

**REORGANIZATION MEETING  
JANUARY 8, 2013**

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 Mirabelli called the meeting to order at 7:10 P.M.

**INVOCATION: Mayor Paul N. Mirabelli  
SALUTE TO THE FLAG**

**Call to order of the 2012 Governing Body:**

PRESENT: Mayor Paul N. Mirabelli, Councilwoman Deanna Andre, Councilman William R. Lane, Councilman Robert W. Messler, Councilman Glenn W. Mortimer, Council President Keith C. Turner, Councilman Jeffrey R. Wass, Attorney John N. Post, Administrator James J. Debbie, Jr., and Borough Clerk Martha Lopez.

-----

**APPROVAL OF MINUTES:**

Upon motion by Councilman Turner and a second by Councilman Mortimer, the minutes of the Regular & Executive Session Meetings held on December 18, 2012 were unanimously accepted as presented.

-----

**PRESENTATIONS:**

Mayor Mirabelli acknowledged the following State Representatives in attendance:

Senator Thomas Kean  
Assemblywoman Nancy Munoz  
Assemblyman Jon Bramnick  
Congressman Leonard Lance

Police Awards were presented to the following:

Officer James Urban  
Officer Jeffrey Stinner  
Officer William Stolting  
Sergeant Kevin Betyeman

**COMMENTS OF COUNCIL:**

Councilman Lane wished everyone a Happy New Year.  
-----

Upon motion by Councilman Messler and a second by Councilman Lane, the meeting of the 2012 Governing Body was unanimously adjourned.  
-----

Congressman Leonard Lance addressed the public.

The oath of office was administered by Congressman Leonard Lance to:  
Councilman William R. Lane

The oath of office was administered by Congressman Leonard Lance to:  
Councilman Robert W. Messler  
-----

**Call to order of the 2013 Governing Body:**

PRESENT: Mayor Paul N. Mirabelli, Councilwoman Deanna Andre, Councilman William R. Lane, Councilman Robert W. Messler, Councilman Glenn W. Mortimer, Council President Keith C. Turner, Councilman Jeffrey R. Wass, Attorney John N. Post, Administrator James J. Debbie, Jr., and Borough Clerk Martha Lopez.

**MAYOR'S ADDRESS:**

This past year, we did have our ups and downs. Early in the year, Bob Farley passed away. Bob was a volunteer hero in this town. He was a longtime DPW employee, volunteer fireman, and he volunteered on the Rescue Squad as well as the Mountainside Elks, the VFW and many other organizations which are too many to repeat. He will be missed and he was truly a volunteer hero in Mountainside.

The highlight for me and the community this year was the Inaugural Mountainside Memorial Day Parade. This parade was truly a community event. The parade was spearheaded by the Mountainside Girl Scouts, Cub Scouts and Boy Scouts and most importantly, the Mountainside Chapter of the VFW. I would also like to acknowledge the participation of the Mountainside Elks and the Mountainside Rotary Club. No parade in Mountainside would be complete without the participation of the Mountainside Volunteer

Fire Department, the Rescue Squad, and the Mountainside Police Department. The parade started at Constitution Plaza with our annual ceremony to honor our veterans. The service was attended by more people than I could ever remember having attended. There were more than 300 residents, veterans and their families. It was a very proud day for me and a very proud day for the community. It was truly a glorious and fitting memorial service. What was even more remarkable to me was that once the parade started, I always had concerns that you throw a party and no one shows up, but certainly that day, the residents of Mountainside showed up and the whole parade route was lined with hundreds of residents of all ages simply there to honor the veterans of Mountainside. The VFW was thrilled by the support that our community showed for them. After the parade, I wasn't sure how it could get any better, but the parade ended at Our Lady of Lourdes Church and we had a picnic. It was a spectacular community event. I would say there were probably over 500 people at the picnic between the girl scouts, cub scouts, daisies, boy scouts, brownies and I know I'm going to forget someone. It was a very hot day, but the Fire Department was there and they really cooled everyone down with a wet down. Our intent is to continue this event next year. I thank all who participated and made it a success.

We fast forward to Super Storm Sandy which was an unprecedented storm. Well in Mountainside, over 800 trees came down, 60 utility poles snapped, and we were out of power anywhere between 7 to 14 days depending on where you lived. Fortunately, our town did not suffer the damage and destruction that a lot of the shore communities suffered and we can be thankful for that. I take great pride and want to congratulate and commend the whole community for their efforts in keeping the town safe and secure throughout the storm and the recovery. It was truly a community effort. Certainly, it was spearheaded by our police department, fire department, and volunteer rescue squad who kept the town safe and secure throughout the process and I commend them. I want to particularly thank the DPW workers that worked throughout the whole time as well as the dispatchers. They are truly remarkable in what they did in helping to coordinate the efforts of all the first responders.

I am also pleased to announce that as a result of the work of our new Media and Information Committee as well as some community volunteers, I am introducing tonight that we have completely revamped our Mountainside website and I welcome everyone to take a look at it at [www.mountainside-nj.com](http://www.mountainside-nj.com). We also have a Borough Facebook page at [www.facebook.com/mountainside.borough](http://www.facebook.com/mountainside.borough) and a Borough Twitter account @mountainsideboro. All this information will be put into a flyer which will be readily available to everyone. I am still urging residents to sign up on the Union County First Alert. I also know the Committee is looking at other ways to communicate to our residents on a regular basis and during times of emergencies and natural disasters. There will be further updates coming up this year.

