

**BOROUGH OF MIDLAND PARK
280 GODWIN AVENUE
MIDLAND PARK, NJ 07432
December 17, 2020**

8:00 PM Open Public Meeting Minutes

On December 17, 2020 at 8:00 p.m., the Mayor and Council of Midland Park conducted an Electronic Public Meeting in lieu of its in-person regular Public Meeting previously advertised. Members of the public accessed the meeting by dialing this Toll Free Dial in number (United States): [1 877 309 2073](tel:18773092073) Access Code: 145-944-933

Questions, Comments or Concerns were emailed in advance to the Borough Clerk at wmartin@midlandparknj.org no later than December 17, 2020 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.

The **Mayor** called upon **Council President DeLuca** to give this evening's Invocation, and then the **Mayor** led all present in the Pledge of Allegiance.

Mayor Shortway called the meeting to order, noting the date as December 17, 2020, 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	Absent
	Councilman Kruis	Present
	Councilman Sansone	Present
	Councilwoman Peet	Present
	Council President DeLuca	Present

ALSO PRESENT: Borough Attorney Regan, Borough Administrator Seemon, Borough Clerk Martin and Councilman-Elect Damiano

PUBLIC ROLL CALL:

Administrator Seemon will take a roll call of the public in attendance.

Edward Grimes - 84 Hanover Road, East Hanover, NJ

Jeffrey King – 24 Elizabeth Parkway, Eatontown, NJ

Mike Vintzileos – 264 John Street, South Amboy, NJ
Matt Bisi – 35 Van Blarcom Avenue
Jaime Van Sciver - 427 Greenwich Avenue, Paulsboro, NJ
Thomas Walton – 16 Acton Street, Dover, NJ
Cindy Mahoney – 46 Van Blarcom Avenue
Christopher Almada – 159 Mount Hope Avenue, Dover, NJ

APPROVAL OF MINUTES:

A Motion to approve the Minutes of the Work Session, Closed Session and Open Public Meeting of November 12, 2020, and Special Open Public and Special Closed Session Meeting Minutes of November 19, 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: Councilwoman Peet	Seconded by: Council President DeLuca
Roll Call: Councilman Kamp	Aye
Councilman Iannone	Absent
Councilman Kruis	Aye
Councilman Sansone	Aye for November 12th; Abstain for November 19th
Councilwoman Peet	Aye
Council President DeLuca	Aye

OPEN TO THE PUBLIC:

The **Mayor** opened the meeting to the public for general questions, concerns and comments. Administrator Seemon asked individual members of the Public to speak at this time.

The following people commended the Governing Body for allowing the use and dispensing of medical marijuana:

Edward Grimes
Jeffrey King
Mike Vintzileos
Jaime Van Sciver
Thomas Walton
Christopher Almada

The following resident spoke:

Miguel Garcia – 38 Van Blarcom Avenue– spoke in reference to the traffic flow at the Habben Avenue/Van Blarcom Avenue intersection by Starbuck’s Coffee: he read off numbers from the traffic study done during the application process and the expected amount of cars on the west end of Habben Avenue, which is the residential side, during peak times on weekends, was supposed to equal 18 cars; what the residents observed on the first Saturday was nine hours with car counts quite a bit over that amount. Mr. Garcia gave an hourly breakdown for that day and explained that during the weekday peak times there are around 30 cars and some days it is much higher. He wants to keep this fresh in the Council’s minds and reminded them to pay attention to the residents who live in the area. He understands the need for commercial activity in the town and is hoping the six-month

reassessment will show real change and impact to the residential roads.

The following residents were listening in and had no comment:

Matt Bisi
Cindy Mahoney

At this time questions, concerns or comments emailed in advance to the Borough Clerk were addressed.

There were no comments, concerns or questions emailed to the Clerk.

LIAISON REPORTS:

Mayor Shortway

Mayor Shortway reported he was picked by Congressman Gottheimer to be on the committee to interview candidates for the United States military academy at West Point which he did on December 5th and 6th; the **Mayor** noted he was honored to have been chosen and he enjoyed it very much. On December 8th, he and Administrator Seemon sat in on the Governor's call; on December 11th, he attended the Toys for Tots event at Parkwood Deli, noting it was very well attended and he thanked the Police and Fire Departments for helping with the traffic.

Councilman Sansone

Public Works/ Board of Education/ Chamber of Commerce

Councilman Sansone congratulated the **Department of Public Works** for completing this year's leaf collection on schedule and before the snowstorm, collecting and disposing of 3398 yards of leaves. The **Councilman** reported all end-of-the-year services have been completed on all police vehicles. He commended the team for their excellent performance during the snowstorm.

The **Councilman** reported the **Board of Education** has faced these challenging times and the Superintendent continues to send out information quite often and there is progress.

Councilman Sansone reported the **Chamber of Commerce** had their first Zoom meeting on December 6th and more are planned; the President has great ideas and good plans. The **Councilman** noted the wreaths have been put out on Godwin Avenue along the main business section and this is done by the Chamber of Commerce.

Councilwoman Peet

Finance/Board of Health

Councilwoman Peet reported progress for **Finance**: the budget process has begun for 2021. The **Councilwoman** reported the **Board of Health** stated there are 75 new reported COVID-19 cases since December 1st, bringing the total reported cases to 278. The **Councilwoman** reminded everyone the virus is still very prevalent and to maintain social distancing and monitoring yourself and to be cautious.

