainside PTA and Mountainside Youth Baseball have requested that the Borough waive the \$400 fee which would otherwise be charged in order to defray the expenses associated with keeping the pool open for the party; and

WHEREAS the Governing Body has, in the past, waived such fee in order to enable the organizations to use those funds towards other expenses.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the pool fee of \$400, which would be payable by the Mountainside PTA and Mountainside Youth Baseball for the use of the Mountainside Municipal Pool to hold their pool parties, be and the same is hereby waived.

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0  
-----

The following resolution was introduced by Councilman Dierkes and seconded by Councilman Turner.

**RESOLUTION 62-2018**

WHEREAS, there exists a need in the Recreation Department for 2018 Summer Playground Staff; and

WHEREAS, Recreation Director, Frank Masella and the Recreation Committee have recommended that the following individuals be appointed to said positions:

Carolynne Goldbeck	Supervisor	\$3,222.88
Evan Dipietro	Assistant Supervisor	\$2,213.40
Michael Balmann	Assistant Supervisor	\$2,213.40
Tyler Stapleton	Assistant Supervisor	\$2,213.40
Jessica Perrotta	Assistant Supervisor	\$2,213.40

and;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the recommendation of Recreation Director Frank Masella and the Recreation Committee be and hereby is accepted and approved pending completion of background checks.

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0  
-----

The following resolution was introduced by Councilwoman Andre and seconded by Councilwoman Fech-Caccamo.

**RESOLUTION 63-2018**

WHEREAS, an ad was placed in the newspaper for Community Pool Concession Services; and

WHEREAS, two proposals were submitted and Recreation Director, Frank Masella recommends awarding to Zipeto Concessions LLC in the sum of \$10,000.00; and

WHEREAS, the owner, Saverio Zipeto, has extensive experience in the food industry and has worked as a concession operator for the past two years; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the Community Pool Concession Contract for the year 2018 be awarded to Zipeto Concessions LLC, 215 Oak Tree Road, Mountainside, NJ 07092 in the amount of \$10,000.00.

BE IT FURTHER RESOLVED that payment to the Borough shall be as follows:

- June 1, 2018 - 50% of total or \$5,000
- July 2, 2018 - 50% of total or \$5,000
- \$500 security deposit on equipment by June 1, 2018
- \$300 refundable cleaning fee by June 1, 2018

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0  
-----

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

**RESOLUTION 64-2018**

BE IT RESOLVED that the Chief Financial Officer Jill Goode is hereby authorized to accept bids for a \$5,380,750.00 Bond Anticipation Note.

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0  
-----

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

**RESOLUTION 65-2018**

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 additional temporary appropriations shall be made for the year 2018:

<u>APPROPRIATIONS</u>	<u>FROM</u>	<u>TO</u>
Kids Recreation Trust Grant (Awarded 2017)	-0-	50,000.00
Union County Level the Playing Field Grant	-0-	25,470.00
Maintenance of Free Public Library	165,000.00	300,000.00
Snow Removal	150,000.00	200,000.00
Interest on Notes	-0-	30,665.00
Principal of Bond Anticipation Notes	-0-	1,021,127.00

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0  
-----

The following resolution was introduced by Councilman Dierkes and seconded by Councilman Turner.

**RESOLUTION 66-2018  
CONDUCTING ANNUAL BUDGET EXAMINATION**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C 5:30-7.2 through 7.5 the Borough of Mountainside has been declared eligible to participate in the program by the Division of Local Government Service, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2018 budget year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that, in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial



Officer's certification, the Governing Body has found the municipal budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate, and correctly stated
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0

-----  
**ORDINANCES:**

Second Reading (Public Hearing)

**ORDINANCE 1265-2018**

BOND ORDINANCE TO AMEND SECTION 4.B OF THE BOND ORDINANCE (ORD. NO. 1250-2016) ENTITLED: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW INFORMATION TECHNOLOGY EQUIPMENT IN, BY AND FOR THE BOROUGH OF MOUNTAINSIDE, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$975,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT OR PARTIALLY FUND AN APPROPRIATION FROM THE CAPITAL IMPROVEMENT FUND, TO APPROPRIATE CAPITAL SURPLUS, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS," ADOPTED JULY 19, 2016.

BE IT ORDAINED by the Borough Council of the Borough of Mountainside, in the County of Union, State of New Jersey, as follows:

Section 1. Section 4.B of Ordinance No. 1250-2016 entitled:

"BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW INFORMATION TECHNOLOGY EQUIPMENT IN, BY AND FOR THE BOROUGH OF MOUNTAINSIDE, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$975,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT OR PARTIALLY FUND AN APPROPRIATION FROM THE CAPITAL IMPROVEMENT FUND, TO APPROPRIATE CAPITAL SURPLUS, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS"

adopted by the Borough Council of the Borough of Mountainside, in the County of Union, New Jersey (the "Borough") on July 19, 2016 is hereby amended to change the purpose authorized from reconstruction of the softball field at Beechwood School to refurbishment of the tennis courts at Deerfield School and Borough Hall, and shall hereafter read as follows:

"[Section 4.]B. Refurbishment of the tennis courts at Deerfield School and Borough Hall.

