

**REGULAR MEETING  
JANUARY 20, 2015**

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 7:34 P.M.

**INVOCATION: Councilwoman Andre  
SALUTE TO THE FLAG  
ROLL CALL**

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

**APPROVAL OF MINUTES:**

Upon motion by Councilman Turner and a second by Councilman Lane, the minutes of the Reorganization Meeting held on January 6, 2015 were approved with a revision to Resolution #2-2015 assigning Councilwoman Andre as Chairperson to the Media & Information Committee. Roll Call: Ayes: Andre, Dierkes, Lane, 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 January 13, 2015 were approved. Roll Call: Ayes: Andre, Dierkes, Messler, Mortimer, Turner. Nays: 0. Abstained: Lane.

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**RESOLUTIONS:**

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

**RESOLUTION 24-2015**

WHEREAS, the Borough of Mountainside has received several Added/Omitted County Board Judgments which resulted in an overpayment.

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

<u>BLOCK/LOT</u>	<u>AMOUNT</u>	<u>OWNER</u>
3.A 108	\$ 116.20	Ursula Wagner 1545 Long Meadow
3.A 10.F	\$779.09	Victor & Tricia Kostin 1467 Woodacres Drive

Roll Call: Andre, Dierkes, Lane, Messler, Mortimer, Turner. Nays: 0  
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The following resolution was introduced by Councilman Lane and seconded by Councilman Turner.

**RESOLUTION 25-2015**

WHEREAS, the Union County Transportation Advisory Board has requested that the Borough of Mountainside appoint a representative and an alternate to serve on the Board for a one year term; and

WHEREAS, the Governing Body is desirous of appointing a representative and alternate from the Borough of Mountainside;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that Councilman Robert W. Messler be appointed as representative and Michael Disko, Jr. be appointed as an alternate representative for a term to expire December 31, 2015.

Roll Call: Andre, Dierkes, Lane, Messler, Mortimer, Turner. Nays: 0  
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The following resolution was introduced by Councilwoman Andre and seconded by Councilman Turner.

**RESOLUTION 26-2015**

Governor's Council on Alcoholism and Drug Abuse  
Fiscal Grant Cycle July 2014-June 2019  
FORM 1B

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Mountainside, County of Union, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Union;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Mountainside, County of Union, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Mountainside Municipal Alliance grant for fiscal year July 1, 2015-June 30, 2016 in the amount of:

DEDR	\$15,743.00
Cash Match	\$ 3,936.00
In-Kind	\$11,807.00

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Roll Call: Andre, Dierkes, Lane, Messler, Mortimer, Turner. Nays: 0  
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The following resolution was introduced by Councilman Dierkes and seconded by Councilman Turner.

#### **RESOLUTION 27-2015**

WHEREAS, Associated Humane Societies, Inc., a non-profit corporation incorporated under the laws of the State of New Jersey and located at 124 Evergreen Avenue, Newark, New Jersey 07114 has offered to provide Animal Control Services from January 1, 2015 to December 31, 2015 for an annual sum of \$15,989.81.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Mountainside that the Mayor and Borough Clerk are hereby authorized to execute a contract with Associated Humane Societies, Inc. which contract shall include a 30-day termination clause.

Roll Call: Andre, Dierkes, Lane, Messler, Mortimer, Turner. Nays: 0  
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The following resolution was introduced by Councilman Messler and seconded by Councilman Turner.

#### **RESOLUTION 28-2015**

WHEREAS, the Construction Official Jerry Eger has requested a refund to the following homeowner who decided not to proceed with the installation of a fireplace insert at 305 Indian Trail; and

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

<u>Recipient</u>	<u>Amount</u>
Victor Mennella 305 Indian Trail	\$80.00

Roll Call: Andre, Dierkes, Lane, Messler, Mortimer, Turner. Nays: 0  
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The following resolution was introduced by Councilman Mortimer and seconded by Councilman Dierkes.

### **RESOLUTION 29-2015**

WHEREAS, a quote was received by the Borough of Mountainside for the July 4<sup>th</sup> 2015 Fireworks Celebration; and

WHEREAS, the quote was in the amount of \$15,000.00; and

WHEREAS, the Governing body has determined that Garden State Fireworks, Millington, New Jersey is the preferred vendor; and

WHEREAS, the Borough of Mountainside provides \$7,500.00, the Mountainside Volunteer Fire Company and Mountainside PAL provide \$3,750.00 each for the payment of the July 4<sup>th</sup> fireworks;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mountainside that the proper Borough Officials are hereby authorized to enter into an agreement with Garden State Fireworks in the amount of \$15,000.00 for the 2015 July 4<sup>th</sup> Fireworks Celebration.