Council President DeLuca

Public Safety – Fire/Ambulance/ Personnel/Library

Council President DeLuca reported the **Ambulance Corps** held their monthly Zoom meeting on December 7th: the total calls for November were 52 and the amount of COVID-19 related calls are way up, well above where they were in the Spring.

The **Council President** reported the **Fire Department's** monthly meeting was held on December 9th: there were 16 calls for service in November, bringing the year-to-date total to 159

calls; the Department will be doing Project Santa on December 19th and 20th and all safety precautions will be followed.

Council President DeLuca reported the **Library Board's** meeting was on December 15th: the Executive Board of the Bergen County Cooperative Library System has announced major changes that will be implemented regarding how the organization runs and will impact costs for each library in the system, that is, each library, big or small, will be charged the same and since Midland Park's library is small it will be charged the same as a bigger library that may receive more funding; the Library's new website is scheduled to go live on December 18th and the Director and Children's Librarian have been trained on how to update the site; the staff will be labeling all the easy readers and picture books with the library's name on the outside. This will involve thousands of items and is part of the changes from the BCCLS. The Library purchased its first three digital books, and each had 7+ local patron holds; the digital collection will be the future of how the Library will operate to attract new patrons. The Girl Scouts helped put a new book in place at the Story Walk in Wortendyk Park which has been well received by children and adults. The **Council President** noted the Children's Department releases the "To-Go Craft" every Monday morning and by 3pm it is gone; the Bookscription has become very popular and the Library has received many requests to pull stacks of books from teachers and parents; the virtual self-defense class did well and will be holding additional classes in December and January and a virtual music party is in the works for February.

Councilman Kamp

Recreation/Municipal Alliance/Ridgewood Water

Councilman Kamp reported **Ridgewood Water** and the **Municipal Alliance** have progress. The **Councilman** commended the **Recreation** Director for putting together a tree lighting that was well received. He also gave kudos to the Police Department, Fire Department and Ambulance Corps and all who were present for their part in helping with the event. He reported 40-50 cars came through even though the weather was cold and rainy.

Councilman Iannone

Public Safety – Police/ Information Technology

Due to **Councilman Iannone's** absence, no report was given.

Councilman Kruis

**Planning Board/Building Dept/ Fire
Prevention/OEM/Property Maintenance**

Councilman Kruis reported the **Planning Board** will be meeting on December 21st so he will have a report at the next Council meeting.

The **Councilman** reported he did not meet with the **Building Department** but noted they are very busy.

Councilman Kruis reported the **Office of Emergency Management** Coordinator has informed him that the Borough is up to date with Personal Protection Equipment and everything with **Fire Prevention** and **Property Maintenance** is moving in the right direction.

ADMINISTRATOR'S REPORT

Administrator Seemon reported the Borough has made it through the first snowstorm of the year and he commended the Department of Public Works for the great job; he thanked the Borough staff and emergency services for adjusting and enduring through this year; thanked the Governing Body for support throughout this as well and most of all the residents for bearing with us and staying strong through such a difficult time.

ORDINANCES ON FINAL:

1. ORDINANCE #13-20

“AN ORDINANCE TO PROHIBIT PUBLIC URINATION AND DEFECATION WITHIN THE BOROUGH OF MIDLAND PARK AND TO PRESCRIBE PENALTIES FOR THE VIOLATION THEREOF”

BE IT ORDAINED by the Mayor and Council of the Borough of Midland Park, in the County of Bergen, and State of New Jersey as follows:

Section 1. Acts Prohibited.

It shall be unlawful for any person to urinate or defecate on any public street or way or upon any public or private property other than when using a toilet, urinal or commode located in a restroom, bathroom or other structure enclosed from public view.

Section 2. Violations and Penalties.

Any person convicted of violating this Ordinance shall be subject to such fines and penalties as set forth in §1-5, General Penalty, of the Borough Code.

Section 3. Severability.

If any section, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy which such judgment shall be rendered.

Section 4. Inconsistent Ordinances Repealed.

All ordinances or parts or ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 5. Effective Date.

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

Introduced by: Councilman Kruis

Seconded by: Councilwoman Peet

At this time, **Mayor Shortway** opened the meeting to the public for any questions, comments or concerns regarding Ordinance #13-20.

Edward Grimes – asked why this ordinance was being presented and suggested the Borough put out porta-johns instead of criminalizing people who are in a situation where they are doing this. Borough Attorney Regan and Administrator Seemon answered it was at the request of the Police Department. Borough Clerk Martin, **Councilwoman Peet** and **Council President DeLuca** responded the Borough has public porta-johns at the parks.

Jeffrey King – it is a tough situation and try to help keep people safe the best you can.

Mike Vintzileos – left the meeting.

Jaime Van Sciver – left the meeting.

Matt Bisi – no comment

Thomas Walton – no comment

Cindy Mahoney – no comment

Christopher Almada – no comment

Miguel Garcia – no comment

There being no further response, the **Mayor** closed the meeting to the public and called for a Roll Call Vote of Council.

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

2. ORDINANCE #14-20

“AN ORDINANCE TO AMEND CHAPTER XC OF THE CODE OF THE BOROUGH OF MIDLAND PARK ENTITLED “FEES AND CHARGES”

BE IT ORDAINED by the Mayor and Council of the Borough of Midland Park, in the County of Bergen, and State of New Jersey as follows:

Section 1.

Chapter XC of the Code of the Borough of Midland Park, Fees and Charges, §90-10, Fees For Chapter X, Building and Housing, Subsection 10-1.3, Fees For Construction Permit, be and is hereby amended to read as follows:

§10-1.3 Fees for Construction Permit.

