

**WORK SESSION  
NOVEMBER 4, 2014**

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 8:05 P.M.

PRESENT: Mayor Mirabelli, Councilwoman Andre, Councilman Dierkes, Councilman Lane, Councilman Messler (8:30), Councilman Mortimer, Councilman Turner, Attorney Post and Administrator Debbie. Also present were Recreation Director Frank Masella, CFO Jill Goode, Acting Chief Allan Attanasio, Building Inspector Jerry Eger, Public Works Manager Ronald Romak and Borough Planner John Chadwick.

Discussion was held regarding amendments to the land use fee ordinance. Building Inspector Jerry Eger proposes to cover "unregulated" issues such as walls, fences and sheds not covered by the State Uniform Construction Code. Mr. Eger recommends an ordinance to create a zoning permit to provide a means of regulating construction projects not regulated by the UCC. The Council agreed to a flat \$50 permit fee for zoning permit applications for fences, sheds, walls and driveway expansions to help cover inspection costs. An ordinance to introduce will be prepared for the meeting of November 25, 2014.

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Discussion was held regarding the need for a resolution covenanting to comply with the Internal Revenue Code of 1986, as amended (the "Code"), and designating the \$4,851,900 Bond Anticipation Note as a "qualified tax-exempt obligation". The proper resolution will be prepared for the November 25, 2014 meeting.

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Discussion was held regarding authorization to apply for the Safe Corridor Grant. The New Jersey Department of Transportation Safety Fund Grant Program provides funds for the enforcement of traffic violations in designated stretches of state highways known as safe corridors. The grant will fund the purchase of new police vehicles and automatic license plate reader (ALPR). The proper resolution will be prepared for the meeting of November 25, 2014.

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Discussion was held regarding approval to appoint Patrick Klebaur as a volunteer firefighter. The applicant's background check has been cleared through the police department. A motion to approve his appointment will be made at the November 25, 2014 meeting.

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Discussion was held regarding raffle applications from Our Lady of Peace Church for two (2) on premise draw raffles, an off premise draw raffle and a 50/50 on premise draw raffle. All the applications are in order and the proper fees have been paid. Action to approve the raffle licenses will take place at the meeting of November 25, 2014.

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Discussion was held regarding a recreation refund. Recreation Director Frank Masella recommends refunding \$75.00 to Keith Pires after his son changed his mind about playing basketball. The proper resolution will be prepared for the meeting of November 25, 2014.

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Discussion was held regarding the proposed floor area ratio (FAR) ordinance tabled at the October meeting. The ordinance was tabled due to the questions about its actual application and the ramifications of the range in FAR and how the triggered side yard setbacks would work in practice. The Council discussed some circumstances that would require builders to comply with a greater setback or the same setback. For example, if a builder wants to go 2.4 they have to comply with a 15 ft. setback or seek a variance. If the builder wants to go .224 and has an 8 ft. setback then the setback remains the same. Any substantial renovation seeking an FAR increase from 2.25 to 2.4 must comply with the 15 ft. side yard setbacks. The proposed ordinance will also “grandfather” in existing homes damaged by fire so their owners can rebuild their homes without needing a variance for the larger setbacks. The revised ordinance will be prepared for public hearing on November 25, 2014.

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Discussion was held regarding the denial notice from the Watts Foundation for a grant to purchase a new Senior Citizen Transportation Vehicle. Administrator Debbie suggested reapplying to the Watts Foundation, purchasing the bus from capital improvements funds or cancelling the Senior Citizen Transportation Program. Councilman Turner requested a bus usage report to determine costs concerns prior to making a determination. Mayor Mirabelli asked the Governing Body to inquire about the types of grant request the Watts Foundation may be willing to fund.

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**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 4<sup>th</sup> day of November 2014, 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 \$103,849.12 (Copy of bill list attached)

Roll call: Ayes: Andre, Dierkes, Lane, Messler, Mortimer, Turner. Nays: 0.  
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**AUDIENCE PARTICIPATION:**

Manny Arango, 478 Mary Allen Way, urged the governing body to investigate his complaint regarding the poor road conditions on Mary Allen Way due to a pending subdivision project. Mayor Mirabelli stated that the developer may voluntarily resolve the road issue. The Mayor recalls Mary Allen Way as being a non-dedicated paper street and therefore, not the borough's responsibility. Attorney Post will have a report at the November meeting.

Upon motion by Councilman Mortimer second by Councilman Lane, the meeting was unanimously adjourned to public session. The meeting adjourned at 8:51 P.M.

Respectfully submitted,

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Martha Lopez, Borough Clerk