

WORK SESSION
JULY 2, 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.

Acting Mayor Keith C. Turner called the meeting to order at 8:05 P.M.

PRESENT: Acting Mayor Turner, Councilman Lane, Councilman Messler, Councilman Mortimer, Attorney Post and Administrator Debbie. Also present were CFO Jill Goode, Recreation Director Frank Masella, and Public Works Manager Ronald Romak. Mayor Mirabelli and Councilwoman Andre were absent.

The following resolution was introduced by Acting Mayor Turner and seconded by Councilman Lane.

RESOLUTION 87-2013

WHEREAS, there is a vacancy in the position of Council Member; and

WHEREAS, the Governing Body is desirous of filling that position; and

WHEREAS, pursuant to the Municipal Vacancy Law, NJSA 40A:16-1 et seq., and specifically NJSA 40A:16-5 and NJSA 40A:16-11, the Republican Committee has submitted the names of three nominees to the Governing Body so that the Governing Body may appoint one of those nominees as the successor to fill the vacancy in the office of Council Member; and

WHEREAS, the Governing Body has chosen Rene Dierkes to fill the vacancy in the office of Council Member;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Mountainside that Rene Dierkes be and he is hereby appointed to the position of Council Member until a newly elected Council Member is sworn into office following the election to be held in November of 2013, pursuant to NJSA 40A:16-5.

Roll call: Ayes: Lane, Messler, Mortimer, Turner. Nays: 0.

The oath of office was administered by Attorney John Post.

Discussion was held regarding the Union County Community Development Block Grant Program. In order to participate in the CDBG Program, a resolution must be adopted to certify that the borough will abide by the rules and regulations of

this program to ensure funds are expended properly and in a timely manner. The projects to be submitted are Senior Citizen Coordinator, Senior Van Driver, and Senior Handyman Program. The proper resolution will be prepared for the July 16, 2013 meeting

Discussion was held regarding entering into a shared services agreement with the County of Union for printing and signage services. Union County has lower prices than our current vendors and we would like to continue using their services in the future. The proper resolution will be prepared for the July 16, 2013 meeting.

Discussion was held regarding an escrow refund for a temporary sign permit. American Aluminum located at 230 Sheffield Street provided a \$100.00 escrow deposit to hang a temporary sign. The Borough Engineer recommends refunding the deposit at this time. The proper resolution will be prepared for the July 16, 2013 meeting.

Discussion was held regarding the recycling contract due to expire in January. The contract term shall be for three years with the option to renew two additional years. The bid notice will be advertised in a state and local newspaper in addition to the Borough website. The proper resolution will be prepared for the meeting of July 16, 2013.

Discussion was held regarding a request from the Rescue Squad to purchase a new ambulance rig. Captain Bruce Meyer explained how the vehicle maintenance costs for the past two years total approximately \$20,000. Budget appropriations have been covering the increasing supplies and training costs. Informal bids were solicited for a smaller F series model ranging from \$145,000 to \$150,000. In the past, the Rescue Squad purchases the vehicle and the Borough helps finance the cost annually. After discussing a few financing options, a future meeting was recommended to review the best way to proceed with the purchase.

Discussion was held regarding a proposed amendment to an ordinance from the Board of Health regarding the removal of cat feces. The Board is proposing an increase to the penalties section of the ordinance from \$100.00 per violation to \$100 for the first offense and double for each subsequent violation. The Council agreed with the Board's decision to increase the fine. The Board of Health will adopt the ordinance at their next meeting.

Discussion was held regarding the approval to appoint Roman and Odalys Sawycky as new volunteer firefighters. The applicant's background checks have been cleared through the police department. Fire Chief Peter Esemplare recommends these appointments. A motion to approve them will be made at the meeting of July 16, 2013.

Discussion was held regarding a request for a road opening permit at 1180 Spruce Drive. The gas company needs to open the road in order to activate a natural gas line to the Liquid Church since they are converting from the existing oil furnace to natural gas. The permit was denied by the Borough Engineer based upon the 5-year moratorium since the road was recently paved 18 months ago. The Council agreed with the Engineer's determination and denied their request.

Discussion was held regarding the request from the Finance Officer for a Chapter 159 resolution to include a special item of revenue into the 2013 municipal budget for Alcohol Ed Rehab Enforcement Fund \$52.77. The proper resolution will be prepared for the June 16, 2013 meeting.

Discussion was held regarding authorization to apply for the 2013 Kids Recreation Trust Grant Program. Some of the improvements include shade coverage, gaga dodge ball pit, and Mountainside Softball Association projects that will require matching funds. The proper resolution authorizing Borough Officials to make application for the grant will be prepared for the July 16, 2013 meeting.

Discussion was held regarding authorization for the Mountainside Historical Preservation Committee to apply for grant funding. The grant will be for costs associated with moving the historic Levi Cory House from its present location on Mountain Avenue to a location next to the historic Hetfield House. They would like to request funding in the amount of \$70,000 and matching the same amount with Committee funds. The proper resolution will be prepared for the July 16, 2013 meeting.

Discussion was held regarding the appointment of The Rodger's Group as a Consultant through a professional services contract to accredit the Mountainside Police Department and provide on-line training. The proposal will cost approximately \$40,000 of which \$25,000 will come from the JIF. The benefits to having an accredited police department are reductions to our insurance premiums and less liability to the Borough. The proper resolution will be prepared for the meeting of July 16, 2013.

Discussion was held regarding a recommendation from the Borough Engineer for the pothole repair contract. Quotes were solicited and Denbar was the lowest bidder at \$10.80/SF. With the appointment of a QPA, the cost is under the bid threshold and bonding wasn't required therefore, the quoted prices were significantly lower than the past years of \$16.90/SF. The Borough will benefit from 835 additional SF of road work at a savings of \$9,000. The proper resolution will be prepared for the July 16th meeting.

BILLS & CLAIMS:

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

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 2nd day of July 2013, 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 \$87,090.26. (Copy of bill list attached)

Roll call: Ayes: Dierkes, Lane, Messler, Mortimer, Turner. Nays: 0.

Upon motion by Councilman Mortimer and a second by Councilman Lane, 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 contracts and litigation 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 8:45 P.M.

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The meeting was recalled to public session at 9:43 P.M.

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

Respectfully submitted,

Martha Lopez, Borough Clerk