

**BOROUGH OF MIDLAND PARK
JANUARY 7, 2021
7:00 P.M. VIRTUAL SINE DIE MEETING**

On January 7, 2021 at 7:00 p.m., the Mayor and Council of Midland Park conducted an Electronic Public Meeting in lieu of its in-person annual Sine Die Public Meeting previously advertised. Members of the public accessed the meeting by dialing this Toll Free Dial in number (United States): [1 866 899 4679](tel:18668994679) Access Code: 634-453-733

Questions, Comments or Concerns were emailed in advance to the Borough Clerk at wmartin@midlandparknj.org no later than January 7, 2021 4:00 pm.

Agenda items for the meeting were listed on the Borough website. The foregoing Electronic Public Meeting was recommended due to the current situation involving the COVID-19 Virus and directives of State and County governments.

Mayor Shortway called the Meeting to Order at 7:00 P.M., noting the date as January 7, 2021, and that there will be a 3-minute limit to each individual addressing the Governing Body during the Open Public portions of the meeting.

SUNSHINE LAW STATEMENT - This meeting is being held in accordance with the Sunshine Law, notice having been published according to law with a copy on file in the Borough Clerk's Office and a copy posted on the bulletin board in the Municipal Building.

ROLL CALL:

Mayor Shortway	Present
Councilman Kamp	Present
Councilman Iannone	Present
Councilman Kruis	Present
Councilman Sansone	Present
Councilwoman Peet	Present
Council President DeLuca	Present

ALSO PRESENT: Administrator Seemon and Borough Clerk Martin

APPROVAL OF MINUTES:

A Motion to approve the Minutes of the Work Session and Closed Session of December 17, 2020, as all Governing Body members have previously received copies of the Minutes and copies are available to the Public at the Borough Clerk's Office.

Introduced by: Councilman Sansone **Seconded by: Councilwoman Peet**

Roll Call:	Councilman Kamp	Aye
	Councilman Iannone	Aye
	Councilman Kruis	Aye
	Councilman Sansone	Aye
	Councilwoman Peet	Aye
	Council President DeLuca	Aye

CONSENT AGENDA

Resolution #199-20 Budget Transfers 2020 # 2

WHEREAS, transfers are permitted between budget appropriations during the last two months of the fiscal year; except for out-of-cap expenses;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Midland Park, in the County of Bergen, New Jersey, that transfers between 2020 Budget Appropriations be made as follows:

<u>Department</u>	<u>Account Name</u>	<u>Account #</u>	<u>To</u>	<u>From</u>
Insurance	Health-Active	0-01--011-401	\$ 5,000.00	
Other Insurance	Ins General Liability	0-01--012-407		\$ 5,000.00
Bldg & Grounds	HVAC Maint	0-01--007-234	\$ 3,000.00	
Other Insurance	Environmental	0-01--012-409		\$ 3,000.00

Resolution #200-20 Authorizing Change Order # 2 Contract for DPW Roof

WHEREAS, the Borough awarded through resolution Weatherproofing Technologies Inc. 3735 Green Road, Beachwood, OH 44122 through ESCNJ Contract 19/20-15 in the amount of \$118,000.00: and

WHEREAS, Weatherproofing Technologies Inc. 3735 Green Road, Beachwood, OH 44122 has encountered unforeseen circumstances and proposed a cost to rectify the identified deterioration and repair for a change order in the amount of \$7,022.73: and

WHEREAS, combined with change order # 1 in the amount of \$7,591.71 combined with the current change order constitute a change of less than 20%; and

WHEREAS, in accordance with N.J.A.C. 5:30-11.3, the change order has not caused the originally awarded contract value to be exceeded by more than 20 percent; and,

WHEREAS, in accordance with N.J.A.C. 5:30-11.8, the need for this change order is due to an unforeseeable problem which could not be foreseen at the time the specifications were written and the contract awarded through cooperative resolution; and

WHEREAS, in accordance with N.J.A.C. 5:30-11.8, this change order constitutes a minor modification to resolve a minor problem.

