

**BOROUGH OF MIDLAND PARK
280 GODWIN AVENUE
MIDLAND PARK, NJ 07432
MARCH 12, 2020**

8:00 P.M. Open Public Meeting Minutes

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 at 8:00 P.M., noting the date as March 12, 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.

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|-------------------|---------------------------------|----------------|
| 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 Attorney Regan, Borough Administrator Seemon and Borough Clerk Martin

APPROVAL OF MINUTES:

A Motion to approve the January 23, 2020 Budget Session, Work Session, 1st & 2nd Closed Session and Open Public Meeting Minutes and the February 20, 2020 Work Session, 1st & 2nd Closed Session and Open Public Meeting Minutes 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: Council President DeLuca

Seconded by: Councilwoman Peet

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| Roll Call: | Councilman Kamp | Aye for January 23; Abstain for February 20 |
| | Councilman Iannone | Aye |
| | Councilman Kruis | Aye |
| | Councilman Sansone | Aye for January 23; Abstain for February 20 |
| | Councilwoman Peet | Aye |
| | Council President DeLuca | Aye |

OPEN TO THE PUBLIC:

Mayor Shortway opened the meeting to the public for any questions, comments or concerns. There being no response, the **Mayor** closed the meeting to the public.

RESOLUTION #059-20 Budget By Title

WHEREAS, the provisions of N.J.S.A. 40A:4-8 and N.J.S.A. 40A:4-9 have been followed.

NOW, THEREFORE, BE IT RESOLVED, that a majority of the full authorized membership of Borough Council of the Borough of Midland Park, affirmatively concurs that the 2020 Municipal Budget on Introduction may be read by title only.

Introduced by: Councilwoman Peet

Seconded by: Councilman Kamp

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

INTRODUCTION OF THE 2020 BUDGET

Introduced by: Councilman Kamp

Seconded by: Councilwoman Peet

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

LIAISON REPORTS:

Mayor Shortway

Mayor Shortway reported on March 6th, he, **Councilman Kamp**, **Councilman Sansone** and Administrator Seemon attended a meeting with Columbia Bank. On March 9th, he attended the Mayors meeting and Freeholder Ortiz was the speaker and talked about the upcoming census. **Mayor Shortway** participated in a Local Emergency Planning Committee meeting regarding the coronavirus outbreak and the implementation of plans to curtail the spread in the community.

Councilman Sansone

Public Works/ Board of Education/ Chamber of Commerce

Councilman Sansone thanked the **Board of Education** for the donation of three hand sanitizer dispensers to the Borough and the **Department of Public Works** employees for installing them at Borough Hall, the Library and the Recreation Center. The **Councilman** noted over 200 residents have signed up with the Recycle Coach app. He reported the 2020 resurfacing program plans have been submitted. The following are the roads scheduled for paving: Pierce Avenue, First Avenue, Demund Lane, Westview Terrace, Westview Place and Aqueduct Avenue as well as finishing the Erie Avenue project. **Councilman Sansone** informed the Governing Body Erie Avenue will be closed for a short time as part of the new building going up at 80 Godwin Avenue. This has been coordinated to be finished before Erie Avenue is repaved. Administrator Seemon explained aprons for entering and exiting the new building must be done as well as new sewer and water connections. The Administrator noted the Erie Avenue project is scheduled to commence in mid-April. **Councilman Sansone** reported the sewer line maintenance starts in

next 2 weeks and notices have gone out to the residents of the areas that will be affected.

Councilman Sansone reported the liaison meeting with the Board of Education is scheduled for March 17th depending on the impact of the coronavirus situation: there has progress on several discussion items and the budget presentation is scheduled for early April, again depending on the coronavirus situation.

Councilman Sansone reported progress for the **Chamber of Commerce**.

Councilwoman Peet

Finance/Board of Health

Councilwoman Peet reported attending a **Finance** meeting with **Councilman Kamp**, CFO O'Hanlon, Administrator Seemon and the Borough's auditor to review the budget. It was a productive meeting and brought the budget forward to what was presented.