The fees and charges required under the Code of the Borough of Midland Park entitled Construction Codes, Uniform, shall be as follows:

A. The fee for a construction permit shall be the sum of the subcode fees listed in paragraphs a., 1. through 10. thereof, and shall be paid before the permit is issued.

1. New construction and additions are based on the volume of the structure:

(a) Volume of building in cu. Ft. X \$.07.

2. Reconstruction, alterations, renovations, repairs are based on the cost of the work:

(a) Based on cost of work: \$25.00 per \$1,000.00

3. Demolition or removal permit:

(a) For all principal buildings: the fee is \$150.00

(b) For all residential accessory structures: the fee is \$50.00

(c) For all nonresidential accessory structures: the fee is \$80.00

(d) For all fuel tank removals: the fee is \$100.00

4. Fence permits:

(a) Fences for pool barriers: the fee is \$50.00

(b) Fences over 6 ft. in height: the fee is \$50.00

5. Signs: the fee is \$1.00 per square foot.

(Note: fee to be based on one side of double-sided signs)

6. Certificate of occupancy fees:

(a) Fee for certificate of occupancy is \$75.00

(b) Fee for certificate of occupancy based on change of use is \$200.00 for nonresidential

7. Pools:

(a) Above ground pools are a flat fee of \$50.00

(b) In ground pools are a flat fee of \$150.00

- 8. **Asbestos removal** permit is \$50.00
- 9. **Miscellaneous permit fees:**
 - (a) Commercial roof: the fee is \$150.00
 - (b) Residential roof or siding: the fee is \$75.00
 - (c) Detached (Residential) building - roof or siding: the fee is \$50.00
 - (d) Fireplaces and stoves: the fee is \$50.00
 - (e) HVAC duct work: the fee is \$50.00
 - (f) Fuel storage tank installation / removal: the fee is \$100.00
 - (g) Plan review credit20%
 - (h) Minimum fee for building sub-code permit: the fee is \$75.00
 - (i) Change in contractor: the fee is \$25.00
- B. **The plumbing subcode fees shall be:**
 - (1) For new construction, additions, renovations and alterations:
 - (a) Each fixture and device\$25.00
 - (b) Floor Drain \$25.00
 - (c) Dishwasher residential\$25.00
 - (d) Dishwasher commercial\$25.00
 - (e) Disposal unit \$25.00
 - (f) Drinking fountain \$25.00
 - (g) Washing machine \$25.00
 - (h) Hose bib \$25.00
 - (i) Gas piping\$25.00
 - (j) Fuel oil piping\$25.00
 - (k) Water heater\$75.00
 - (l) Steam or hot water boiler\$75.00
 - (m) Interceptor/separator\$75.00
 - (n) Back flow preventor\$25.00
 - (o) Grease trap \$75.00
 - (p) Air conditioning units and Refrigeration\$75.00
 - (q) Sewer connections \$75.00
 - (r) Water service connection\$75.00
 - (s) Gas service connection \$75.00
 - (t) Water softener and Water Filters.....\$75.00
 - (u) Pool Drains.....\$75.00
 - (v) Lawn sprinkler\$75.00
 - (w) Fire sprinkler \$75.00
 - (x) Sewer ejector\$75.00
 - (y) Vent stack \$25.00
 - (2) Notwithstanding anything to the contrary, the minimum fee for any plumbing subcode permit shall be\$75.00
 - (a) Plan review credit.....20%
 - (b) Change of contractor.....\$25.00
 - (c)

C. The electrical subcode fees shall be as follows:

- (a) Fixtures and devices to be counted for these items include outlets, wall switches, fluorescent fixtures, convenience receptacles or similar fixtures and motors and devices of one (1) horsepower or one (1) kilowatt or less:
 - (1) Fee for first 25\$100.00
 - (2) Fee for increments of 5 \$10.00
 - (3) Fee for pool with U/lights\$150.00
 - (4) Fee for storage pool/spa\$100.00
 - (5) Fee for above-ground pool\$100.00
- (b) For the purposes of calculating the following electrical fees, all motors except those in plug-in appliances shall be counted, including control equipment, generators, transformers and all heating, cooking or other devices consuming or generating electrical current:
 - (1) Motors/electrical devices to
1-5 horsepower \$25.00
 - (2) Motors/electrical devices to
6-9 horsepower\$50.00
 - (3) Motors/electrical devices to
10-15 horsepower\$75.00
 - (4) Motors/electrical devices above
26 horsepower \$100.00
 - (5) Transformer/generator to
10 kilowatt \$75.00
 - (6) Transformer/generator to
45 kilowatt\$125.00
 - (7) Transformer/generator to
112.5 kilowatt\$175.00
 - (8) Transformer/generator above
112.5 kilowatt\$225.00
 - (9) Service/panels/subpanels to
100 ampere\$75.00
 - (10) Service/panels/subpanels to
200 ampere\$125.00
 - (11) Service/panels/subpanels to
300 ampere\$200.00
 - (12) Service/panels/subpanels to
400 ampere\$250.00
 - (13) Service/panels/subpanels to
800 ampere\$300.00
 - (14) Service/panels/subpanels to
1000 ampere and higher\$450.00
 - (15) HVAC and Central AC – per unit..... \$75.00
- (c) Minimum fee\$75.00
- (d) Plan review credit20%