The year did end on a high note at least for me, with the lighting of the Borough tree on Route 22. I don't know how many comments I have gotten on how much better the tree looked with the new lights. The lights were funded through a grant by the Watts Foundation and with the support and assistance of the Mountainside Lions Club and the Mountainside Elks.

I am also proud to report again this year that the state of Mountainside is fiscally sound and is thriving. I used the same words last year because that's the way I feel the town is doing right now. This is a great community and a lot of people in this room and throughout the community are the ones that make it such a fantastic community. Despite the fact that we are still under the 2% cap that was imposed on us, we continue to provide the high level of services that our residents demand and the way we are able to do this is the way we have always done in the past. First of all, we are blessed with a fantastic foundation, the Watts Foundation. They just do tremendous work here in Mountainside. There are a lot of causes that they support and you can see all that they do around the community. We also continue to get grants whenever possible in order to help defray some of the costs. We received a safe corridor grant this past year which the police department used to buy a new police vehicle. We receive quite a bit of grants from the NJDOT which helps us to continue to fund our road and infrastructure improvements. We have always had shared services. We use the Westfield Regional Health Department for our health department. We have a great relationship with the County. We receive a lot of grant money from the County, especially the Kid's Recreation Grant which help our recreation programs and they assist us if we need equipment not economically feasible for us to purchase. We also have a very good relationship with the Board of Education and we work together in trying to save costs.

We do have a lot of services and facilities in Mountainside. The recreation department has adult and youth programs which are again very popular this year.

They include the teen scene camp, recreation basketball and soccer teams, men and women softball leagues, expanded tennis programs, fitness activities and trips to New York for our seniors. The community room upstairs at borough hall had over 740 hours of activities and the senior fitness room had over 1,500 visits this past year.

For our seniors, we also have healthy bones classes and a fit and healthy program. Our handyman program continues to be a great success. We also continue to work with Sage Eldercare in an outreach effort that assists frail seniors and seniors that are at risk. Again, I want to commend our police department for something that they do that people don't know about, as well as the residents in general, they check up on the seniors, especially when there is bad weather and storms. They know who the seniors are that we need to check on. They do that on a regular basis and they do a good job. We must look out for all our seniors and take care of them because if we don't, they yell at me when I go to the senior meetings.

Our library this year had over 50,000 visits and 63,000 checkouts. The library sponsored 300 programs with over 6,000 patrons attending these programs including music concerts, children's stories, craft programs, movie screenings and guest lectures. The library also expanded their online data base to assist our residents with their research. The library has become the center of community resource for leisure, culture and information for all ages.

Our engineering department continues with our ongoing resurfacing and improvements to our infrastructure. This year, there were curb improvements completed on Beech Avenue, in conjunction with the milling and paving of that road by NJ American Water. There was the resurfacing of Pembroke Road. The construction of the curb and storm sewer was completed. Milling and paving should be completed this year. We had a bank stabilization project on the Nomahegan Brook near Dunn Parkway which was completed and also resurfaced parts of Wyoming Drive. We received a grant for \$180,000 to assist in the cost of that resurfacing. The resurfacing at Deerfield Court and Whipoorwill was designed and construction commenced this year. We also applied for a grant with NJ DOT for resurfacing part of New Providence Road and Woodland Avenue. Many of these projects are funded with existing bond money and grants received from NJ DOT and at a low cost to the Borough. Most importantly, all the improvements, repairing and curb installation makes Mountainside look just plain fantastic.

Our building department has been working closely with the zoning and engineering department to help streamline the permit process. We have waived permit fees for storm related damage and waived fees for installation of sub panels for generators and for natural gas & propane power generators to help encourage residents to install these types of generators so if we have a problem like we did this past year, we will have a lot more houses that have generators and will be self-sufficient.

Our DPW continues to deliver the same level of services that we always have at lower costs, which again is helped by the County providing equipment. The DPW repaired hundreds of pot holes and rebuilt nearly 60 catch basins this year with their five men crew. I also indicated earlier that I commend them for the work that they did during Hurricane Sandy. They were an essential part of making the Borough safe and secure.

Like I said at the beginning, I just can't say enough about the police, dispatchers, DPW, and volunteer fire and rescue squads for the actions and their responses during Hurricane Sandy, but I really appreciate what you guys did at that time. We also have a number of volunteer organizations in Mountainside that I can't stress enough are the ones that make Mountainside the great community that it is. Once again, the volunteer fire department and volunteer rescue squad keep our residents safe, and they provide the fire protection and emergency services when people really need it. We also have the volunteer fire company which help sponsor our fireworks. We have Mountainside Youth Baseball which has been in existence over 50 years. I don't think there is anyone sitting in this room or