The **Councilwoman** reported the **Board of Health** had a meeting on March 9th with a presentation to Pat Hegadorn for her service; the Midland Park High School's Wellness Council meeting with representatives from the Board of Health was cancelled; a babysitting CPR course was given and ten attended and on May 11th the rabies clinic is scheduled to be held. Most of the discussion centered on the Covid-19 and concerns about the time lapse from test to diagnosis: both LabCorp and Quest are State approved labs opening the way for local testing to be done; in New Jersey, as of March 9th, there are 24 suspected cases of the coronavirus with 11 positives and one death. There was some discussion regarding licensing fees: old ones that are no longer applicable such as the keeping of cattle; re-establishing the pet shop licensing fee; removing license fees for maternity homes and massage therapists and re-evaluating the public swimming fees.

Council President DeLuca

Public Safety – Fire/Ambulance/ Personnel/Library

Council President DeLuca reported the **Ambulance Corps** met on March 2nd: they answered 50 calls for service in February with 107 calls year-to-date.

The **Council President** reported the **Fire Department** met on March 11th: they answered 14 calls in February. She reminded everyone the annual beefsteak is scheduled for April 17th.

Council President DeLuca reported the **Library Board** meeting is planned for March 18th, depending on the situation with the coronavirus. If it is cancelled, she will request the director's report and send it to the Governing Body.

Councilman Kamp

Recreation/Municipal Alliance/Ridgewood Water

Councilman Kamp reported the next **Municipal Alliance** meeting is set for March 16th, which may be cancelled. A presentation by the Bergen County Prosecutor is planned for March 31st with the topic being "Gateway to Addiction".

The **Councilman** reported the **Board of Recreation** has had meetings with the Baseball and Softball Associations and things are fairly well with them. It has been decided that if a mutual understanding cannot be achieved regarding the snack bar, the Borough will take it over. The meeting with the Seniors that was scheduled for April 4th is being cancelled; the Easter egg hunt is planned for April 4th; Beautification Day is scheduled for April 25th and the town-wide garage sale is May 2nd. There were two incidences of misconduct during basketball games and reports were written and it is being handled by the appropriate people.

Councilman Kamp reported **Ridgewood Water** will be increasing the rates by 8%. The budget is on their website and the large increase is because of all the capital projects they have been doing.

Councilman Iannone

Public Safety – Police/ Information Technology

Councilman Iannone reported the **Police Department** answered 722 calls in February; the Chief has been inundated with Covid-19 meetings and initiating Standard Operating Procedures; they are working off cautionary supplies while waiting for more to come in; there are concerns regarding protocols responding to medical calls.

The **Councilman** reported **Information Technology** has made tremendous progress with a security program and installing secure remote software and firmware.

Councilman Kruis

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

Councilman Kruis reported **Planning Board** meeting is scheduled for next week and, if it is held, the **Councilman** will have a report then.

The **Councilman** reported progress with the **Building Department**.

Councilman Kruis reported the **Office of Emergency Management** Coordinator has been doing a good job of keeping everyone informed in spite of being inundated with meetings every day, sending updates out to the Governing Body and trying to stay on top of all the changes regarding Covid-19.

ADMINISTRATORS REPORT

Administrator Seemon reported an email will be sent out with regards to how the Borough will be handling Covid-19. He explained the process of getting County roads, such as Godwin Avenue, repaired: County and Borough engineers go over the entire length of the road checking the American with Disabilities Act curbs which must be installed with each road project. This determines which ones are the County's and which ones are the Borough's. The Borough must then submit plans/drawings for the curbing repairs to the County for approval. Once the plans are approved, the County sends out their contractor to fix the curbs and then the road can be repaved. Administrator Seemon noted the Borough is about one to one and a half months away from finishing the engineering part of the process. **Councilwoman Peet** asked about the metal plates by the intersection in the Wortendyk section. Administrator Seemon explained the history of why the plates were installed and foresees that being a hurdle with the paving project. The **Councilwoman** also inquired as to pothole repairs on all the County roads in the Borough. The Administrator reported the DPW Superintendent has been working and speaking with the County's Superintendent of Roads trying to get a shared service agreement with the County so pothole repair can proceed faster. The hope is that Godwin Avenue will be done this year and, while it is moving slow, it is moving forward.