- (e) Change of contractor.....\$25.00
- D. The fire subcode fees shall be as follows:**
 - (a) Fireplace\$75.00
 - (b) Woodburning stove \$75.00
 - (c) Residential mechanical equipment\$75.00
 - (d) Residential smoke or heat detectors
Five (\$7.00) dollars each, minimum \$75.00
 - (e) Restaurant extinguishing systems \$100.00
 - (f) Automatic fire sprinkler:
 - (1) Three (\$5.00) dollars per head,
Minimum\$50.00
 - (g) Industrial/commercial fire alarm
system\$75.00
 - (h) Flammable/combustible liquid tank
installation, except commercial shall
be \$100.00 per 1,000 gallons \$100.00
 - (i) Flammable/combustible liquid tank
removal/abandonment. Includes
above or underground storage tanks\$100.00
 - (j) Installation of Propane tanks up to 350 lbs.....\$75.00
 - (k) Chimney liner..... \$75.00
 - (l) Egress emergency and exit lighting
systems\$75.00
 - (m) Industrial/commercial mechanical
systems\$75.00
 - (n) L.P.G. or L.N.G. tanks\$75.00
 - (o) Standpipes\$75.00
 - (p) Pool heaters\$75.00
 - (q) Minimum fee.....\$75.00
 - (r) Plan review credit20%
 - (s) Change of contractor.....\$25.00
- E. The Mechanical subcode fees shall be:**
 - 1) \$100 for the installation and replacement of heating and cooling
equipment, or other mechanical equipment in existing buildings of R-
3, R-4 and R-5 Use Groups.
 - (a) Other equipment shall include: refrigeration, air
conditioning, heating systems, or standby power
generators.
 - (b)The \$100.00 fee shall be for each item.
 - 2) Other fees:
 - (a)Fee for a chimney liner.....\$75.00
 - (b)Fee for a hot water or water storage tank.....\$75.00
 - (c)Fee for gas piping.....\$20.00
 - (d)Fee for ductwork for mechanical equipment.....\$20.00

(e) Fee for A/C, ductless split systems:

(up to 3 interior units) \$100.00

(4 or more interior units) \$175.00

3) Notwithstanding anything to the contrary, the minimum fee for any Mechanical subcode permit shall be\$75.00

a) Plan review fee.....20%

b) Change of Contractor.....\$25.00

Section 3. Severability.

If any section, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy which such judgment shall be rendered.

Section 4. Inconsistent Ordinances Repealed.

All ordinances or parts or ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 5. Effective Date.

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

Introduced by: Councilman Sansone

Seconded by: Council President DeLuca

At this time, **Mayor Shortway** opened the meeting to the public for any questions, comments or concerns regarding Ordinance #14-20. There being no comments from the public, the **Mayor** closed the meeting to the public and called for a Roll Call Vote of Council.

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

On Behalf of the Governing Body Councilman Kamp requested Resolution #185-20, **2021 Council Meeting Dates & Times**, be removed from the Consent Agenda to be discussed separately later in the meeting.

Resolution #185-20 2021 Council Meeting Dates & Times

BE IT RESOLVED, by the Council of the Borough of Midland Park that the schedule of meetings for 2021 shall be as follows:

January 7, 2021	Sine Die Meeting – 7:00 P.M.
January 7, 2021	Reorganization Meeting at 7:30 P.M.
January 14, 2021	6:00 P.M. Budget Meeting Work/Closed/Open Public
January 28, 2021	7:00 P.M. Budget Meeting
February 11, 2021	Work Session/Closed Session/Open Public Meeting
February 25, 2021	Work Session/Closed Session/Open Public Meeting
March 11, 2021	Work Session/Closed Session/Open Public Meeting

March 25, 2021	Work Session/Closed Session/Open Public Meeting
April 8, 2021	Work Session/Closed Session/Open Public Meeting
April 22, 2021	Work Session/Closed Session/Open Public Meeting
May 13, 2021	Work Session/Closed Session/Open Public Meeting
May 27, 2021	Work Session/Closed Session/Open Public Meeting
June 10, 2021	Work Session/Closed Session/Open Public Meeting
June 24, 2021	Work Session/Closed Session/Open Public Meeting
July 8, 2021	Work Session/Closed Session/Open Public Meeting
July 22, 2021	Work Session/Closed Session/Open Public Meeting
August 12, 2021	Work Session/Closed Session/Open Public Meeting
September 9, 2021	Work Session/Closed Session/Open Public Meeting
September 23, 2021	Work Session/Closed Session/Open Public Meeting
October 14, 2021	Work Session/Closed Session/Open Public Meeting
October 28, 2021	Work Session/Closed Session/Open Public Meeting
November 4, 2021	Work Session/Closed Session/Open Public Meeting
December 9, 2021	Work Session/Closed Session/Open Public Meeting
December 16, 2021	6:00 P.M. Budget Session/Work/Closed/Open Public Meeting

BE IT FURTHER RESOLVED, that the Budget Meetings will convene either at 6:00 P.M. or 7: 00 P.M. as designated: Work Session - 7:00 P. M., Closed Session 7:30 P.M. (Prevailing time)

and 8:00 P.M. for the Open Public Session meetings. All Open Public Meetings may be action meetings. All Open Public Meetings will be held in the Midland Park Borough Hall, Council Chambers, 280 Godwin Avenue, Midland Park, New Jersey, or The Mayor and Council of Midland Park may conduct Electronic Public Meeting in lieu of its in-person Public Meetings as recommended due to situations involving the COVID-19 Virus and directives of State and County Governments, unless otherwise advertised according to law.

