

BOROUGH OF MIDLAND PARK

March 25, 2021

7:00 P.M. –Work Session Minutes

On March 25, 2021 at 7:00 p.m., the Mayor and Council of Midland Park conducted an Electronic Public Meeting in lieu of its in-person Public Meeting previously advertised. Members of the public accessed the meeting by dialing this Toll-Free Dial in number [1 866 899 4679](tel:18668994679) Access Code: 529-715-845

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.

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 Damiano	Present
	Councilman Kruis	Present
	Councilman Sansone	Present
	Councilwoman DeLuca	Present
	Councilwoman Peet	Present
	Council President Iannone	Present

Also Present: Borough Attorney Regan, Acting Borough Administrator/Clerk Martin, CFO O'Hanlon and Mark Bednarz, Borough Auditor

DISCUSSION ITEMS:

1. 2021 Budget Discussion- Mark Bednarz, Borough Auditor, Donohue, Gironda, Doria & Tomkins LLC

Council President Iannone welcomed Mark Bednarz, the Borough Auditor, to the meeting to explain details and answer questions from the Council regarding the 2021 Budget. Mr. Bednarz explained the history of how decisions were made in the past to reduce the budget and how it is impacting the current budget. Councilman Sansone took the opportunity to express a suggestion relative to an area the Borough could save some money, selling off the Habben Building and putting the proceeds back into our reserves. This is not the first time this has been an item up for recommendation. Acting Borough Administrator/Borough Clerk Martin addressed the topic stating the Administration has actively been relocating the files at that location back to the Borough Hall basement which is being transformed into a file storage area. The majority of the files have been relocated with the exception of the Police files. Those records need to be handled differently. In addition to other specifics related to the Police Department. Once the Police Department specifics are resolved the Habben Building can be addressed. The Borough Auditor stated in order for you to anticipate those funds to offset taxes a contract would have to be in place for adoption otherwise the State will not allow you to anticipate those funds. Attorney Regan stated the building would also have to be publicly advertised for sale and this will not happen for this budget. Councilman Sansone asked if there were any updates relative to the relief funds the government is supposed to be giving local municipalities. Both the Auditor and CFO state there has been

no guidance at this point. The only thing clear is the funds can be earmarked for revenue loss. We are waiting on future guidance. The Auditor provided some options on how to move forward with the current budget. Further discussion took place relative to the budget. Acting Administrator/Borough Clerk Martin advised the Council of a future savings under personal in the amount of \$40,000.00 that could be of some help in certain areas. CFO O'Hanlon stated these funds could help offset the library shortage they feel they are receiving, and we can reclass the remainder to another personal salary adjustment or remove the remainder completely. The library would receive the \$455,000.00 they were expecting. CFO reiterated we will introduce the budget as is at the April 8, 2021, meeting and if we get further guidance by April 15, 2021, we can amend the introduced budget before we adopt the budget. If we do not receive anything and we adopt then later something comes from the State in June, for example, I can process a Chapter 159.

OPEN TO THE PUBLIC:

Acting Borough Administrator/Clerk Martin made a statement regarding the emails she has received regarding the library's budget:

The Governing Body have been provided with copies of each email. However, to save time and my voice, I am going to read the following statement and list of names of the public emails sent into the Borough Clerk.

Every email the Borough received has been in support of the library. Each email had a reason, example or story expressing their love of the library and its staff. All the emails received are concerns relative to the possible cuts to the library's budget. Please keep in mind tonight's meeting was to review and discuss the budget as a whole and the proposed updates for the 2021 budget prior to the introduction on April 8th. The following people sent in an email:

Charlie Parry
Mimi Duffy
Steve Padovano
Sandra Abballe
Erin Ortandl
Noreen Desbiens
Sara Wachter
Catherine Durden

Acting Borough Administrator/Clerk Martin took a roll call of the public:

Caller 3 – no comment
Caller 4 – no comment
Caller 6 – no comment
Caller 7 – no comment

Acting Borough Administrator/Clerk Martin asked members of the Public to speak individually. No callers had any comments at this time.

Further Council discussions relative to the Budget continued to take place.

There being no response from the public, or the Council at 7:35 P.M., Attorney Regan read the Closed Session Resolution:

Resolution #067-21 Closed Session 3-25-21

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 **Personnel – Borough Administrator Update.**

_____ 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. 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: Councilwoman DeLuca

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

At this time, the public was notified Council will be going into a Closed Session and no further action will be taken. They were invited to attend the 8:00 pm Open Public Meeting by dialing this Toll-Free number United States: [1 877 309 2073](tel:18773092073) Access Code: 883-241-357

There being no further business to discuss, on a Motion made by **Councilman Sansone**, Seconded by **Council Woman DeLuca**, and carried, the **Mayor** adjourned the Work Session meeting and Council convened into the Closed Session at 7:33 P.M.

Respectfully submitted,

Wendy Martin, R.M.C.
Borough Clerk