who ever lived in this town that hasn't been touched by Mountainside Youth Baseball. It's a great organization and they continue to thrive. We also have the Mountainside PAL which provides programs, sports recreation, and social activities for the youth of our town. The PAL also co-sponsored the 4<sup>th</sup> of July fireworks. Another organization that is fairly new in the scheme of things is the Mountainside Softball Association which provides softball for our young women in the community. We also have a very active cub scouts, boy scouts and girl scouts, and brownie troop. These scouts and their leaders are really one of the leading forces in the success of the Mountainside parade and picnic. I would like to recognize the Mountainside VFW Chapter, Lions Club, Mountainside Rotary Club and the Mountainside Elks. I wanted to say a couple of words about the Elks. They are a very strong civic organization and make contributions to our community. The organization made a very generous donation to the Memorial Day parade and picnic. They also assisted with financing the lights on the Mountainside tree. Numerous organizations hold their meetings at the Elks. Each year they host the PAL Breakfast with Santa and cook for over 200 children and their families. It was a wonderful event and I want to thank you guys for the help you gave that day. They are somewhat of a forgotten organization and our community needs to support the Elks and their activities and I will work with them to make sure they continue to be a strong volunteer force in Mountainside. I hope they stick around. Mountainside is a community of volunteers and it is in the spirit of volunteerism that makes Mountainside the community we all love to call our home. I've said it over and over again, that Mountainside community is sort of like your family. On a day to day basis, all the residents don't really always get along, but if there's ever a problem, a disaster or someone in need, the Mountainside residents come and help their residents and fellow neighbors and that's what makes Mountainside in my opinion, the best town in New Jersey.

**ELECTION OF COUNCIL PRESIDENT:**

Upon motion by Councilman Lane and a second by Councilman Mortimer, Councilman Keith C. Turner was unanimously elected Council President for the year 2013.

-----

**RESOLUTIONS:**

The following two resolutions were introduced by Councilman Messler and seconded by Councilman Mortimer:

**RESOLUTION 1-2013**

BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the 2012 Rules of Council of the Borough of Mountainside be and they hereby are adopted for the year 2013.

BE IT FURTHER RESOLVED that the said Rules of Council of the Borough of Mountainside are incorporated herein by reference.

-----

**RESOLUTION 2-2013**

BE IT RESOLVED by the Governing Body that the Members of the Council be assigned to the following Committees for the year 2013:

<u>COMMITTEE</u>	<u>CHAIRPERSON</u>	<u>MEMBERS</u>
Fire	Councilman William R. Lane	Councilman Glenn W. Mortimer Councilman Jeffrey R. Wass
Administrative and Executive	Councilman Glenn W. Mortimer	Councilman Keith C. Turner Councilman Robert W. Messler
Public Works and Facilities	Councilman Robert W. Messler	Councilman Glenn W. Mortimer Councilwoman Deanna Andre
Police	Councilman Keith C. Turner	Councilman Robert W. Messler Councilman Glenn W. Mortimer
Solid Waste and Recycling	Councilman Glenn W. Mortimer	Councilman Jeffrey R. Wass Councilman Robert W. Messler
Recreation	Councilman Keith C. Turner	Councilwoman Deanna Andre Councilman William R. Lane
Media and Information	Councilman Glenn W. Mortimer	Councilwoman Deanna Andre Councilman Robert W. Messler

Roll Call: Ayes: Andre, Lane, Messler, Mortimer, Turner, Wass. Nays: 0.

-----

The following two resolutions were introduced by Councilman Messler and seconded by Councilman Turner.

**RESOLUTION 3-2013**

BE IT RESOLVED by the Governing Body that the following appointments of Council Representatives to Civic Boards and Agencies, or as liaisons, made by Mayor Paul N. Mirabelli of the Borough of Mountainside be and they hereby are confirmed for the year 2013:

Planning Board	Glenn W. Mortimer
Board of Health	Deanna Andre
Board of Education	William R. Lane
Library	Glenn W. Mortimer
Rescue Squad	Deanna Andre
Board of Tax Appeals	Robert W. Messler
Emergency Management	Keith C. Turner
Senior Citizen Services	Deanna Andre
Board of Tax Assessors	Robert W. Messler
Construction Board of Appeals	Robert W. Messler
Shade Tree	Jeffrey R. Wass
Historic Preservation Committee	Jeffrey R. Wass
Children's Specialized Hospital	Glenn W. Mortimer
-----	

**RESOLUTION 4-2013**

BE IT RESOLVED by the Governing Body of the Borough of Mountainside, pursuant to the provisions of Article 3, Section 301, et seq of the Land Use Ordinance of the Borough of Mountainside, that the Planning Board of the Borough of Mountainside shall consist of nine members and, if desired, up to, but not more than four Alternate Members, of four classes, as follows:

Class I	Paul N. Mirabelli	
Class II	Michael Disko Jr., Borough Engineer	
Class III	Glenn W. Mortimer, Councilman	
Class IV	John Tomaine	2014
	Todd Garran	2016
	John Amalfe	2015
	Ted Zawislak	2016
	Jon Younghans	2015
	Matthew Wyvratt	2015
	Thomas Parker, Alternate #1	2013
	Steve Matlin, Alternate #2	2013

Roll Call: Ayes: Andre, Lane, Messler, Mortimer, Turner, Wass. Nays: 0.  
-----

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

### RESOLUTION 5-2013

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the following appointments to Local Boards and Committees for the terms of office set forth herein, made by Paul N. Mirabelli, Mayor of the Borough of Mountainside, be and they hereby are confirmed:

