

**BOROUGH OF MIDLAND PARK
280 GODWIN AVENUE
MIDLAND PARK, NJ 07432
September 3, 2020**

7:00 P.M. –Work Session Minutes

On September 3, 2020 at 7:00 p.m., the Mayor and Council of Midland Park will conduct an Electronic Public Meeting in lieu of its in-person regular Public Meeting previously advertised. Members of the public may access the meeting by dialing this Toll-Free Dial in number (United States): [1 866 899 4679](tel:18668994679) Access Code: 364-083-693

Agenda items for the meeting will be listed on the Borough website. The foregoing Electronic Public Meeting is 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.

The Mayor read the 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: Borough Administrator Seemon, Borough Clerk Martin and Recreation Director LaMonte

Administrator Seemon - Roll call of the public

No members of the public are present at this time.

DISCUSSION ITEMS:

Community Day – Administrator Seemon advised the Governing Body of the recommendations from the Northwest Bergen Regional Health Commission's Health Official, Gina Marie Behre, stating "their goal from public health is to reduce the possibility of transmission and despite all best efforts, when people congregate it increases the chance of being exposed to SARS-COV-2 virus and subsequent development of COVID-19 disease among participants. The more people an individual interacts with at a gathering and the longer that interaction lasts, the higher the potential risk of becoming infected with COVID-19 and/or COVID-19 spreading. From a public health perspective, when possible, we strongly discourage

the congregating of large groups of people at this time. The majority of other communities already canceled large scaled events such a street fairs in the fall due to current guidelines: including but not limited to outdoor capacity (gatherings are capped at 500 people), the inability to safely social distance, safely monitor cleaning and sanitizing, screening and determine whether the COVID 19 numbers will resurge and/or continue to climb. As much as I would hope the future climate would work in our favor my recommendation is to cancel the community event this fall.”

Administrator Seemon and **Recreation Director LaMonte** are suggesting holding another community Drive-in Movie. The following dates are available to host the event, October 2nd and October 9th, keep in mind October 9th is just before a holiday weekend.

The Mayor and Council agreed Community Day will have to be canceled this year and the Drive-in-Movie is a great alternative.

Councilman Kamp and other members of the Council suggest the event be on October 2nd, as many may go away for the long weekend and we would like this event to be available for the entire community. Both the previous Drive-in Movie evenings were very successful. **Recreation Director LaMonte** will move forward with scheduling and advertising the event. **Recreation Director LaMonte** suggested utilizing the Library parking lot for two food trucks. After a brief discussion with the Governing Body it was decided to reach out to the Health Official to provide us with guidance, at this time the food trucks would not be an option at the event.

Recreation Director LaMonte advised the Governing Body of how much usage the Borough’s pavilions have increased. She stated that many of the Boy Scout and Girl Scout troops have booked weekly meetings, two to three a week through November. The Director also stated she will most likely be receiving requests from other organizations as the word gets out.

Recreation Director LaMonte also advised the Governing Body that Football and soccer have started their practices, they sign waivers and have temperature checks at each practice. Councilman Kamp asked if any of the surrounding towns canceled their fall sports programs? The Director stated in the Borough’s league, Dumont, Tenaflly and New Milford all pulled out of the program.

OPEN TO THE PUBLIC:

Members of the Public will be asked to speak individually

No members of the public are present at this time.

There being no response from the public, at 7:13 P.M., Borough Clerk Martin read the Closed Session Resolution:

Resolution #131-20 Closed Session 9-3-20

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

WHEREAS, the Governing Body of Midland Park has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of Midland Park will go into closed session for the following reason (s) as outlined in N.J.S.A. 10:4-12:

_____ Any matter which, by express provision of Federal Law, State Statute or Rule of Court shall be rendered confidential or excluded from discussion in public (Provision relied upon):

_____ Any matter in which the release of information would impair a right to receive funds from the federal government;

_____ Any matter the disclosure of which constitutes an unwarranted invasion of individual privacy;

_____ Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body (Specify contract): _____.

_____ Any matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;

X _____ Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

_____ Any investigations of violations or possible violations of the law;

_____ Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer (If pending or anticipated litigation, the matter is: _____ contract negotiations the nature of the contract and interested party is _____ in circumstances, if public disclosure of the matter would have a potentially negative impact on the Borough's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded or the circumstances no longer present a potential impact);

X _____ Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting (Subject to the balancing of the public's interest and the employee's privacy rights under South Jersey Publishing, 124 N. J. 478, the employee(s) and nature of discussion is **DPW, PD & Recreation**).

_____ Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility;

BE IT FURTHER RESOLVED, that the Borough Council hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Borough Attorney advises the Borough Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough, or any other entity, with respect to said discussion.

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That time is currently estimated as the time of said matter.

BE IT FURTHER RESOLVED that the Borough Council, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place, and hereby directs the Borough Clerk to take the appropriate action to effectuate the terms of this resolution.

Introduced by: Councilman Sansone

Seconded by: Council President DeLuca

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

At this time the public is notified Council will be going into Closed Session and no further action will be taken. They are invited to attend the 8:00 pm Open Public Meeting by dialing : [1 877 309 2073](tel:18773092073) Access Code: 822-325-861

There being no further business to discuss, on a Motion made by **Councilman Sansone**, Seconded by **Council President Deluca**, and carried, the **Mayor** adjourned the Work Session Meeting and Council convened into the Closed Session at 7:15 P.M.

Respectfully submitted,

Wendy Martin, R.M.C.
Borough Clerk