On all scheduled dates:

Budget Work Sessions begin at 6:00 P.M. (Dinner Meetings) or 7:00 P.M.

Work Sessions - 7:00 P.M./Closed Sessions / Open Public Meetings - 8:00 P. M

CONSENT AGENDA:

All matters listed below are considered by the Borough Council to be routine in nature. There will be no separate discussion of these items. If any discussion is desired by the Borough Council, that item will be removed from the consent agenda and considered separately:

Resolution #180-20 Authorizing Contract through HGAC National Cooperative for Pierce Enforcer Pumper Fire Apparatus

WHEREAS, in accordance with the requirements of the Local Public Contract Law P.L. 2011, C.139 (the “Law” or “Chapter 139” and N.J.S.A.52:34-6.2 the regulations promulgated there under in Local Finance Notice LFN 2012-10, the following purchase without competitive bids from vendor with a National Cooperative Contract is hereby approved for municipalities, and;

WHEREAS, the Borough of Midland Park has the need to procure certain specialized fire apparatus in accord with the Local Publics Contract Law N.J.S.A. 40A:11-1 et. Seq., and;

WHEREAS the Borough intends to enter into contract for procurement of Pierce Enforcer Pumper Fire Apparatus with Fire & Safety Services, 200 Ryan St., South Plainfield, N.J. 07080 through HGAC Contract FS12-19 in the amount of **\$665,019.20**; and

WHEREAS, the Chief Financial Officer has certified that funds in the amount of **\$665,019.20** are available in:

From various Ordinances since 2007 “Fire Dept Truck Reserve” – X-10-336-101

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Midland Park, County of Bergen, State of New Jersey, as follows:

1. That the Borough of Midland Park Fire Department hereby is authorized to procure Pierce Enforcer Pumper Fire Apparatus with options through Fire & Safety Services 200 Ryan St. South Plainfield, N.J. 07080 through HGAC Contract FS12-19 in the amount of **\$665,019.20**

Resolution #181-20 Budget Transfers 2020

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>
Library	Lib - Contribution	0-01--205-261	\$6,115.18	
Library	Lib – Health Retired	0-01--205-402		\$2,781.88
Library	Lib – Salary	0-01--205-101		\$3,334.00
Animal Control	Animal – Emergency	0-01--055-237	\$ 220.00	
Other Insurance	Ins General Liability	0-01--012-407		\$ 220.00
Uniform Fire Safety	Uniform Sfty-Salary	0-01--016-101	\$ 50.00	
Emergency Mgmt	Emergency - Salary	0-01--018-101		\$ 50.00
Recycling	Vegetative Waste	0-01--021-281	\$10,000.00	
Other Insurance	Ins General Liability	0-01--012-407		\$10,000.00
Solid Waste	Solid Waste Disposal	0-01--031-301	\$ 5,000.00	
Administration	Seminar & Meetings	0-01--001-207		\$ 5,000.00
Utilities	Water	0-01--031-208	\$ 1,500.00	
Utilities	Telephone	0-01--031-204	\$ 1,500.00	
Utilities	Gasoline	0-01--031-201		\$ 3,000.00

Resolution #182-20 Cancel Balances-Capital Improvements Authorized & Receivables

WHEREAS, certain General Capital Improvement Authorizations balances remain dedicated to projects completed; and

WHEREAS, it is necessary to formally cancel said balances in the amount of \$8,568.48 (funded), so that the unexpended balances may be returned to respective funding sources: Capital Improvements Fund and Community Development Block Grant.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park, that the following unexpended and dedicated balances of General Capital Appropriations/Projects be canceled:

GENERAL CAPITAL APPROPRIATIONS:

ORD. #	DATE	PROJECT	AMOUNT	SOURCE
05-16	3/24/16	Administration-Fiber Optics	\$ 4,400.00	C.I.F.
05-16	3/24/16	Recreation-gym floor balance	\$ 387.06	C.I.F.
06-19	4/11/19	Ambulance (requests balance)	\$ 1,248.53	C.I.F.
12-18	4/12/18	Erie Ave. Project	\$ 2.50	C.I.F.
06-18	4/20/18	Brandon/Hilton Project	\$ 2,530.39	CDBG

Resolution #183-20 Cancel Capital Expenses to Reserves

WHEREAS, certain General Capital Improvement Authorizations balances remain dedicated to projects completed; and

WHEREAS, it is necessary to formally cancel said balances from various projects for a total amount of \$18,670.05 to be set aside for future usage.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park, that the CFO reclass the following unexpended balances to “Road & Drainage Reserve” account X-10- -385-102.

ORD #	ACCOUNT #	DESCRIPTION	AMOUNT
#07-13	X-10—363-102	Spruce/Highwood Project	\$ 3,115.00
#06-18	X-10—377-102	Brandon/Hilton Project	\$ 7,245.00
#26-18	X-10—383-102	Belle/Rogers Project	\$ 8,310.05

Resolution #184-20 Cancel Appropriations to Fund Balance

WHEREAS, certain budget account lines have balances that were not utilized due to the COVID-19 pandemic, which also impacted shortfalls in budgeted revenue accounts;

WHEREAS, to use more Anticipated Surplus to offset a tax impact, these appropriation write-offs directly to Fund Balance will be used towards the 2021 Revenue budget in the amount of \$155,000.00

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park, that the CFO reclass the following unexpended balances to current year Fund Balance

(01—800-011):