#### BOARD OF HEALTH:

Tricia Freer	2014
Lora Ford	2015
Dr. Joseph Calderone	2015
Dr. James Dunne	2014
Elsa Jackson	2014
Jenny Disko	2013
Ann Marie Pires	2015

#### SHADE TREE COMMISSION:

Gary Cantagallo	2017
Ronald Romak	2017
Gina Tomas	2017
Lynn Samsky	2014
Thomas Root	2013
John Grossi	2017
Vacancy	2017

#### EMERGENCY MANAGEMENT:

Chief James Debbie, Jr., Director	2015
Ronald Romak, Deputy	2013
Keith C. Turner, Deputy	2013
Lewis Giordino	2013

#### MUNICIPAL ALLIANCE COMMITTEE

Paul Mirabelli	James Debbie Jr.
Chris Minks	Nancy Lubarsky
Jeff Jaegel	Lisa Minks
Sue Jenks	Vivian Hoff
Mike Litterer	Jenn Quaglia
James Toner	Father John McCrone
Brittney Steitz	

#### CONSTRUCTION BOARD OF APPEALS:

James Ruban	2013
Bruce Trano	2015
Gregory Delli Santi	2013
Gary Cantagallo	2016
Thomas Perrotta	2014

Slawomir Wasyliszyn	2013
Barbara Vincentsen, Alt.	2013
Joseph Nicastro, Alt.	2013
Michael Melang, Alt.	2013
David Greenhill, Alt.	2013

**LIBRARY BOARD OF TRUSTEES:**

Steven Witt	2017
Doreen Lane	2016
Nancy Caffrey	2015
Sarah Post	2015
Ginger So Chan	2017
Dona Osieja	2014
Clark Landale	2013

Glenn W. Mortimer, Mayor's Designee  
Chief School Administrator Nancy Lubarsky  
Rev. Christopher Belden, Alternate for Chief School Administrator

**HISTORIC PRESERVATION COMMITTEE:**

Scott Daniels	2013	Ruth Goense	2013
Carol Clark	2013	Maureen Giannone	2013
Carol Goggi	2013	Diane Ruggiero	2013
Sandy Vandermeer	2013	Lenore Toner	2013
Alice Cowell	2013	Tom McGee – Alt.	2013
Don Jeka – Alt.	2013		

**LOCAL ETHICS BOARD:**

William (Tex) Jackson	2015
Alfred Faella	2014
Richard O'Neill	2014
John Grossi	2015
Keith Turner	2015

**AMERICANS WITH DISABILITY ACT:**

Keith Turner	James J. Debbie, Jr.
Linda Clark	Frank Masella

Roll Call: Ayes: Andre, Lane, Messler, Mortimer, Turner, Wass. Nays: 0.  
-----

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

**RESOLUTION 6-2013**

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the following persons are appointed to the Borough offices indicated below:

Chief of Police/Administrator P/T  
OEM Director

James J. Debbie, Jr.

Reorganization Meeting  
January 8, 2013 – Page 11

Municipal Clerk/Registrar of Vital Statistics  
Purchasing Agent/Board of Health Secretary  
Deputy Municipal Clerk/Deputy Registrar

Martha Lopez  
Susan DiFrancesco

Chief Financial Officer/Tax Collector  
Assistant Finance Clerk  
Assistant Tax Collector

Jill Goode  
Cathy Cook  
Brittney L. Steitz

Director of Recreation/Pool Administrator & Tech  
Assistant Recreation Director  
Recreation Secretary/Pool Bookkeeper

Frank Masella  
Kathy Gerndt  
Karen Bandics

Prosecutor  
Municipal Judge  
Court Administrator  
Deputy Court Administrator  
Violations Clerk

Frank Sahaj  
James DeRose, Esq.  
Vivian Hoff  
Debra Velard  
Cynthia West

Tax Assessor  
Police Physician  
Engineer/Certified Wastewater & Treatment Operator  
Secretary to Zoning/Construction/Planning Board  
Secretary to Engineering/DPW/Tax Assessor  
Planning Board Attorney  
Receptionist Secretary:  
Construction/DPW/Zoning

Michael Frangella  
Dr. G. Schaller  
Michael Disko, Jr.  
Ruth Rees  
Patricia Gilstrap  
Vincent Loughlin  
Gina Tomas

Public Works Manager/2<sup>nd</sup> Fl. Supervisor/  
Zoning & Land Use Officer/Deputy OEM  
Public Works:  
Crew Members

Ronald Romak  
Oscar Cardona  
Horacio Colella  
Anthony J. Delfino  
Richard Neri  
Thomas Root

Cable TV Coordinator  
Senior Citizens Coordinator

Michael Debbie  
Paulette Drogon

Construction Official/Bldg. Inspector/  
Building Sub Code Official

Jerry Eger

Fire Sub Code Official  
Plumbing Sub Code Official  
Electrical Sub Code Official  
Fire Prevention Official/OEM

David Mass  
Arthur “Keith” McCall  
Joseph B. Marretta  
Lewis Giordino

Communications Officers:

Walter Kutsop  
Lewis Giordino  
James Debbie III  
Adam Foti

Police Administrative Assistant  
Police Records Clerk P/T

Corinne Moore  
Amy Colineri

Roll Call: Ayes: Andre, Lane, Messler, Mortimer, Turner, Wass. Nays: 0.  
-----

The following three resolutions were introduced by Councilman Lane and seconded by Councilman Turner.

