

**WORK SESSION
OCTOBER 6, 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 7:30 P.M.

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

Discussion was held regarding the refund of certain escrow funds held by the Borough. The Borough Engineer Mike Disko has recommended that authorization be given for the Finance Officer to refund escrow funds due to applicants. The proper resolution will be prepared for the meeting of October 20, 2015.

Discussion was held regarding the Governor's best practices inventory questionnaire. The inventory is designed to provide standards by which local government officials can assess how they are conducting business as compared to other towns to find cost effective ways of providing services. Municipalities need to meet an established percentage of the checklist items to receive some or all of their state aid payment. We scored a 46, entitling Mountainside to 100% of the allotted aid.

Discussion was held regarding a request from the Borough Engineer to determine which street to apply for the 2015 NJDOT grant application. The Council approved the Engineer's recommendation to apply for funds to repave Forest Hill Way. The proper resolution will be prepared for the meeting of October 20, 2015.

Discussion was held regarding raffle applications from All Star Pet Rescue Inc. The organization is requesting a 50/50 on premise draw raffle and an on premise draw raffle. The applications are in order and the proper fees have been paid. Action to approve the raffle licenses will take place at the October 20, 2015 meeting.

Discussion was held regarding a request from Our Lady of Lourdes Church to waive the permit fees for a roof repair. The Governing Body determined that the fee would be waived. The proper resolution to waive the \$1,403.00 permit fees will be prepared for the meeting of October 20, 2015.

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

RESOLUTION 97-2015

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("Redevelopment Law") provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

WHEREAS, the Redevelopment Law sets forth the procedures for the Borough to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

WHEREAS, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by Resolution, authorizes a Planning (or Land Use) Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-5(a), “[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a “Non-Condensation Redevelopment Area”) or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a “Condensation Redevelopment Area”); and

WHEREAS, the Mayor and Council of the Borough of Mountainside find it to be in the best interest of the Borough and its residents to authorize the Borough Land Use Board to undertake such preliminary investigation of the study area identified as Block 14, Lot 14 on the Official Tax Map of the Borough of Mountainside, as a Non-Condensation Redevelopment Area; and

WHEREAS, the Mayor and Council wish to direct the Land Use Board to undertake a preliminary investigation utilizing Borough Planner John T. Chadwick IV, P.P., to prepare the preliminary investigation, to determine whether the proposed study area, which includes Block 14, Lot 14, qualifies as an area in need of Non-Condensation Redevelopment pursuant to N.J.S.A. 40A:12A-5.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Mountainside, in the County of Union, and State of New Jersey, that the Land Use Board is hereby authorized to undertake a preliminary investigation, utilizing John T. Chadwick IV, P.P., to prepare the preliminary investigation, pursuant to the notice, conduct a hearing and comply with other requirements of the Redevelopment Law, N.J.S.A. 40A:12A-1, *et seq.*, as amended, in order to recommend to the Mayor and Council whether the area comprising the study area, Block 14, Lot 14 on the official Tax Map of the Borough of Mountainside, is an area in need of Non-Condensation Redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5.

BE IT FURTHER RESOLVED that, pursuant to N.J.S.A. 40A:12-6(a), the redevelopment area determination shall authorize the Borough to use all the powers provided by the Legislature for use in an Non-Condensation Redevelopment area other than the use of eminent domain.

BE IT FURTHER RESOLVED that the Land Use Board shall submit its findings and recommendations to the Mayor and Council in the form of a Resolution with supporting documentation.

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

Discussion was held regarding authorizing the CFO to accept bids for a \$4,834,900.00 bond anticipation note in order to refinance our existing bond. The proper resolution will be prepared for the October 20, 2015 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 6th day of October 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 \$72,828.99. (Copy of bill list attached)

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

Upon a motion by Councilman Mortimer and a second by Councilwoman Andre, 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 personnel 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 7:41 P.M.

The meeting was recalled to public session at 8:00 P.M.

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

Martha Lopez, RMC
Borough Clerk