ORDINANCES ON FINAL:

1. ORDINANCE #01-20

“AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK WHEN THE COST OF LIVING ADJUSTMENT (COLA) IS EQUAL TO OR LESS THAN 2.5 PERCENT (N.J.S.A.40A:4-45.14)”

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

WHEREAS, the Local Government Cap Law, N.J.S.A 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% or the Cost-of-Living Adjustment (COLA), whichever is less, over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:45.14 provides that a municipality may, in any year in which the COLA is equal to or less than 2.5% increase its final appropriations by a percentage greater than the COLA, but not to exceed the 3.5% rate as specified in the law, when authorized by ordinance; and,

WHEREAS, the COLA for CY 2020 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 2.5%; and,

WHEREAS, N.J.S.A 40A:4-45.15a provides that a municipality may, in any year in which the COLA is equal to or less than 2.5% may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Midland Park, in the County of Bergen, finds it advisable and necessary to increase its CY 2020 Budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$283,944.91 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Midland Park, in the County of Bergen, a majority of the full authorized membership of this governing Body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Borough of Midland Park shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, Borough of Midland Park, be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as Introduced be filed with the Director of the Division of Local Government Services within 5 days of Introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon Adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such Adoption.

BE IT FURTHER ORDAINED, that any ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance, are hereby repealed, but only to the extent of such inconsistencies.

This ordinance shall take effect at the time and in the manner provided by law.

Introduced by: Councilwoman Peet

Seconded by: Councilman Sansone

At this time, **Mayor Shortway** opened the meeting to the public for any questions, comments or concerns regarding Ordinance #01-20. There being no response, the **Mayor** closed the meeting and called for a Roll Call Vote of Council.

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

2. ORDINANCE # 02-20

“BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS EQUIPMENT, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF MIDLAND PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,463,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.”

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

Section 1. The Borough of Midland Park, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery, new information technology and telecommunications equipment, new communication and signal systems equipment and a new automotive vehicle, including original apparatus and equipment, in, by and for said Borough, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Replacement of roofs at various public buildings. It is hereby determined and stated that said public buildings being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

| | |
|---|-------------|
| Appropriation and Estimated Cost | \$ 265,000 |
| Down Payment Appropriated | \$ 12,620 |
| Bonds and Notes Authorized | \$ 252,380 |
| Period of Usefulness | 15 years |
| B. Undertaking of HVAC and clean energy upgrades at various public buildings. | |
| Appropriation and Estimated Cost | \$ 100,000 |
| Down Payment Appropriated | \$ 4,770 |
| Bonds and Notes Authorized | \$ 95,230 |
| Period of Usefulness | 10 years |
| C. Installation of emergency generators at various public buildings. | |
| Appropriation and Estimated Cost | \$ 283,000 |
| Down Payment Appropriated | \$ 13,500 |
| Bonds and Notes Authorized | \$ 269,500 |
| Period of Usefulness | 15 years |
| D. Undertaking of the Communications and Technology Upgrade Project. | |
| Appropriation and Estimated Cost | \$ 565,000 |
| Down Payment Appropriated | \$ 27,000 |
| Bonds and Notes Authorized | \$ 538,000 |
| Period of Usefulness | 5 years |
| E. Acquisition of a new automotive vehicle, including original apparatus and equipment, consisting of a Recycling Center garbage truck for the use of the Department of Public Works. | |
| Appropriation and Estimated Cost | \$ 250,000 |
| Down Payment Appropriated | \$ 12,110 |
| Bonds and Notes Authorized | \$ 237,890 |
| Period of Usefulness | 5 years |
| ----- | |
| Aggregate Appropriation and Estimated Cost | \$1,463,000 |
| Aggregate Down Payment Appropriated | \$ 70,000 |
| Aggregate Amount of Bonds and Notes Authorized | \$1,393,000 |

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$33,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. It is hereby determined and stated that moneys exceeding \$70,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$70,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$1,393,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$1,393,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount

of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 9.08 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$1,393,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 14. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 15. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Introduced by: Councilman Sansone

Seconded by: Councilman Kamp

At this time, **Mayor Shortway** opened the meeting to the public for any questions, comments or concerns regarding Ordinance #02-20. There being no response, the **Mayor** closed the meeting and called for a Roll Call Vote of Council.