Appropriation and Estimated Cost	\$ 90,000
Down Payment Appropriated	\$ 4,300
Bonds and Notes Authorized	\$ 85,700
Period of Usefulness	15 years."

Section 2. The capital budget is hereby amended to conform with the provisions of this amendatory bond ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 3. This ordinance shall take effect twenty days after the first publication thereof after final passage.

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 Councilman Turner and seconded by Councilman Messler that this ordinance be passed on second and final reading and advertised by title only.

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0

-----  
First Reading (Introduction)

**ORDINANCE 1266-2018**  
**CALENDAR YEAR 2018**  
**ORDINANCE TO ESTABLISH A CAP BANK**  
**(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et.seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said final budget appropriations to 2.50% unless authorized by ordinance to increase it to 3.5% over the previous years' final appropriations; and,

WHEREAS, a municipality may, by ordinance, bank the difference between its final budget appropriations and the 3.5% increase authorized by this ordinance when said difference is not appropriated as part of the final budget; and,

WHEREAS, the Borough Council of the Borough of Mountainside, County of Union, hereby determines that this difference in the amount of \$89,217.36 that is not appropriated as part of the final budget shall be retained as an exception to the final appropriations in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

It was moved by Councilman Mortimer and seconded by Councilman Turner that this ordinance be passed on first reading and advertised in full for a public hearing on May 15, 2018.

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0  
-----

The following resolution was introduced by Councilman Dierkes and seconded by Councilman Turner.

**RESOLUTION 67-2018  
MUNICIPAL BUDGET NOTICE**

Municipal Budget of the Borough of Mountainside, County of Union for the Calendar Year 2018;

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2018;

BE IT FURTHER RESOLVED, that said Budget Summaries be published in the Local Source in the issue of April 26, 2018;

The Governing Body of the Borough of Mountainside does hereby approve the following as the Budget for the year 2018;

Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Council of the Borough of Mountainside, County of Union, on April 17, 2018. A hearing on the Budget and Tax Resolution will be held at the Municipal Building on May 15, 2018 at 7:30 PM at which time and place objections to said Budget and Tax Resolution for the year 2018 may be presented by taxpayers or other interested persons.

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0

First Reading (Introduction)

**ORDINANCE 1267-2018**  
**AN ORDINANCE TO APPROPRIATE THE SUM OF TWO HUNDRED FORTY THOUSAND**  
**\$240,000.00) FOR THE RESURFACING OF PARTRIDGE RUN (SECTION 2)**

WHEREAS, the Governing Body of the Borough of Mountainside have decided to resurface Partridge Run (Section 2); and

WHEREAS, a grant award is now available from NJDOT in the amount of \$240,000.00; and

WHEREAS, the Governing Body of the Borough of Mountainside concurs that this resurfacing is necessary; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Mountainside that the sum of \$240,000.00 be and is hereby appropriated for the resurfacing of Partridge Run (Section 2).

BE IT FURTHER ORDAINED that the Borough of Mountainside shall be reimbursed by the State of New Jersey, Department of Transportation in the amount of \$240,000.00.

It was moved by Councilman Messler and seconded by Councilwoman Andre that this ordinance be passed on first reading and advertised in full for a public hearing on May 15, 2018.

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0  
-----

**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 17<sup>th</sup> day of April 2018, 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 \$279,186.64 (Copy of bill list attached).

Roll Call: Andre, Dierkes, Fech-Caccamo, Messler, Mortimer, Turner. Nays: 0  
-----

**COUNCIL COMMENTS:**

Councilwoman Fech-Caccamo announced the American Red Cross Home Fire Campaign.

Councilman Mortimer highlighted upcoming Library events.

The Mayor invited residents to attend the baseball opening day parade and announced receiving \$25,400 from the Union County Leveling the Playing Field Grant. The grant will help fund the Beechwood Playground to assist with ADA compliance. Mayor Mirabelli provided an update on the status of the storm clean up. Residents were invited to attend the Mayor's Wellness Program.  
-----

**AUDIENCE PARTICIPATION:**

Genevieve Cooper from Knightsbridge Road had questions regarding an application sent to the Department of Environmental Protection in reference to the Barnes Tract. Mayor Mirabelli explained that the Barnes property has wetlands that need to be delineated by the DEP even though the area is not part of the development. The Mayor noted the site plan application to the planning board may take place in May.

Hearing no one else wishing to speak, Mayor Mirabelli closed the meeting to the public.  
-----

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 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 8:12 P.M.  
-----

The meeting was recalled to public session.

Councilman Messler was concerned about the number of commercial vehicles on the roads during the weekends.

Upon a motion by Councilman Mortimer and a second by Councilman Messler, the meeting was unanimously adjourned at 9.30 P.M.  
-----

---

Martha Lopez, RMC  
Borough Clerk