### **RESOLUTION 7-2013**

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the election of the following positions designated opposite their names be and it hereby is confirmed and approved for the year 2013:

#### Fire Department

Chief	Pete Esemplare
Assistant Chief	Matt Watson
Deputy Chief	Gary Cantagallo
Deputy Chief	Anthony Pecorelli
Captain	James Debbie III
Captain	Adam Foti
Lieutenant	Tom Triolo
Lieutenant	Ken Lawrence

#### Rescue Squad

President	Ann Marie Pires
Vice President	Corinne Moore
Treasurer	Lori Rubino

Recording Secretary	Norma Huber
Captain	Bruce Meyer
Deputy Captain	Eric Pastore
1 <sup>st</sup> Lieutenant	Kelly Wanca
2 <sup>nd</sup> Lieutenant	Chris Sileo
Delegates to First Aid Council	Norma Huber & Steve Susman

Officers sworn in by Judge James DeRose

-----  
**RESOLUTION 8-2013**

WHEREAS, the Borough of Mountainside is making applications for Community Development Funds; and

WHEREAS, the allocation of such funds among Union County Communities will be determined in part through the efforts of a group composed of members from the Municipalities that have applied for such funds;

NOW, THEREFORE, BE IT RESOLVED that Michael Kieseewetter, Ruth M. Rees, James J. Debbie, Jr. Alternate, and Brittney Steitz, Alternate be and they hereby appointed as members of the Union County Community Development Revenue Sharing Committee; and

BE IT FURTHER RESOLVED that the Mayor, Paul N. Mirabelli be and hereby is authorized to make further appointments without the need for notification by Council Resolution.

-----  
**RESOLUTION 9-2013**

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the following persons recommended by the Police Committee to be School Crossing Guards for the term of one year ending the 31st day of December 2013, be and hereby are appointed such:

Joan Laurent  
John A. Coppola  
Patricia Salvato  
Robert C. Vargo

Such Guards shall be under the supervision and direction of the Chief of Police.

Roll Call: Ayes: Andre, Lane, Messler, Mortimer, Turner, Wass. Nays: 0.

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

**RESOLUTION 10-2013**

WHEREAS, the Borough Attorney is required to perform services for the Borough beyond the scope of the services upon which his salary is based; and

WHEREAS, such services constitute professional services within the meaning of N.J.S.A.40A:11-2; and

WHEREAS, the nature of such legal services will not reasonably permit the drawing of specifications or the receipt of competitive bids;

WHEREAS, the Borough of Mountainside desires to appoint the Borough Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 and 20.5; and

WHEREAS, the appropriate Borough official has determined that the value of these services will exceed \$17,500, but not to exceed \$225,000 over the life of the contract; and

WHEREAS, the anticipated term of the contract is one year; and

WHEREAS, John N. Post, Esq. (*a member of the firm of Post, Polak, Goodsell, McNeill & Strauchler*) will complete and submit a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political candidate or candidate committee in the Borough of Mountainside in the previous year, and acknowledging that the contract will prohibit it from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Mountainside that **John N. Post, Esq.**, the Borough Attorney, be and he hereby is appointed to perform such legal services as may be required by the Governing Body and which are beyond the scope of the services upon which the Borough Attorney's salary is based; and

BE IT FURTHER RESOLVED that a copy of this Resolution be published in an appropriate newspaper within ten days hereof.

Roll Call: Ayes: Andre, Lane, Messler, Mortimer, Turner, Wass. Nays: 0.

-----

The following four resolutions were introduced by Councilman Lane and seconded by Councilman Wass.

**RESOLUTION 11-2013**

WHEREAS, the Borough of Mountainside is required by the terms of N.J.S.A.40A:5-1 et seq to engage a Registered Municipal Accountant to be the Official Borough Auditor and Financial Advisor; and

WHEREAS, such services constitute professional services of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids;

WHEREAS, the Borough of Mountainside desires to appoint the Borough Auditor and Financial Advisor as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 and 20.5; and

WHEREAS, the appropriate Borough official has determined that the value of these services will exceed \$17,500, but not to exceed \$62,500 over the life of the contract; and

WHEREAS, the anticipated term of the contract is one year; and

WHEREAS, Robert B. Cagnassola (*a member of the firm of Suplee, Clooney & Co.*) has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political candidate or candidate committee in the Borough of Mountainside in the previous year, and acknowledging that the contract will prohibit it from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the accounting firm Robert B. Cagnassola of the firm **Suplee, Clooney and Company** be and he hereby is appointed to be the official Borough Auditor and Financial Advisor for the term of one year commencing January 1, 2013;

BE IT FURTHER RESOLVED that a copy of this Resolution be published in an appropriate newspaper within ten days hereof.