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

3. ORDINANCE # 03-20

“AN ORDINANCE TO AMEND CHAPTER III OF THE CODE OF THE BOROUGH OF MIDLAND PARK ENTITLED, “POLICE REGULATIONS”

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 III of the Code of the Borough of Midland Park, Police Regulations, §3-13, Fire Lanes Or Zones, Subsection 3-13.3, Designation Of Fire Zones, be and is hereby amended to read as follows:

- a. No change.
- b. No change.
- c. CVS Store
80 Godwin Avenue
 - 1. Zone A (Erie side of CVS) – 45 feet X 18 feet
 - 2. Zone B (Front of CVS) – 30 feet X 18 feet
 - 3. Zone C (Front of Dunkin Donuts) - 142½ feet X 14 feet 8 inches
 - 4. Zone D (Side of Dunkin Donuts) - 90 feet X 3 feet
 - 5. Zone E (Rear of Dunkin Donuts) – 97½ feet X 6 feet
- d. No change.
- e. No change.
- f. No change.

- g. No change.
- h. No change.
- i. No change.
- j. No change.
- k. No change.

Section 2. 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 3. 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 4. Effective Date.

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

Introduced by: Councilman Iannone

Seconded by: Council President DeLuca

At this time, **Mayor Shortway** opened the meeting to the public for any questions, comments or concerns regarding Ordinance #03-20.

Borough Attorney Regan explained the Ordinance establishes fire zones for the new building at 80 Godwin Avenue and is a condition of the Planning Board’s approval.

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

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

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 #060-20 United States EEO Commission Compliance

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United

States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decision Under Title VII of the Civil Rights Act of 1964,” as amended, 42 U.S.C. Sec. 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Midland Park, hereby states that it has complied with N.J.S.A. 40A: 4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Resolution #061-20 Award of Co-Mingled Brush – Environmental Renewal LLC

WHEREAS, the Borough of Midland Park has a need to for coMmingled brush receipt and disposal; and

WHEREAS, the Borough solicited quotes on January 24, 2020 with a return date of January 31, 2020; and

WHEREAS, the Borough received on January 31, 2020 the below listed quote from:

Environmental Renewal LLC
27 Andrews Dr.
Woodland Park, N.J. 07424

| | Price |
|---|----------------------|
| Price per CY based on volume of unprocessed comingled brush, leaf vegetative material and grass clippings delivered in ROLL OFF CONTAINER | __\$23.00____/Cu. Yd |
| | |
| Option: ONLY IF DIFFERENT - Price per CY based on volume of unprocessed comingled brush, leaf vegetative material and grass clippings delivered in REAR LOADING PACKER TRUCK | __\$25.00____/Cu. Yd |

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Environmental Renewal LLC 27 Andrews Dr. Woodland Park, N.J. 07424. has provided to the proposal acceptable to the Borough of Midland Park based upon price and other factors; and

WHEREAS, Laurie O’Hanlon, Chief Financial Officer of the Borough of Midland Park, certifies that adequate funds have been appropriated in the goods or services named within.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Midland Park authorizes the Mayor to enter into a contract Environmental Renewal LLC 27 Andrews Dr. Woodland Park, N.J. 07424. For receipt and disposal of comingled brush for the term expiring January 31, 2021.

Resolution #062-20 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 2020; 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 \$25,000 are available as follows;

Line Item: 0-01—021-282

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 \$25,000 for the 2020 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.

The Consent Agenda was:

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 #058-20 – Bills List

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

| | |
|--------------------|----------------------|
| Current Fund ('19) | \$ 428.92 |
| Current Fund | \$ 81,975.57 |
| Dog Fund | \$ 3.60 |
| Trust Fund | \$ 29,376.64 |
| Capital Fund | \$ <u>2,695.00</u> |
| TOTAL: | \$ 114,479.73 |

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 | February 28 th Payroll | \$ 186,979.24 |
| Current | March Health Payments | \$ 78,902.32 |
| Current | March School Taxes | \$1,779,766.67 |
| Current | Chiesa Shahinan – Mnl Ck | \$ 6,996.60 |

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Midland Park that the claims totaling **\$2,167,124.56** be 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 |

2. Resolution #063-20 Appoint- Permanent Part-Time Technical Assistant – Amy Davidson

WHEREAS, Amy Davidson has been serving a probationary period as the Part-Time Technical Assistant since October 1, 2019, and

WHEREAS, it is recommended by the Borough Clerk/ Administrator that her appointment be made part-time permanent.