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Midland Park, Bergen County, that the recommendation of the Borough Administrator is hereby accepted, Weatherproofing Technologies Inc. 3735 Green Road, Beachwood, OH 44122 through ESCNJ Contract 19/20-15 is authorized to rectify the unforeseen problems in the amount of \$7,022.73 for a new total contract amount of \$132,614.44.

Resolution #201-20 Authorizing Change Order # 3 Contract for DPW Roof

WHEREAS, the Borough awarded through resolution Weatherproofing Technologies Inc. 3735 Green Road, Beachwood, OH 44122 through ESCNJ Contract 19/20-15 in the amount of \$118,000.00: and

WHEREAS, Weatherproofing Technologies Inc. 3735 Green Road, Beachwood, OH 44122 has identified 4 unused supervision days and proposed a credit for a change order in the amount of (\$4391.04): and

WHEREAS, combined with change order # 1 in the amount of \$7,591.71 and change order #2 in the amount of \$7022.73 combined with the current change order constitute a change of less than 20%; and

WHEREAS, in accordance with N.J.A.C. 5:30-11.3, the change order has not caused the originally awarded contract value to be exceeded by more than 20 percent; and,

WHEREAS, in accordance with N.J.A.C. 5:30-11.8, the need for this change order is due to a credit for unused supervised days; and

WHEREAS, in accordance with N.J.A.C. 5:30-11.8, this change order constitutes a minor modification.

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Midland Park, Bergen County, that the recommendation of the Borough Administrator is hereby accepted, Weatherproofing Technologies Inc. 3735 Green Road, Beachwood, OH 44122 through ESCNJ Contract 19/20-15 is authorized to update the project cost in the amount of (\$4391.04) for a new total contract amount of \$128,223.40.

Resolution #202-20 Credit/Debit Cancellations

WHEREAS, there are odd and small credit and debit balances in taxes on various parcels of property in the Borough of Midland Park which are equal to or less than \$10.00 each; and

WHEREAS, by statute (N.J.S.A. 40A:5-17) such taxes may be canceled; and

WHEREAS, the Tax Collector has requested the cancellation of the attached listing of credit/debit balances for the year 2020

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Midland Park hereby authorize the Tax Collector to cancel the listed credit/debit balances on the attached pages.

Resolution #203-20 Claimant Certification Policy

WHEREAS, N.J.A.C. 5:30-9A.6 and 5:31-4.1 allows greater flexibility for local units in implementing the claimant certification requirement set forth in N.J.S.A. 40A:5-16(a). Claimant or vendor certification is a certification from the party claiming payment that the bill or demand is correct; and

WHEREAS, N.J.A.C. 5:30-9A.6(c) and 5:31-4.1 contain an even more significant change that gives local units discretion to not require claimant certification under certain circumstances; and

WHEREAS, the Certified Finance Officer, is instituting a standard policy through this resolution to not require claimant certification for the following transactions:

- Purchases on-line from vendors the borough has a line of credit with
- Purchases paid for via the vendors' "store credit card"
- Purchases of \$250 or less from a vendor
- Utilities companies and/or all government agencies

Claimant certification cannot be waived for the reimbursement of employee expenses, or for services provided exclusively and entirely by an individual (e.g. sole proprietors); and

WHEREAS, N.J.A.C. 5:30-9A.6(c)(1) and 5:31-4.1 now expressly permit payments to vendors in advance of delivery of materials or services for the following purposes in addition to those specifically referenced in N.J.S.A. 40A:5-16.1 (advance of employee travel expenses); 40A:5-16.2 (advance payment to non-profit agency under certain circumstances); and 40A:5-16.3 (advancing estimated administrative or direct service costs of a statutorily authorized joint, interlocal, or cooperative activity [e.g. shared services agreement]):

- Payment obligations to the State or to federal governments;
- Membership in a non-profit organization;
- Educational courses, including, but not limited to, those where continuing education credits are awarded;
- Registration for a conference or convention sponsored by a nonprofit organization; and
- Website hosting, including registration and maintenance of a domain name.