-----

**RESOLUTION 12-2013**

WHEREAS, the Borough of Mountainside has resolved to join the Suburban Municipal Joint Insurance Fund, following a detailed analysis; and

WHEREAS, the bylaws of said Funds require that each Municipality appoint a RISK MANAGEMENT CONSULTANT to perform various professional services as detailed in the bylaws; and

WHEREAS, the Board of Fund Commissioners established a fee equal to six percent (6%) of the Municipal assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the Mayor and Council; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical;

NOW THEREFORE, be it resolved that the Borough of Mountainside does hereby appoint **BOLLINGER INSURANCE** as its Risk Management Consultant in accordance with the Fund's bylaws; and

BE IT FURTHER resolved that the Mayor and Borough Clerk are hereby authorized and directed to execute the Risk Management Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to N.J.S.A. 40A:11-5 (1) (a) (i).

THIS AGREEMENT entered into the 1<sup>st</sup> day of January 2013, between the Borough of Mountainside and Bollinger Insurance.

WHEREAS, Bollinger Insurance has offered to the Borough of Mountainside professional risk management consulting services as required in the bylaws of the Suburban Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Funds, and;

WHEREAS, the Borough of Mountainside desires these professional services pursuant to the resolution adopted by the governing body of the Borough of Mountainside;

NOW, THEREFORE, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

1. For and in consideration of the amount stated hereinafter, Bollinger Insurance shall:
  - a) Assist the Borough of Mountainside in identifying its insurable Property & Casualty exposures and to recommend professional methods to reduce, assume or transfer the risk or loss.

- b) Assist the Borough of Mountainside in understanding the various coverages available from the Suburban Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund.
  - c) Review with the Borough of Mountainside any additional coverages that Bollinger Insurance feels should be carried but are not available from the Fund and subject to the Borough of Mountainside's authorization, place such coverages outside the Fund.
  - d) Assist the Borough of Mountainside in the preparation of applications, statements of values, and similar documents requested by the Fund, it being understood that this Agreement does not include any appraisal work by Bollinger Insurance.
  - e) Review Certificates of Insurance from contractors, vendors and professionals when requested by the Borough of Mountainside.
  - f) Review the Borough of Mountainside's assessment as prepared by the Fund and assist the Borough of Mountainside in the preparation of its annual insurance budget.
  - g) Review the loss and engineering reports and generally assist the safety committee in its loss containment objectives. Also, attend no less than one (1) municipal safety committee meeting per annum to promote the safety objectives and goals of the Borough of Mountainside and the Fund.
  - h) Assist where needed in the settlement of claims, with the understating that the scope of Bollinger's involvement does not include the work normally done by a public adjuster.
  - i) Perform any other risk management related services required by the Fund's bylaws.
2. In exchange for the above services, Bollinger Insurance shall be compensated in the following matter:
- a) Bollinger Insurance shall be paid by the Borough of Mountainside a fee as compensation for services rendered, an amount equal to six

percent (6%) of the Borough of Mountainside's annual assessment as promulgated by the Funds. Said fee shall be paid to Bollinger Insurance within thirty (30) days of payment of the Borough of Mountainside's assessment.

- b) For any insurance coverages authorized by the Borough of Mountainside to be placed outside the Fund, Bollinger Insurance shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the Funds assessment in computing the fee outlined in 2 (a).
  - c) If the Borough of Mountainside shall require of Bollinger Insurance extra services other than those outlined above, Bollinger Insurance shall be paid by the Borough of Mountainside a fee at the rate of \$0 per hour, in addition to actual expenses incurred.
3. The term of this Agreement shall be one (1) year. However, this Agreement may be terminated by either party at any time by mailing to the other written notice, certified mail return receipt, calling for termination at not less than thirty (30) days thereafter. In the event of termination of this Agreement, Bollinger's fees outlined in 2 (a) above shall be prorated to date of termination.

-----

**RESOLUTION 13-2013**

WHEREAS, the Borough Engineer is required to perform services for the Borough beyond the scope of the services upon which his salary is based; and

WHEREAS, such services constitute professional services within the meaning of N.J.S.A.40A:11-2; and

WHEREAS, the nature of such Engineering services will not reasonably permit the drawing of specifications or the receipt of competitive bids;

WHEREAS, the Borough of Mountainside desires to appoint the Borough Engineer as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 and 20.5; and

WHEREAS, the appropriate Borough official has determined that the value of these services will exceed \$17,500, but not to exceed \$125,000 over the life of the contract; and

WHEREAS, the anticipated term of the contract is one year; and

WHEREAS, Michael Disko, Jr. (*a member of the firm of M. Disko Associates*) has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political candidate or candidate committee in the Borough of Mountainside in the previous year, and acknowledging that the contract will prohibit it from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Mountainside that **Michael Disko Jr.**, Borough Engineer, be and he hereby is appointed to perform such engineering services as may be required by the Governing Body and which are beyond the scope of the services upon which the Borough Engineer's salary is based; and

BE IT FURTHER RESOLVED that a copy of this Resolution be published in an appropriate newspaper within ten days hereof.

-----

### RESOLUTION 14-2013

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that in accordance with the Code of the Borough of Mountainside, the officers and employees of the Borough of Mountainside authorized to make certification of goods received or services rendered in 2013 are as follows:

Administrative & Executive:  
Jill Goode  
Martha Lopez  
James J. Debbie, Jr.

Medical & Surgical:  
Jill Goode  
James J. Debbie, Jr.

