

**WORK SESSION
FEBRUARY 3, 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 7:33 P.M.

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

Discussion was held regarding the annual Borough donation to the Governor Livingston High School Project Graduation. It has been past practice to donate \$300 to Project Graduation. The proper resolution authorizing the Finance Officer to issue a check for the donation of \$300 will be prepared for the meeting of February 17, 2015.

Discussion was held regarding a request by the Tax Collector for the tax sale redemption of Block 4.C Lot 18.F. It is requested that the Finance Officer be authorized to issue a check plus premium to the lien holder for the redemption of this tax lien. The proper resolution will be prepared for the meeting of February 17, 2015.

Discussion was held regarding a raffle application from the Mountainside Restoration Committee. They are requesting an on premise draw raffle. The application is in order and the proper fees have been paid. A motion to approve the application will take place at the meeting of February 17, 2015.

Discussion was held regarding the reintroduction of the Mountainside Passport Book. Years ago, the passport was provided to new residents with pertinent information regarding borough services, regulations and departmental contacts. The old passport book has been revised by the Borough Clerk to include generic information to allow a bulk order without the need for periodic revisions.

Discussion was held regarding the newly purchased 2015 F350 ambulance for the Mountainside Rescue Squad. Captain Eric Pastore provided pictures of the new ambulance which is scheduled for pickup on Tuesday.

Discussion was held regarding the approval to appoint Michael Fischetti as a new volunteer firefighter. The applicant's background check has been cleared through the police department. A motion to approve his appointment was unanimously approved.

Discussion was held regarding the Mabel Young Good Neighbor Award. Frank Masella informed the Council that the nomination deadline is on February 28th. Council had concerns about the guidelines used by the committee who selects the award recipient. It was Council's understanding that municipal employees and certain volunteers were not eligible to receive the award. It was questioned whether the award was a municipal or unaffiliated award. A municipal award would include Council input and if it were unaffiliated, there wouldn't be any involvement.

Discussion was held regarding the resolution regulating police secondary employment. Police Commissioner Turner questioned whether a Mountainside Officer working in another jurisdiction should be paid the Mountainside hourly rate or the other jurisdiction's hourly rate. Council agreed to amend the ordinance to allow the hourly pay rate to be the other jurisdiction's hourly rate. The amended resolution will be prepared for the February 17, 2015 meeting.

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

RESOLUTION 34-2015

WHEREAS, there is an existing wireless telecommunications tower ("the Tower") behind the Borough of Mountainside municipal building located at 1385 Route 22, currently managed by Crown Castle International and occupied by AT&T; and

WHEREAS, after several renewals, the lease for the Tower is due to expire February 28, 2015; and

WHEREAS, pursuant to N.J.S.A. 40A:11-15, "[a]ll contracts shall cease to have effect at the end of the contracted period and shall not be extended by any mechanism or provision, unless in conformance with the Local Public Contracts Law, except that a contract may be extended by mutual agreement of the parties to the contract when the contracting unit has commenced rebidding prior to the time the contract expires or when awarding of a contract is pending at the time the contract expires"; and

WHEREAS, upon expiration of the lease, the Tower will be the property of the Borough; and

WHEREAS, the Governing Body recognizes the benefit to the residents of Mountainside by accommodating the needs of wireless telecommunication service providers by providing lease space on the Borough's Tower; and

WHEREAS, the Governing Body of Mountainside is desirous of commencing rebidding, and advertising for bids for the leasing and management of the Tower, in accordance with specifications to be prepared by the Borough Engineer and the Borough Attorney.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Mountainside, County of Union, State of New Jersey, that it desires to commence rebidding, and the Borough Clerk is hereby authorized to advertise for bids for the lease and management of the Tower, in accordance with specifications prepared by the Borough Engineer and the Borough Attorney.

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

BILLS & CLAIMS:

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

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 3rd day of February 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 \$60,569.83. (Copy of bill list attached)

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

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

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 litigation and personnel 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 7:48 P.M.

The meeting was recalled to public session at 8:21 P.M.

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

Respectfully submitted,

Martha Lopez, Borough Clerk