BUDGET ACCOUNT	AMOUNT
0-01- -001-216 (Admin–Record Maint)	\$40,000.00
0-01- -003-221 (Tax Assessor-Appeals)	\$10,000.00
0-01- -005-223 (Legal-Litigation)	\$10,000.00
0-01- -005-221 (Legal-Appeals)	\$10,000.00
0-01- -010-218 (COAH-compliance)	\$10,000.00
0-01- -041-442 (Statutory Exp- Soc Sec)	\$20,000.00
0-01- -025-103 (Rec – Barn Attendant Sal)	\$10,000.00
0-01- -225-101 (Rec – Summer Salaries)	\$45,000.00

Resolution #186-20 Inter Local Agreement – W/NBCUA – Sanitary Sewer Cleaning

WHEREAS, N.J.S.A 40A:65-1, the Uniform Shared Services and Consolidation Act governs shared services between parties; and

WHEREAS, the Borough of Midland Park and the Northwest Bergen County Utility Authority has agreed to enter into a Share Service Agreement for Sanitary Sewer Cleaning for the Calendar years of 2021

and 2022: and

WHEREAS, it is the desire of the Council of the Borough of Midland Park to authorize the execution of said Interlocal Service Agreement with the Northwest Bergen Utility Authority.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute an Interlocal Agreement whereby the Northwest Bergen Utility Authority will provide the services of Sanitary Sewer Cleaning.

Resolution #187-20 Inter Local Agreement- W/NBCUA TV Inspection of Sanitary Sewer System

WHEREAS, N.J.S.A 40A:65-1, the Uniform Shared Services and Consolidation Act governs shared services between parties; and

WHEREAS, the Borough of Midland Park and the Northwest Bergen County Utility Authority has agreed to enter into a Share Service Agreement for TV Inspection Services of the Sanitary Sewer System or other systems for the Calendar years of 2021 and 2022: and

WHEREAS, it is the desire of the Council of the Borough of Midland Park to authorize the execution of said Interlocal Service Agreement with the Northwest Bergen Utility Authority.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute an Interlocal Agreement whereby the Northwest Bergen Utility Authority will provide TV Inspection Services of the Sanitary Sewer System or other systems.

Resolution #188-20 Tyco Animal Control Contract

WHEREAS, there is a need to provide adequate control of animals in accordance with the Borough of Midland Park Health Codes.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Midland Park, that the Mayor and Clerk be authorized to enter into a contract with Tyco Animal Control Service for such service, in the amount of \$9,600.00 for the calendar year 2021 to be paid in twelve monthly installments, effective January 1, 2021 and expiring December 31, 2021.

Resolution #189-20 Authorize the Extension of Award of Bid # 19-05 Brush/Leaf Disposal (leaf)

WHEREAS, the Borough of Midland Park has a need for brush and leaf disposal services for a two (2) year contract for services; and

HEREAS, bid #19-05 was opened and read aloud on September 20, 2019 at 10:30 A.M.; and

WHEREAS, the bid results were as follows:

Item	Environmental Renewal 21 Andrews Dr. Woodland Park, N.J.	Abmas Farm 700 Lawling Rd. Wyckoff, N.J.
LEAVES	\$9/CY	\$9/CY
BRUSH, TREES UNDER 10" DIA	\$12/CY	\$14/CY
LOGS, TREES EXCESS OF 10" DIA	\$18/CY	NO BID

CO MINGLED MIXED LOAD PICKUP	\$25/CY	NO BID
WOOD CHIPS	\$10/CY	\$4/CY

And;

WHEREAS, Environmental Renewal indicated in its bid response for item 1, Leaves that a disposal location within the 7-mile radius per bid specification was available, acceptable to the Borough; and

WHEREAS, the bid #19-05 allowed for multiple responsible vendors within the 7-mile radius dependent upon distance and road mileage considerations of the Superintendent of Public Works during operations; and

WHEREAS, for item 1 Leaves, Environmental Renewal and Abmas Farm both are considered responsible and responsive vendors at the price of \$9.00/ Cubic Yard; and

WHEREAS, the Borough authorized resolution 183-19 authorizing a two-year contract; and

WHEREAS, the New Jersey Local Publics Contract Law at N.J.S.A. 40A:11-15 provides for authorization to extend contracts for two (2) years; and

WHEREAS, it is the desire of the Borough to provide for bid services for an additional two (2) years

WHEREAS, the Chief Financial Officer certifies subject to the Governing Bodies approval of future budgets that the amount not to exceed \$72,000.00 is available in:

Line Item: 1-01--021-281 Recycling O.E. – Vegetative Market Costs

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Midland Park authorizes the Business Administrator to enter into a contract with Environmental Renewal, 21 Andrews Dr. Woodland Park, N.J. and Abmas Farm 700 Lawling Rd. Wyckoff, N.J. for

disposal of leaves in the amount of \$9.00/ cubic yard in accord with the tenets as established in Bid #19-05 for a period of two (2) additional years consistent with N.J.S.A 40A:11-15

Resolution #190-20 Authorize the Extension Award of Bid # 19-05 Brush and Leaf Disposal (Wood Chips)

WHEREAS, the Borough of Midland Park has a need for brush and leaf disposal services for a two (2) year contract for services; and

WHEREAS, bid #19-05 was opened and read aloud on September 20, 2019 at 10:30 A.M.; and

WHEREAS, the bid results were as follows:

Item	Environmental Renewal 21 Andrews Dr. Woodland Park, N.J.	Abmas Farm 700 Lawling Rd. Wyckoff, N.J.
LEAVES	\$9/CY	\$9/CY
BRUSH, TREES UNDER 10" DIA	\$12/CY	\$14/CY
LOGS, TREES EXCESS OF 10" DIA	\$18/CY	NO BID

CO MINGLED MIXED LOAD PICKUP	\$25/CY	NO BID
WOOD CHIPS	\$10/CY	\$4/CY

And;

WHEREAS, for item 5 Wood Chips Abmas Farm indicated the lowest bid at \$4.00/ Cubic Yard; and

WHEREAS, Abmas Farm for Item 5 Wood Chips is to be considered the lowest responsible bidder in accord with N.J.S.A.40A:11-4; and

WHEREAS, the Borough authorized resolution 183-19 authorizing a two-year contract; and

WHEREAS, the New Jersey Local Publics Contract Law at N.J.S.A. 40A:11-15 provides for authorization to extend contracts for two (2) years; and

WHEREAS, it is the desire of the Borough to provide for bid services for an additional two (2) years

WHEREAS, the Chief Financial Officer certifies subject to the Governing Bodies approval of future budgets that the amount not to exceed \$72,000.00 is available in:

Line Item: 1-01--021-281 Recycling O.E. – Vegetative Market Costs

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Midland Park authorizes the Business Administrator to enter into a contract with Abmas Farm 700 Lawling Rd. Wyckoff, N.J. for wood chip disposal in the amount of \$4.00/ cubic yard in accord with the tenets as established in Bid #19-05 for a period of two (2) additional years consistent with N.J.S.A 40A:11-15

Resolution #191-20 Authorize the Award of a Required Disclosure Contract with Atlantic Coast Fibers for Accepting of Recycling Materials

WHEREAS, the Borough of Midland Park has a need for recycling material processors in accord with its public operations through Atlantic Coast Fibers 101 7th St. Passaic, N.J. 07055, as a required disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and,

WHEREAS, the Sean Canning, Q.P.A., of the Canning Group, LLC has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is for 2021; and

WHEREAS, *Atlantic Coast Fibers 101 7th St. Passaic, N.J. 07055* in the aggregate is expected to provide more than the pay to play threshold of \$17,500.00; and

WHEREAS, Atlantic Coast Fibers 101 7th St. Passaic, N.J. 07055 has completed and submitted a Business Entity Disclosure Certification and a Personal Contribution Disclosure form which certifies that Atlantic Coast Fibers 101 7th St. Passaic, N.J. 07055 has not made any reportable contributions to a political or candidate committee in the *Borough of* Midland Park in the previous one year, and that the contract will prohibit Atlantic Coast Fibers 101 7th St. Passaic, N.J. 07055 from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer hereby certifies that funds NOT TO EXCEED \$23,315.00 are available as follows;

Line Item: 1-01--021-282 Recycling O.E. – Paper Market Costs

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Midland Park authorizes the Business Administrator to enter into a contract with Atlantic Coast Fibers 101 7th St. Passaic, N.J. 07055 not to exceed \$23,315.00 for the 2021 budget year; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Personal Contribution Disclosure form, Determination of Value be placed on file with this resolution.

Resolution #192-20 Tax Overpayment Refund –Blk 7.02 Lot 1.04

WHEREAS, an overpayment occurred for the 4th quarter of 2020 taxes due to the sale of the following property:

Cristina LaMendola
Amount of overpayment: \$2,700.00
14 Franklin Ave
(Blk. 7.02, Lt. 1.04)

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park, that the amount of \$2,700.00 for this overpayment in taxes to be refunded and payable to Cristina LaMendola, by whom overpayment was created:

Cristina LaMendola
15 Dune Terrace
Ortley Beach, NJ 08751

Resolution #193-20 Tax Exemption – Green Acres -Block 7 Lot 8, - 264 Erie Ave

WHEREAS, the Tax Assessor has granted a full tax exemption to Block 7 Lot 8, (264 Erie Ave) in accordance with N.J.S.A. 54:4-3.63 effective January 1, 2021;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park, the tax billing in the amount of \$24.00 should be canceled for:

NEW JERSEY CONSERVATION FOUNDATION
264 Erie Ave,
Midland Park, NJ 07432

Resolution #194-20 Tax Court of New Jersey Judgment – 445 Godwin Ave, Blk 26, Lot 4.01

WHEREAS, the Borough of Midland Park has received a Judgment from the Tax Court of New Jersey, reducing the assessed value from \$8,531,600.00 to \$8,281,600.00, for the 2020 tax year for the property know as 445 Godwin Ave., Block 26 Lot 4.01, a refund to be issued to:

MARLOW PARK LLC
80 GREENWOOD AVE
MIDLAND PARK, NJ 07432

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park, that the amount of \$7,795.00 for overpayment in taxes of 2020, be refunded.

Resolution #195-20 Tax Overpayment Refund –Blk 10.21 Lot 31

WHEREAS, an overpayment occurred for the 4th quarter of 2020 taxes due to refinance of the mortgage on the following property:

Reyes, Stacey S & Rande J Amount of overpayment: \$4,112.37
116 Spruce Street
Blk 10.21 Lot 31

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park, that the amount of \$4,112.37 for this overpayment in taxes to be refunded and payable to:

Stacey & Rande Reyes

116 Spruce Street
Midland Park, NJ 07432

Resolution #196-20 Resolution of The Borough of Midland Park, County of Bergen, State of New Jersey, Authorizing Contract through Bergen County Cooperative Pricing System (Bid 19-69) to ESS Inc.