Financial Administration:  
Jill Goode  
James J. Debbie, Jr.

Fire:  
Chief Peter Esemplare  
Asst. Chief Matt Watson

Planning Board:  
Ruth Rees

Assessment of Taxes:  
Michael Frangella  
Patricia Gilstrap

Police:  
Chief James Debbie, Jr.  
Capt. Richard Osieja

Collector of Taxes:  
Jill Goode

First Aid:  
Martha Lopez  
James J. Debbie, Jr.

Public Works Facilities:  
Ronald Romak  
Patricia Gilstrap

Municipal Court:  
James DeRose  
Vivian Hoff

Legal:  
Martha Lopez  
James J. Debbie, Jr.

Inspector of Buildings:  
Jerry Eger

Streets & Roads  
Ronald Romak  
Patricia Gilstrap

Inspector of Plumbing  
Arthur "Keith" McCall

Workmen's Compensation:  
Jill Goode  
James J. Debbie, Jr.

Emergency Management:  
James J. Debbie, Jr.  
Ronald Romak

Health Insurance:  
Jill Goode  
James J. Debbie, Jr.

Engineering:  
Michael Disko Jr.  
Patricia Gilstrap

Street Lighting:  
Ronald Romak  
Patricia Gilstrap

Sanitation:  
Ronald Romak  
Patricia Gilstrap

Board of Health:  
Martha Lopez  
Susan DiFrancesco

Library:  
Michael Banick

Recreation/Community Pool:  
Frank Masella  
Kathy Gerndt

Shade Tree:  
Ronald Romak

Roll Call: Ayes: Andre, Lane, Messler, Mortimer, Turner, Wass. Nays: 0.

-----

The following four resolutions were introduced by Councilman Mortimer and seconded by Councilman Messler.

**RESOLUTION 15-2013**

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the following named banks and savings and loan associations be and they hereby are designated as official depositories for the Borough of Mountainside for the year 2013:

New Jersey Cash Management  
Citi Fund Services  
P.O. Box 182218  
Columbus, OH 43218-2218

Valley National Bank  
882 Mountain Avenue  
Mountainside, NJ 07092

Wachovia Bank  
550 Broad Street, 4<sup>th</sup> Floor  
Newark NJ 07102

Chase Manhattan  
8523 20<sup>th</sup> Avenue  
Brooklyn, NY 11214

Sovereign Bank  
2253 North Avenue  
Scotch Plains, NJ 07076

Bank of America  
855 Mountain Avenue  
Mountainside, NJ 07092

TD Bank, NA  
425 Main Street, Suite 2<sup>nd</sup> Floor  
Chatham, NJ 07928

PNC Bank  
1500 Prince Rogers Avenue  
Bridgewater, NJ 08807

Investors Savings  
300 South Avenue  
Garwood, NJ 07027

Spencer Savings  
329 North Avenue  
Garwood, NJ 07027

-----  
**RESOLUTION 16-2013**

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the following are designated and appointed the official newspapers of the Borough of Mountainside for the year 2013:

Local Source  
Westfield Leader  
Star Ledger  
Courier News

**RESOLUTION 17-2013**

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the rate of interest of delinquent taxes and assessments owed to the said Borough of Mountainside be and it hereby is set at eight percent (8%) on the first one thousand five hundred dollars (\$1,500.00) of taxes due and eighteen percent (18%) of any amount in excess of one thousand five hundred dollars (\$1,500.00). Such interest shall not be charged, however, on payments made within ten (10) days from the due date;

BE IT FURTHER RESOLVED there will be a six percent (6%) penalty on delinquency of ten thousand dollars (\$10,000.00) or more at the end of the calendar year.  
-----

**RESOLUTION 18-2013**

BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the following Borough Employees be bonded in amounts set forth opposite their names herein:

Jill Goode, CFO/Tax Collector	\$ 100,000.00
Blanket Bond/Employees Handling Funds	\$ 100,000.00
Municipal Judge/Court Administrator	\$ 100,000.00

Roll Call: Ayes: Andre, Lane, Messler, Mortimer, Turner, Wass. Nays: 0.  
-----

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

**RESOLUTION 19-2013**

BE IT RESOLVED, that Paul N. Mirabelli, in his capacity as Mayor, be and he hereby is authorized to sign checks and drafts on behalf of the Borough of Mountainside;

BE IT FURTHER RESOLVED that Keith C. Turner, in his capacity as Council President and in the absence of the Mayor, be and he hereby is authorized to sign checks and drafts on behalf of the Borough of Mountainside;

BE IT FURTHER RESOLVED that Jill Goode, in her capacity as Chief Financial Officer/Borough Treasurer, be and she hereby is authorized to co-sign checks and drafts on behalf of the Borough of Mountainside;

BE IT FURTHER RESOLVED that James J. Debbie, Jr., in his capacity as Administrator, and in the absence of the Borough Treasurer, be and he hereby is authorized to co-sign checks and drafts on behalf of the Borough of Mountainside; provided that neither the Administrator nor the Borough Treasurer will be a valid co-signer on a check that does not bear the signature of the Mayor or in his absence, the Council President.

Roll Call: Ayes: Andre, Lane, Messler, Mortimer, Turner, Wass. Nays: 0.  
-----

The following three resolutions were introduced by Councilman Turner and seconded by Councilman Lane.

