

**REGULAR MEETING
FEBRUARY 18, 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 8:04 P.M.

**INVOCATION: Councilman Dierkes
SALUTE TO THE FLAG
ROLL CALL**

PRESENT: Mayor Paul N. Mirabelli, Councilwoman Andre, Councilman Dierkes, Councilman Messler, Councilman Mortimer, Council President Turner, Administrator Debbie and Attorney Post. Also present were Recreation Director Frank Masella and Public Works Manager Ronald Romak. Councilman Lane was absent.

APPROVAL OF MINUTES:

Upon motion by Councilman Turner and a second by Councilman Mortimer, the minutes of the Regular Session Meeting held on January 28, 2014 were approved. Roll Call: Ayes: Andre, Dierkes, Messler, Mortimer, Turner. Nays: 0.

Upon motion by Councilman Mortimer and a second by Councilman Turner, the minutes of the Work & Executive Session Meetings held on February 4, 2014 were approved. Roll Call: Ayes: Andre, Dierkes, Messler, Mortimer, Turner. Nays: 0.

PROCLAMATIONS:

**100th BIRTHDAY CELEBRATION
EDWARD VERLANGIERI**

WHEREAS, Edward Verlangieri was born on January 31, 1914; and

WHEREAS, Mr. Verlangieri has been a longtime Mountainside resident since he moved from Orange, New Jersey on April 25, 1952; and

WHEREAS, when Mr. Verlangieri built his home on Wood Valley Road where there were only five houses on that road; and

WHEREAS, Mr. Verlangieri married his loving wife, Marian, and they spent 69 wonderful years together before her passing; and

WHEREAS, Marian Verlangieri was very much involved with the Union County Chorus, PTA musical in town, Mountainside Women's Club and The Mountain Trail Garden Club; and

WHEREAS, Mr. and Mrs. Verlangieri loved to be social with their neighbors and

would enjoy evening dancing, board and card games, making their social activities become the start of our now Mountainside Newcomers Club; and

WHEREAS, Edward Verlangieri just celebrated his 100th birthday on January 31, 2014.

WHEREAS, the Mayor and Council are inspired by his long life and offer him sincere best wishes for continued good health, happiness, and overflowing abundance of love and joy.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Mountainside do hereby congratulate Edward Verlangieri on the momentous occasion of his 100th birthday celebration.

EAGLE SCOUT – RYAN VARGO

WHEREAS, scouting is a movement that challenges, inspires, and guides young people toward high achievements and high values as expressed in the Scout oath, law, motto, and slogan, and;

WHEREAS, Eagle is the highest rank in the Boy Scouting, and requires mastery of difficult challenges in diverse areas, and;

WHEREAS, to become an Eagle Scout requires demonstration of good character and community service, and;

WHEREAS, only a minority of scouts ever achieves this distinguished accomplishment, and;

WHEREAS, Ryan Vargo has demonstrated a special commitment to the Boy Scouts, and has worked with great diligence to successfully complete the requirements for the rank of Eagle, and;

WHEREAS, for his Eagle community service project, Ryan Vargo completed outdoor renovations at Beechwood School and Deerfield School, and;

WHEREAS, Ryan Vargo remodeled the front courtyard of Deerfield School with a new landscape design that included the addition of beautiful greenery, and:

WHEREAS, with the assistance of many volunteers, Ryan Vargo also replaced the Beechwood School flagpole which included improvements to the base area. Ryan added to the aesthetic appeal outside the school by constructing two benches that were placed at the front waiting area.

WHEREAS, his service project was funded by donations from Frank Barone and his company Denbar Construction, the Watts Foundation, Rotary Club, Mountainside Memorial Post #10136, Williams Nursery and Home Depot.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside, that they do hereby congratulate Ryan Vargo on attaining the rank of Eagle Scout.

YOUTH ART MONTH 2014

WHEREAS, art education contributes powerful educational benefits to all elementary, middle and secondary students including the following:

- Art education develops students' creative problem-solving and critical thinking abilities;
 - Art education teaches sensitivity to beauty, order and other expressive qualities;
 - Art education gives students a deeper understanding of multi-cultural values and beliefs;
 - Art education reinforces and brings to life what students learn in other subjects;
- and
- Art education interrelates student learning in art production, art history, art criticism and aesthetics; and

WHEREAS, our national leaders acknowledged the necessity of including arts experiences in all students' education;

THEREFORE, BE IT RESOLVED, that support should be given to art teachers as they attempt to strengthen art education in their schools and communities.

