

**WORK SESSION
SEPTEMBER 6, 2016**

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 7:36 P.M.

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

Discussion was held regarding a road opening waiver request for 363 Darby Lane. Elizabethtown Gas applied for a permit last December and were denied due to a road opening moratorium. The homeowner is now requesting permission to open the road in order to convert over to gas. Engineer Mike Disko was asked to explore all options and report back to the Council.

Discussion was held regarding department refunds. Recreation Director Frank Masella recommends several refunds due to program cancellations and Engineer Mike Disko suggested refunds for several road opening permits. The Council approved the refund requests. The proper resolutions will be prepared for the meeting of September 20, 2016.

Discussion was held regarding raffle application from NJ Association of Twins Mothers' Club for a 50/50 off premise draw raffle. The application is in order and the proper fees have been paid. A motion to approve this license will take place at the meeting of September 20, 2016.

Discussion was held regarding canceling a receivable balance that exist in the records of the Borough. A balance of \$1,627.32 remains in the Municipal Alliance Grant. The proper resolution will be prepared for the September 20, 2016 meeting.

Discussion was held regarding a request from the Tax Collector to authorize refunds for tax overpayments due to duplicate payments. The proper resolution will be prepared for the meeting of September 20, 2016.

Discussion was held regarding the bid recommendation for Contract 2016-5 – Paving Improvements on Grouse Lane. The Borough Engineer recommends that the base bid be awarded to Denbar Construction, Inc. at a cost of \$316,976. Discussion regarding Alternate #2 – Municipal Parking Lot to follow.

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

RESOLUTION 85-2016

WHEREAS, in accordance with applicable provisions of the Public Contracts Law, the Borough advertised for Bids for Contract 2016-5 for "Paving Improvements on Grouse Lane";

WHEREAS, on August 18, 2016 the return date for the bids, five bids were received as follows:

<u>Bidders:</u>	<u>Base Bid</u>	<u>Alt. #1</u>	<u>Alt. #2</u>	<u>Alt. #3</u>
Denbar Construction	\$316,976.00	\$10,690	\$49,117.00	\$24,100.00
Topline Construction	\$320,968.87	\$ 9,190	\$91,993.95	\$23,068.23
Black Rock	\$334,244.91	\$ 8,190	\$64,467.28	\$22,033.30
Midwest Construction	\$400,071.00	\$ 8,000	\$68,625.00	\$26,500.00
DLS Contractors	\$500,454.00	\$10,000	\$102,178.00	\$35,960.00

WHEREAS, the Borough Engineer recommends awarding the Base Bid; and

WHEREAS, the lowest bidder is Denbar Construction Inc. and the Borough Engineer has recommended that Contract 2016-5 be awarded to Denbar Construction Inc., 726 Boulevard, Kenilworth, New Jersey 07033.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the contract for Paving Improvements on Grouse Lane is awarded to Denbar Construction Inc., 726 Boulevard, Kenilworth, New Jersey 07033 in the amount of \$316,976.00.

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

Discussion was held regarding the Borough of Mountainside participating in the Union County Leaf Disposal Program. The proper resolution will be prepared for the September 20, 2016 meeting.

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 6th day of September 2016, 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 \$87,947.37. (Copy of bill list attached)

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

Upon motion by Councilman Mortimer and a second by Councilman Turner, 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 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 7:57 P.M.

The meeting was recalled to public session at 8:40 P.M.

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

Martha Lopez, RMC
Borough Clerk