WHEREAS the Borough of Midland Park may by resolution, and without advertising for bids or obtaining quotations, purchase any goods or services as per N.J.S.A. 40A:11-11, under the Bergen County Borough Cooperative Pricing System; and

WHEREAS, the Borough has the need on a timely basis to purchase communications equipment through ESS Inc., Bergen County Bid 19-69, duly authorized under law to extend contract pricing to local units, per N.J.A.C. 5:34-7 et. Seq.; and

WHEREAS the Borough intends to enter into contract for procurement under the tenets as established in bid by Bergen County Cooperative Pricing System and award through Bid 19-69

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Midland Park, County of Bergen, State of New Jersey, as follows:

1. That the Administrator hereby is authorized to procure communications equipment from ESS Inc., through Bergen County Cooperative Pricing System and award through Bid 19-69

Resolution #197-20 Escrow Refunds

WHEREAS, it was unanimously approved and recommended to return the unused escrows from the following Boards/Departments to the following parties:

WHEREAS, the Zoning Board of Adjustment, at their November 11, 2020 meeting, approved a motion to recommend the return of the following escrow:

McDonald, Randall	Acct. #T-20-256-164	\$40.23
185 Vreeland Ave		
(Blk. 12, Lt. 19)		

WHEREAS, final Engineering release has been given by Schwanewede/Hals Engineering on May 2, 2018, therefore the Construction Department is recommending the return of the following Performance escrow for Plot Plan/Soil Movement:

Oaks Residence	Acct. #T-20-300-502	\$480.00
65 Vreeland Ave.		
(Blk. 17, Lt. 34)		

Refund to: Acquatic Pools Inc.
710 Braen Ave.
Wyckoff, NJ 07481

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park that the Chief Financial Officer issue checks for the funds in the above stated amounts to the above stated parties.

Introduced by: Councilman Kamp

Seconded by: Councilwoman Peet

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

Aye
Absent
Aye
Aye
Aye
Aye

RESOLUTIONS:

1. Resolution #179-20 – Bills List

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

Current Fund ('19)	\$ 1,000.00
Current Fund	\$ 254,230.72
Dog Fund	\$ 46.57
Trust Fund	\$ 5,286.98
Capital Fund	\$ <u>7,791.63</u>
TOTAL:	\$ 268,355.90

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	November 13 th Payroll	\$ 195,938.32
Current	November 30 th Payroll	\$ 275,544.83
Current	December 15 th Payroll	\$ 211,485.67
Current	December School Taxes	\$2,192,095.10
Current	December Health Payments	\$ 80,408.81
Current	Mitel Cloud Svcs (manual check)	\$ 2,792.46
Current	Spectrotel (manual check)	\$ 1,835.97
Current	Home Depot (manual check)	\$ 426.05
Current	Ready Refresh (manual check)	\$ 94.07
Current	Beyer Fleet Sales(manual check)	\$ 304.00
Current	NJ Emergency Mgmt (mnl ck)	\$ 50.00
Current	BC NJ Register Division (mnl ck)	\$ 11.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Midland Park that the claims totaling **\$3,229,342.18** approved and ratified respectively.

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

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

MOTION:

A Motion to reintroduce Resolution #185-20, the **2021 Council Meeting Dates**, to include December 9, 2021 as a Mayor and Council meeting including Work, Open and Closed Sessions.

Introduced by: Council President DeLuca **Seconded by: Councilman Sansone**

Roll Call:	Councilman Kamp	Aye
	Councilman Iannone	Absent
	Councilman Kruis	Aye

Councilman Sansone	Aye
Councilwoman Peet	Aye
Council President DeLuca	Aye

OLD BUSINESS/NEW BUSINESS:

Council President DeLuca thanked **Councilman Kamp** for his vision and service to the Borough of Midland Park, especially his finance acumen and the work he did with the Board of Recreation and the development of the Economic Committee. She then “presented” the **Councilman** with a Certificate of Appreciation from the Mayor and Council.

Attorney Regan thanked **Councilman Kamp** for his service to the community, bringing innovative ideas to the table.

Mayor Shortway thanked **Councilman Kamp** for all he did for the Council and the community.

Councilwoman Peet spoke of working with **Councilman Kamp** on the Board of Education and the Council: he has always been prepared and willing to discuss any issue that has come up with expertise, he has been instrumental in bringing a new awareness to many actions, especially with regards to finances. She thanked him for his service to the community.

Councilman Sansone thanked **Councilman Kamp** for his service to the community.

Councilman Kruis thanked **Councilman Kamp**.

Councilman Kamp noted it has been an honor to have the opportunity to share this responsibility with the other Council members and all he has learned over the last three years. He is grateful for the stewardship each of them provides to the community. Midland Park is fortunate to have people who care so much as representatives and to guide the Borough, especially through challenging times as this year has been.

PUBLIC COMMENT:

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

Edward Grimes – no comment

Jeffrey King – no comment

Matt Bisi – wished everyone Happy Holidays

Thomas Walton – no comment

Cindy Mahoney – no comment

Christopher Almada – wished everyone Happy Holidays

Miguel Garcia – reiterated thanking the Department of Public Works for keeping the town clean and the streets clear during the snowstorm and he wished everyone Happy Holidays

There being no further response and no further business to address, at 8:58 P.M., on a Motion by **Councilman Sansone**, Seconded by **Councilman Kruis** and carried, **Mayor Shortway** adjourned the meeting.

Respectfully submitted,

Wendy Martin, R.M.C.
Borough Clerk