**RESOLUTION 20-2013**

BE IT RESOLVED that the Governing Body of the Borough of Mountainside does hereby schedule its monthly meetings to be held at 8:00 P.M. in the Municipal Building, 1385 Route 22, Mountainside, NJ, as follows for 2013:

WORK SESSION		REGULAR MEETING
January	*15	22
February	5	19
March	5	19
April	*9	16
May	7	21
June	4	18
July	2	16
August	6	20
September	3	17
October	1	15
November	5	19
December	3	17

Reorganization Meeting: Tuesday, January 7, 2014 7:00 P.M.

\*Note: date change  
-----

**RESOLUTION 21-2013**

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 temporary appropriations shall be made for the year 2013:

<u>APPROPRIATIONS</u>	<u>SALARIES &amp; WAGES</u>	<u>OTHER EXPENSES</u>
Administrative & Executive	\$ 18,000.	\$50,000.
Finance Administration	32,000.	400.
Mayor & Council	2,900.	0.
Clerk	25,000.	1,450.
Assessment of Taxes	5,800.	8,000.
Legal Services & Costs	6,000.	55,000.
Planning Board	2,500.	10,000.
Insurance:		
Group		250,000.
Other		80,000.
Waiver O/E		12,500.
Fire Department		15,000.
Police Department	650,000.	60,000.
Fire Prevention	6,250.	2,000.
Police Communications Officers	50,000.	2,000.
Roads Repairs & Maintenance	110,000.	30,000.
Snow Removal	0.	75,000.
Buildings & Grounds	0.	30,000.
Shade Tree Commission	0.	3,000.
Board of Health	2,000.	10,000.
Dog Regulation	0.	3,000.
Recreation Department	40,000.	24,500.
Construction Official	32,000.	1,500.
Fire Hydrant Service	0.	48,000.
Street Lighting	0.	12,000.
Telephone	0.	8,000.
Electricity	0.	15,000.
Water	0.	2,500.
Natural Gas	0.	15,000.

Reorganization Meeting  
 January 8, 2013 – Page 25

Gasoline	0.	20,000.
Social Security	0.	42,000.
Municipal Court	45,000.	2,000.
Zoning		10.
Public Defender	900	
Sr. Citizen Services	7,500.	1500.
<u>APPROPRIATIONS</u>	<u>SALARY &amp; WAGES</u>	<u>OTHER EXPENSES</u>
Maintenance Public Library	0.	\$165,000
Capital Improvements:		
Payment of Bond Interest	0.	41,000.
TOTAL	\$1,035,850.	\$1,095,360.

\*\*\*\*\*

<u>POOL:</u>		
Operating	\$25,000.	\$ 20,000.
Capital Outlay	0.	12,000.
TOTAL	\$25,000.	\$ 32,000.

GRAND TOTAL: \$57,000.  
 -----

**RESOLUTION 22-2013**

WHEREAS, the approval of the Petty Cash Funds listed below has been given by the Division of Local Government Services; and

WHEREAS, these funds for 2012 have been returned to the Chief Finance Officer according to R.S. 40A:5-21;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the Chief Finance Officer be and is hereby authorized to draw and deliver said warrants to the following Petty Cash Custodians for the year 2013:

<u>POLICE DEPARTMENT</u>	
James J. Debbie, Jr.	\$100.00
Police Chief	

FINANCE

Jill Goode \$100.00  
Chief Finance Officer/Treasurer

RECREATION

Frank Masella \$ 50.00  
Recreation Director

CONSTRUCTION

Ronald Romak \$ 50.00  
Construction Code Official

Roll Call: Ayes: Andre, Lane, Messler, Mortimer, Turner, Wass. Nays: 0.  
-----

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

**RESOLUTION 23-2013**

WHEREAS, the term of the Municipal Judge has expired; and

WHEREAS, the Governing Body of the Borough of Mountainside wishes to reappoint James DeRose to the position of Municipal Judge.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Mountainside that James DeRose be and he hereby is appointed for a statutory three year term as Mountainside Municipal Judge, such term to commence on January 1, 2013 and to expire on December 31, 2015.

Roll Call: Ayes: Andre, Lane, Messler, Mortimer, Turner, Wass. Nays: 0.  
-----

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

**RESOLUTION 24-2013**

WHEREAS, Jill Goode has concluded the un-expired term of the former P/T Tax Collector Dale Mathews; and

WHEREAS, the Governing Body of the Borough of Mountainside has agreed to appoint Jill Goode to the position of P/T Tax Collector for a four-year term;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mountainside that Jill Goode is hereby appointed as P/T Tax Collector in the Borough of Mountainside for a four year term effective January 1, 2013 to December 31, 2016.

Roll Call: Ayes: Andre, Lane, Messler, Mortimer, Turner, Wass. Nays: 0.  
-----

**AUDIENCE PARTICIPATION:**

No audience participation.  
-----

**COUNCIL COMMENTS:**

No comments.  
-----

Upon a motion by Councilman Turner and a second by Councilwoman Andre, the meeting was unanimously adjourned. Meeting adjourned at 8:05 P.M.

Respectfully submitted,

\_\_\_\_\_  
Martha Lopez, Borough Clerk