NOW, THEREFORE, BE IT RESOLVED that the appointment of Amy Davidson, is hereby part-time permanent by the Council of the Borough of Midland Park, effective April 1, 2020.

Introduced by: Council President DeLuca

Seconded by: Councilman Sansone

Roll Call:

| | |
|---------------------------------|------------|
| Councilman Kamp | Aye |
| Councilman Iannone | Aye |
| Councilman Kruis | Aye |
| Councilman Sansone | Aye |
| Councilwoman Peet | Aye |
| Council President DeLuca | Aye |

3. Resolution #064-20 Appoint- Alternate Public Defender – James Addis

WHEREAS, the Court System of the Borough of Midland Park must fill the position of an Alternate Public Defender; and

WHEREAS, the Borough Council and Mayor feel this candidate is suitable to administer the duties necessary for this position.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Midland Park, that James Addis, Esq., Court Plaza South - East Wing, 21 Main Street, be appointed as the Alternate Public Defender.

| | |
|--|--|
| Introduced by: Council President DeLuca | Seconded by: Councilman Sansone |
| Roll Call: Councilman Kamp | Aye |
| Councilman Iannone | Aye |
| Councilman Kruis | Aye |
| Councilman Sansone | Aye |
| Councilwoman Peet | Aye |
| Council President DeLuca | Aye |

ORDINANCES ON INTRODUCTION:

1. ORDINANCE #04-20

“AN ORDINANCE ESTABLISHING SALARIES AND WAGES FOR CERTAIN BOROUGH OFFICERS AND EMPLOYEES OF THE BOROUGH OF MIDLAND PARK FOR THE YEAR 2020 BEGINNING JANUARY 1ST, AND THEREAFTER”

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

1. The following schedule setting forth the salaries and wages to be paid to certain Borough Officers, Employees and Officials during the year 2020, beginning January 1st, and thereafter, be and is hereby approved:

| POSITION | 2020 RATE |
|---|------------------------------|
| Mayor | Up to \$ 5,000.00 |
| Council Members | Up to \$ 4,000.00 |
| Municipal Administrator | \$100,000.00 to \$120,000.00 |
| Chief Financial Officer/Treasurer | \$ 2,500.00 to \$ 90,000.00 |
| Borough Clerk | Up to \$ 80,000.00 |
| Records Clerk | \$ 15.00/hr to \$ 20.00/hr |
| Administrative Assistant | Up to \$ 50,000.00 |
| Administrative Secretary/Support | Up to \$ 35,000.00 |
| Tax Collector | Up to \$ 56,000.00 |
| Deputy Tax Collector/Tax Clerk | \$35,000.00 to \$ 80,000.00 |
| Tax Assessor | \$11,000.00 to \$ 45,000.00 |
| Plumbing Inspector – M.P. | Up to \$ 15,000.00 |
| Plumbing Inspector – Ho-Ho-Kus | Up to \$ 12,000.00 |
| Plumbing Subcode Official- HoHoKus | Up to \$ 2,000.00 |
| Fire Subcode Official - HoHoKus | Up to \$ 2,500.00 |
| Fire Inspector – M.P. | Up to \$ 4,000.00 |
| Fire Inspector (substitute) | Up to \$ 30.00/hr |
| Elevator Inspector – M.P. | \$ 1,500.00 to \$ 3,000.00 |
| Electrical Inspector- M.P. | \$ 2,000.00 to \$ 22,000.00 |
| Electrical Sub Code – HoHoKus | Up to \$ 15,000.00 |
| Property Maintenance Official | Up to \$ 30,000.00 |
| Construction Code Official/Zoning Official – M.P. | \$60,000.00 to \$ 85,000.00 |
| Construction Code Official – HoHoKus | Up to \$ 40,000.00 |
| Construction Code Assistant | \$ 6,000.00 to \$ 40,000.00 |
| Building Inspector – HoHoKus | Up to \$ 16,000.00 |