BE IT FURTHER RESOLVED that the Borough of Midland Park is adopting a claimant certification policy that was described in Local Finance Notice #2018-13 dated March 29, 2018.

Resolution #204-20 Authorizing Change Order # 1 Resurfacing of Erie Ave. Section 2 & 3

WHEREAS, the Borough previously entered into a contract with AJM Contractors Inc. 300 Kuller Rd., Clifton, NJ 07011, for the Resurfacing of Erie Avenue, Section 2 & 3; and

WHEREAS, a cost Change Order has been proposed for the costs of the modifications as listed in the attached document; and

WHEREAS, said Cost Change is less than 0.09% of the contract price; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose;

Bid Price	\$461,025.62
Change Order #1 Cost Increase	\$ 25,459.94
Change Order #1 Cost Decrease	(\$ 25,439.46)
Supplemental Repair	\$ 400.00
Total Project Cost	\$461,446.10
Total Cost Change #1	<u>\$420.48</u>

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Borough Clerk be and are hereby authorized to execute the aforesaid Cost Change #1 for these modifications.

Introduced by Council President DeLuca

Seconded by: Councilwoman Peet

Roll Call:	Councilman Kamp	Aye
	Councilman Iannone	Aye
	Councilman Kruis	Aye
	Councilman Sansone	Aye
	Councilwoman Peet	Aye
	Council President DeLuca	Aye

RESOLUTIONS:

1. Resolution #198-20 - Bills List

WHEREAS, claims have been submitted to the Borough of Midland Park in the following amounts:

Current Fund	\$ 168,103.20
Trust Fund	\$ 7,190.99
Capital Fund	\$ <u>187,427.03</u>
TOTAL:	\$ <u>362,721.22</u>

WHEREAS, such claims have been listed according to Department and account number with corresponding vouchers to be reviewed and approved by the Finance Committee; and,

WHEREAS, the CFO has determined that the funds have been properly appropriated for such purposes and are available, in the Borough of Midland Park and that the claims specified on the schedule attached hereto, following examination and approval by the Finance Committee, be paid and checks issued accordingly; and,

WHEREAS, claims have already been paid in the following accounts:

Current	December 30 th Payroll	\$ 193,214.84
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NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Midland Park that the claims totaling **\$555,936.06** approved and ratified respectively.

Introduced by Councilwoman Peet

Seconded by: Councilman Kamp

Roll Call:	Councilman Kamp	Aye
	Councilman Iannone	Aye
	Councilman Kruis	Aye
	Councilman Sansone	Aye
	Councilwoman Peet	Aye
	Council President DeLuca	Aye

NEW/OLD BUSINESS:

Councilwoman Peet presented new COVID-19 case numbers: total number of cases in Midland Park since the start of COVID is 311 and the total for December was 113 cases and the total for January 1-6 is 14 cases. With 11 deaths in Midland Park attributed to COVID, she urged

everyone to please stay vigilant as a community and as individuals.

PUBLIC COMMENT:

Mayor Shortway opened the meeting to the public and the Council for any comments, questions, or concerns.

Borough Administrator Seemon took a roll call of the public:

Ester Vierheilig – 333 Godwin Avenue – wished everyone a Happy New Year and a special thank-you to **Councilman Kamp** and congratulated **Councilman-Elect Damiano**.

Councilman Kamp thanked everyone for the professionalism and courtesy shown to him over the past three years and stated it has been an honor to serve the Borough as a Council member. He thanked the Governing Body for their willingness to guide the community, especially during this difficult time. He wished **Councilman-Elect Damiano** and Borough Administrator Seemon success in their new endeavors, and thanked Administrator Seemon for doing a fine job for community.

There being no response and no further business to address, at 7:08 P.M., on a Motion by **Council President DeLuca**, Seconded by **Councilwoman Peet** and carried, **Mayor Shortway** adjourned the meeting.

Respectfully submitted,

Wendy Martin, R.M.C.
Borough Clerk