Roll Call: Andre, Dierkes, Lane, Messler, Mortimer, Turner. Nays: 0  
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The following resolution was introduced by Councilman Lane and seconded by Councilman Mortimer.

### **RESOLUTION 30-2015**

WHEREAS, Union County has established an Air Traffic & Noise Advisory Board; and

WHEREAS, increased air traffic and new routes from the local airports threaten the high quality of life currently enjoyed by the residents of Mountainside; and

WHEREAS, it is the desire of the Borough Council to appoint a member of the community to the aforementioned advisory board; and

WHEREAS, Mr. Zenon Moriak, of 1534 Deer Path, Mountainside, New Jersey has expressed an interest before the Borough Council on this most important issue.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Mountainside that Mr. Zenon Moriak is hereby appointed as the Municipal Representative to the Union County Air Traffic & Noise Advisory Board, term to expire December 31, 2016

Roll Call: Andre, Dierkes, Lane, Messler, Mortimer, Turner. Nays: 0  
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The following resolution was introduced by Councilman Turner and seconded by Councilman Mortimer.

#### **RESOLUTION 31-2015**

WHEREAS, the Borough of Mountainside, pursuant to N.J.A.C. 5:34-7.21 may by resolution and without advertising for bids, purchase any goods or services under Cooperative Contract Purchasing; and

WHEREAS, the Borough of Mountainside Police Department has established a regular schedule for updating its police vehicles and that schedule requires two and 1/3 new squad cars each year and by utilizing the Morris County Cooperative Pricing Council (MCCPC) the Borough can receive competitive pricing, on a timely basis, without the expense and time involved in undertaking independent competitive bidding; and

WHEREAS, the Borough of Mountainside intends to enter into a purchase contract with Beyer-Ford, Morristown, NJ pursuant to MCCPC Contract #15-A for the acquisition of a police vehicle; and

WHEREAS, the cost for one (1) 2015 Police Interceptor SUV under Contract #15-A is \$25,047.00; and

WHEREAS, the Borough's Financial Officer has certified that the funds are available for this purchase.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Mountainside, County of Union State of New Jersey that the purchase of one (1) 2015 Police Interceptor SUV under terms and provisions of MCCPC Contract #15-A Item #3 be and hereby is approved.

Roll Call: Andre, Dierkes, Lane, Messler, Mortimer, Turner. Nays: 0  
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**ORDINANCE:** First Reading (Introduction)

**ORDINANCE 1231-2015**

**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 \$320.00
  - (ii) Each unmarried child over 21 living at home or parent living with the family 112.00
2. Single Membership 16 years of age or older 163.00
3. Senior Citizen Membership: 62 years of age or older 112.00
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 163.00
5. A resident person age 14 or 15 employed by a family as a parent's helper joining that family's membership 163.00
6. Single Parent/Child 273.00
7. Au Pair/Nanny 112.00
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	\$595.00
(ii) Each unmarried child over 21 living at home parent living with family	112.00
2. Single Membership: 16 years of age or older 297.00
3. Senior Citizen membership: 62 years of age or older 250.00
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 297.00
5. A non-resident person age 14 or 15 employed by a family as a parent's helper joining that family's membership 297.00
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.

It was moved by Councilwoman Andre and seconded by Councilman Mortimer that this ordinance be passed on first reading and advertised in full for a public hearing on February 17, 2015.

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

The following motion was unanimously approved:

1. Approve raffle application from Our Lady of Lourdes Church for a 50/50 off 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 20<sup>th</sup> day of January, 2015, 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 \$690,930.16 (Copy of bill list attached).

Roll Call: Andre, Dierkes, Lane, Messler, Mortimer, Turner. Nays: 0  
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**COUNCIL COMMENTS:**

Administrator Debbie read a communication from the Mountainside Rescue Squad. The Rescue Squad received a request from the FDNY on January 18<sup>th</sup> requesting squad crews from each County to assist with a backup of 600 rescue calls. A Mountainside squad crew responded and aided FDNY most of the day. Special thanks to Deputy Captain Chris Sileo and EMT Driver Casey Kinney for coming to the aid of the FDNY.

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**AUDIENCE PARTICIPATION:**

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

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

Meeting adjourned at 7:46 PM.

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Respectfully submitted,

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Martha Lopez, Borough Clerk