NOW, THEREFORE, it is proclaimed that March be observed as YOUTH ART MONTH.

All citizens are urged to take interest in and give full support to quality school art programs for children and youth.

NOW, THEREFORE, I Mayor Paul N. Mirabelli do endorse March 2014 as YOUTH ART MONTH.

RESOLUTIONS:

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

RESOLUTION 34-2014

WHEREAS, at the Borough Tax Sale held on June 19th, 2013, a lien was sold on 176 Sunrise Parkway, also known as Block 24.C Lot 2 owned by Cunningham, Neville

& Audrey; and

WHEREAS, this lien known as Tax Sale Certificate 13-00081 was sold to US Bank as Cust. For Phoenix, for a premium of \$21,000.00; and

WHEREAS, HSBC Bank., on behalf of the property owner, has requested redemption of this tax title lien 13-00081 and has paid the Borough of Mountainside all monies due including filed affidavits in amount of \$9,862.01; and

NOW, THEREFORE, BE IT RESOLVED that the Treasurer be authorized to issue a check US Bank as Cust. For Phoenix, Tax Lien Svc. 2 Liberty Pl., 50 South 16th St. Ste 1950, Philadelphia, PA 19102, in the amount of \$9,862.01 plus a premium of \$21,000.00, for the redemption and cancellation of Tax Title Lien Certificate #13-00081

Roll Call: Andre, Dierkes, Messler, Mortimer, Turner. Nays: 0

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

RESOLUTION 35-2014

WHEREAS, N.J.S.A. 40A:4-58 provides for transfers within certain appropriations within the Reserve Municipal Budget during the first three months of the fiscal year; and

WHEREAS, the Chief Financial Officer has advised the Mayor and Council of the Borough of Mountainside that the need for certain transfers within the 2013 Municipal Budget exists; and

WHEREAS, it is recommended that these budget transfers be made;

NOW, THEREFORE, BE IT RESOLVED that the following budget transfers be made in the 2013 Municipal Budget Reserves; and

<u>CURRENT ACCOUNT</u>	<u>FROM</u>	<u>TO</u>
Electricity	20,000	
Snow Expenses		20,000
TOTAL	\$20,000	\$20,000

Roll Call: Andre, Dierkes, Messler, Mortimer, Turner. Nays: 0

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

RESOLUTION 36-2014

WHEREAS, the Recreation Director Frank Masella has requested refunds to the following participants due to program cancellations; and

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

<u>Recipient</u>	<u>Program</u>	<u>Amount</u>
Sheila Senkarik 349 Darby Lane	Barre None	\$51.00
Beth Haydanek 1498 Deer Path	Barre None	\$51.00
Cris Messler 294 Garrett Road	Barre None	\$51.00
Lorene Connolly 315 Central Avenue	Barre None	\$51.00
Suzanne Zimmermann 218 Glen Road	Barre None	\$51.00

Roll Call: Andre, Dierkes, Messler, Mortimer, Turner. Nays: 0

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

RESOLUTION 37-2014

WHEREAS, the students of the 2014 Graduating Class of Governor Livingston High School have determined to have an Alcohol and Drug Free Graduation Party during the hours immediately following graduation until the following morning to be held at Rutgers; and

WHEREAS, the Governing Body of the Borough of Mountainside wishes to support this decision to have a graduation celebration free from the serving of alcohol and thereby assuring that there will be no students who have attended this graduation party driving under the influence of liquor or drugs; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Mountainside that \$300.00 shall be given to the Fund Raising Committee of "PROJECT GRADUATION" toward the expenses incurred for the 2014 Alcohol Free Graduation Party of Governor Livingston High School.