| | | |
|--|------------------------|----------------------------|
| D.P.W. Superintendent | Up to | \$116,000.00 |
| D.P.W. Foreman | Up to | \$ 90,000.00 |
| D.P.W. Utility Laborers | \$ 40,000.00 to | \$ 75,000.00 |
| D.P.W. personnel “on-call” stipend | | \$ 250.00/wk |
| D.P.W. personnel “boot allowance” | | \$ 150.00/yr |
| Recycling Center Attendant | \$ 14.00/hr to | \$ 20.00/hr |
| Building/Grounds Maintenance Worker | Up to | \$ 57,000.00 |
| Municipal Court Judge | \$ 10,000.00 to | \$ 25,000.00 |
| Municipal Court Administrator | \$ 20,000.00 to | \$ 85,000.00 |
| Deputy Municipal Court Clerk | \$ 65.00 | per Session |
| Special Help-Court Clerk’s Office/Deputy Information Technology | \$ 7.00/hr to up to | \$ 75.00/hr \$ 75.00/hr |

| POSITION | 2020 RATE | |
|--------------------------------------|------------------|--------------|
| Zoning Board of Adjustment Secretary | \$ 10,000.00 to | \$ 20,000.00 |
| Planning Board Secretary | \$ 10,000.00 to | \$ 20,000.00 |
| Fire Prevention Officer | \$ 8,000.00 to | \$ 20,000.00 |
| Fire Prevention Sub Inspector | Up to | \$ 2,500.00 |
| Officer of Emergency Management | \$ 5,000.00 to | \$ 30,000.00 |
| Police Chief | \$ 60,000.00 to | \$205,000.00 |
| Secretary-Police Dept | Up to | \$ 50,000.00 |
| Special Police/Matron/Desk Clerks | Up to | \$ 25.00/hr |
| Crossing Guard | Up to | \$ 25.00/hr |
| Extra Help - Any department | Up to | \$ 21.50/hr |
| Recreation Coordinator | \$ 500.00 to | \$ 60,000.00 |
| Recreation Building Attendant | \$ 12.00 to | \$ 15.00/hr |
| Summer Camp Coordinator | \$ 20.00 to | \$ 28.50/hr |
| Asst. Summer Camp Coordinator | \$ 13.00 to | \$ 22.00/hr |
| Counselor: Year #1 | | \$ 7.00/hr |
| Counselor: Year #2 | | \$ 8.00/hr |
| Counselor: Year #3 | | \$ 9.00/hr |
| Counselor: Year #4 | | \$ 10.00/hr |
| Counselor: Year #5 | | \$ 11.00/hr |
| Counselor: Year #6 | | \$ 12.00/hr |
| Counselor: Year #7 | | \$ 13.00/hr |
| Senior Counselor | | \$ 14.50/hr |

2. Individual salaries shall be set by Resolution of the Council within the salary range. In the absence of a minimum, any employee may be hired at any sum less than the maximum set forth above.

3. All civilian employees’ fringe benefits will be in accordance with the Borough of Midland Park’s Personnel Policy Manual.

4. All salaries and wages provided for herein shall be effective in accordance to the Resolution adopted pursuant to paragraph 2 of the Ordinance.

5. This Ordinance shall take effect upon final passages and publication according to law.

Introduced by: Councilman Kruis

Seconded by: Councilman Iannone

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

OLD BUSINESS/NEW BUSINESS:

There was no Old Business to discuss.
There was no New Business to discuss

PUBLIC COMMENT:

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

James Capalbo - 89 Millington Drive – inquired if there was an update on the Sign Ordinance?
Administrator Seemon responded that an updated Sign Ordinance is being worked on.

Pete Triolo – 132 Hill Street - Trustee of the Board of Education, thanked the Police Department and Office of Emergency Management for the great work they have done for the schools in the face of this unprecedented crisis.

Ray Chapman – 225 Vreeland Avenue – Seconded what the gentleman said.

There being no further response and no further business to address, at 8:44 P.M., on a Motion by **Councilman Sansone**, Seconded by **Councilwoman Peet** and carried, **Mayor Shortway** adjourned the meeting.

Respectfully submitted,

Wendy Martin, R.M.C.
Borough Clerk