

**REGULAR MEETING  
JUNE 16, 2020**

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 7:34 P.M via Zoom.

**INVOCATION:** Council President Turner  
**SALUTE TO THE FLAG**  
**ROLL CALL**

**PRESENT:** Mayor Mirabelli, Councilwoman Andre, Councilman Dierkes, Councilwoman Pacifico, Councilwoman Pater, Council President Turner, Administrator Atkins and Attorney Post. Also present were Public Works Director Matthew DeAnna, Recreation Director Frank Masella, CFO Jill Goode and Police Chief Joseph Giannuzzi. Councilman Messler was absent.

**APPROVAL OF MINUTES:**

Upon motion by Councilman Turner a second by Councilwoman Andre, the minutes of the Regular Session Meeting held on May 19, 2020 were approved. Roll Call: Ayes: Andre, Dierkes, Pacifico, Pater, Turner. Nays: 0.

Upon motion by Councilman Dierkes a second by Councilwoman Andre, the minutes of the Work & Executive Session Meetings held on June 2, 2020 were approved. Roll Call: Ayes: Andre, Dierkes, Pacifico, Pater, Turner. Nays: 0.

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**RESOLUTIONS OF CONGRATULATIONS:** Deerfield School Valedictorian Drew D'Orsi and Salutatorian Anika Gupta. Unanimously approved.

**RESOLUTIONS:**

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

**RESOLUTION 73-2020**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

**SECTION 1**

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Mountainside hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2020 for the below amount sums of which item is now available as a revenue from:

Public & Private Revenues off-set with Appropriations:  
2020 Infrastructure & Municipal Aid Grant Program (\$50,000)

SECTION 2

BE IT FURTHER RESOLVED, that a like sum be and the same is hereby appropriated under the caption of:

Public & Private Programs Offset By Revenues Excluded from "CAPS"  
2020 Infrastructure & Municipal Aid Grant Program (\$50,000)

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

**RESOLUTION 74-2020**

WHEREAS, the Recreation Director Frank Masella requested the following refunds; and

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

<u>Applicant</u>	<u>Program</u>	<u>Amount</u>
Deb Boehner 273 Old Tote Road Mountainside, NJ 07092	Pool Membership	\$303.00
Kathleen Bazydlo 593 Sherwood Parkway Mountainside, NJ 07092	Spring Soccer	\$140.00

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

**RESOLUTION 75-2020**

WHEREAS, the New Jersey Transportation Trust Fund Authority Act has provided funds for the improvement of municipal roads through the New Jersey Department of Transportation; and

WHEREAS, the Borough of Mountainside desires to apply for a grant for local aid funds for improvements of a municipal road; and

WHEREAS, the Borough Engineer will prepare the application for the grant for local aid for a section of roadway known as:

MILL LANE AND RUTGERS ROAD

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Mountainside formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Mountainside and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

**RESOLUTION 76-2020**

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>	
7.03	29	\$ 3,162.97	1070 Ledgewood Road
15.09	48.10	\$ 3,318.87	208 Echo Ridge Way
15.09	48.12	\$ 3,442.83	310 Echo Ridge Way
15.12	2	\$ 3,375.21	277 Indian Trail
24.04	12.01	\$ 2,225.73	100 Springfield Avenue

Wells Fargo  
Attn: Refunds/Financial Support  
P. O. Box 14506  
Des Moines, IA 50328

8.04	12	\$ 3,202.42	1606 Rising Way
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Roll Call: Andre, Dierkes, Pacifico, Pater, Turner. Nays: 0.  
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The following resolution was introduced by Councilman Turner and seconded by Councilwoman Pacifico.

**RESOLUTION 77-2020**

WHEREAS, in accordance with applicable provisions of the Public Contracts Law, the Borough advertised for Bids for Contract 2020-4 for "Paving Improvements on Dunn Parkway"; and

WHEREAS, on June 11, 2020 the return date for the bids, five bids were received as follows:

Bidders:	Base Bid	Alt. #1	Alt. #2
Fischer Contracting Inc.	\$125,788.30	\$13,222.50	\$37,300.01
Denbar Construction Inc.	\$169,422.00	\$10,803.50	\$15,700.00
Topline Construction Corp.	\$184,233.66	\$9,471.00	\$32,534.30
Midwest Construction Inc.	\$189,106.00	\$9,840.00	\$37,060.00
CCM Contracting Inc.	\$205,263.28	\$32,800.00	\$51,850.00

WHEREAS, the Borough Engineer recommends awarding the Base Bid and Alternate #2; and

WHEREAS, the lowest bidder is Fisher Contracting Inc., and the Borough Engineer has recommended that Contract 2020-4 be awarded to Fischer Contracting Inc., 10 Short Hills Lane, Scotch Plains, NJ 07076.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the contract for Paving Improvements on Dunn Parkway be awarded to Fischer Contracting Inc., Scotch Plains, NJ 07076 in the amount of \$163,088.31, pending review by the Borough Attorney.

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

#### **RESOLUTION 78-2020**

WHEREAS, in accordance with applicable provisions of the Public Contracts Law, the Borough advertised for Bids for Contract 2020-5 for "Television Inspection of Various Sanitary Sewers"; and

WHEREAS, on June 11, 2020 the return date for the bids, five bids were received as follows:

Bidders:	Base Bid	Alt. #1	Total
North American Pipeline	\$29,376.52	\$6,411.36	\$35,787.88
National Water Main	\$30,436.12	\$6,633.36	\$37,069.48
Oswald Enterprises, Inc.	\$31,756.52	\$6,929.36	\$38,685.88
Fred Cook Jr., Inc.	\$44,426.12	\$8,816.36	\$53,242.48
PIM Corp.	\$64,226.12	\$13,256.36	\$77,482.48

WHEREAS, the Borough Engineer recommends awarding the Base Bid and Alternate #1; and

WHEREAS, the lowest bidder is North American Pipeline, and the Borough Engineer has recommended that Contract 2020-5 be awarded to North American Pipeline, 210 Bennett Road, Freehold, NJ 07728.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that Contract 2020-5 be awarded to North American Pipeline, Freehold, NJ in the amount of \$35,787.88, pending review by the Borough Attorney.

Roll Call: Andre, Dierkes, Pacifico, Pater, Turner. Nays: 0.  
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**BILLS & CLAIMS:**

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

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 16<sup>th</sup> day of June 2020, 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 \$203,221.99 (Copy of bill list attached).

Roll Call: Andre, Dierkes, Pacifico, Pater, Turner. Nays: 0  
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**COUNCIL COMMENTS:**

Councilman Dierkes announced upcoming holidays.

Councilman Turner mentioned the CARES Act application was completed and ready for submission. Special thanks to Matthew DeAnna and Jill Goode.

Mayor Mirabelli announced upcoming community events and graduation ceremonies.  
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**AUDIENCE PARTICIPATION:**

Councilwoman Andre stated that resident Mr. Jurczak requested information regarding the outdoor dining guidelines.

Hearing no one wishing to speak, Councilwoman Andre closed the meeting to the public.  
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The following resolution was introduced by Councilwoman Pacifico and seconded by Councilwoman Pater.

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 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 7:52 P.M.  
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The meeting was recalled to public session.

Upon a motion by Councilman Dierkes and a second by Councilwoman Pacifico, the meeting was unanimously adjourned at 9:31 P.M.

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Martha Lopez, RMC  
Borough Clerk