Roll Call: Andre, Dierkes, Messler, Mortimer, Turner. Nays: 0

ORDINANCE: Second Reading (Public Hearing)

ORDINANCE 1213-2014

AN ORDINANCE AMENDING CHAPTER X, SECTION 1.14, SECTION a. AND b., OF THE CODE OF THE BOROUGH OF MOUNTAINSIDE, NEW JERSEY REGARDING MEMBERSHIP FEES FOR USE OF THE MOUNTAINSIDE COMMUNITY POOL

BE IT ORDAINED by the Mayor and Council of the Borough of Mountainside, County of Union, State of New Jersey, that Chapter X, Section 1.14-a. and Section 1.14-b. of the Borough Code be, and the same is amended and restated as follows:

10-1.14 Fees Established:

a. The resident and full time employee membership fees and guest fees shall be as follows:

1. Family Membership:
 - (I) Family Membership \$314.00
 - (ii) Each unmarried child over 21 living at home or parent living with the family 110.00
2. Single Membership 16 years of age or older 160.00
3. Senior Citizen Membership: 62 years of age or older 110.00
4. A child under the age of 16 joining as part of a family, single or senior citizen membership of a relative, if both the child and the membership are resident 160.00
5. A resident person age 14 or 15 employed by a family as a parent's helper joining that family's membership 160.00
6. Single Parent/Child 268.00
7. Au Pair/Nanny 110.00
8. Guest daily fee:

	Weekend/ Holidays	Weekdays
(I) Adult	10.00	8.00
(ii) Under 18 years of age	8.00	7.00
9. House guest weekly fee (non-resident eating and sleeping in member's home:
 - (I) 18 years of age or younger 25.00
 - (ii) Over 18 years of age 30.00
10. Individuals on active military duty who are residents shall be submitted free.

11. A family membership composed of only two persons shall be entitled to ten complimentary guests.
12. A single membership shall be entitled to five complimentary guests.
13. A senior citizen membership shall be entitled to two complimentary guests.
14. A family, senior citizen or single membership shall receive two complimentary guest passes if the membership fees paid in full on or before April 15 of the membership year.

b. Non resident membership fees and guest fees shall be as follows:

1. Family Membership:

(I) Family membership	\$584.00
(ii) Each unmarried child over 21 living at home parent living with family	110.00
2. Single Membership: 16 years of age or older 291.00
3. Senior Citizen membership: 62 years of age or older 245.00
4. A child under the age of 16 joining as part of a family, single or senior citizen membership of a relative, if both the child and membership are non-resident 291.00
5. A non-resident person age 14 or 15 employed by a family as a parent's helper joining that family's membership 291.00
6. Guest daily fee:

	Weekend/ Holidays	Weekdays
(I) Adult	10.00	8.00
(ii) Under 18 years of age	8.00	7.00
7. House guest weekly fee:

(I) 18 Years of age or younger	25.00
(ii) over 18 years of age	30.00
8. Registration fee payable for first year membership only:

(I) Single Membership	30.00
(ii) Family Membership	60.00
9. A family membership composed of only two persons shall be entitled to ten complimentary guests.

10. A single membership shall be entitled to five complimentary guests.
11. A senior citizen membership shall be entitled to two complimentary guests.

BE IT FURTHER ORDAINED that if any fees set by this ordinance or otherwise collected by the Recreation Department are paid by credit card, an additional charge equal to the percentage of such fees charged the Borough by the credit card issuer shall be applied.

BE IT FURTHER ORDAINED, that all other sections of Chapter X shall remain unchanged.

This ordinance shall take effect twenty days after the first publication hereof after final passage.

Mayor Mirabelli opened the meeting to the public for anyone wishing to speak on this ordinance and this ordinance only.

Hearing no one wishing to speak, Councilman Turner closed the meeting to the public.

It was moved by Councilman Turner and seconded by Councilwoman Andre that this ordinance be passed on second and final reading and advertised by title only.

Roll Call: Andre, Dierkes, Messler, Mortimer, Turner. Nays: 0

MOTION:

The following motion was unanimously approved:

1. Approve a raffle application from the Mountainside Restoration Committee for an on premise draw raffle

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 18th day of February 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 \$186,403.07 (Copy of bill list attached.)

Roll Call: Andre, Dierkes, Messler, Mortimer, Turner. Nays: 0

COUNCIL COMMENTS:

Councilman Messler commended the Department of Public Works for doing a great job during numerous snow storms.

AUDIENCE PARTICIPATION:

Hearing no one desiring to speak, Mayor Mirabelli closed the meeting to the public.

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

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 8:29 P.M.

The meeting was recalled to public session at 10:02 P.M.

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

Respectfully submitted,

Martha Lopez, Borough Clerk