

**BOROUGH OF MIDLAND PARK
280 GODWIN AVENUE
MIDLAND PARK, NJ 07432
June 11, 2020**

8:00 PM Open Public Meeting Minutes

On June 11, 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): [1 866 899 4679](tel:18668994679) Access Code: 201-603-597

Questions, Comments or Concerns were emailed in advance to the Borough Clerk at wmartin@midlandparknj.org no later than June 11, 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 June 11, 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	Absent
	Councilman Iannone	Absent
	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

PUBLIC ROLL CALL:

Administrator Seemon took a roll call of the public in attendance
There were no members of the public on the line at this time.

APPROVAL OF MINUTES:

There were no Minutes to approve at this time.

OPEN TO THE PUBLIC:

The Mayor opened the meeting to the public for general concerns and comments.

At this time questions, concerns or comments emailed in advance to the Borough Clerk were addressed. There were no questions, concerns or comments emailed to the Borough Clerk.

Administrator Seemon asked individual members of the Public to speak at this time. No members of the public on the line at this time.

There being no response, the **Mayor** closed the meeting to the public.

LIAISON REPORTS:

Mayor Shortway

Mayor Shortway reported on June 9th, he and Administrator Seemon were on a call with the Governor's office regarding the coronavirus; on June 11, he and Administrator Seemon were on a call with the County Executive regarding what can and cannot be done with re-opening, noting the Administrator will give more details during his report.

Councilman Sansone **Public Works/ Board of Education/ Chamber of Commerce**
Councilman Sansone reported progress for the **Board of Education**, the **Chamber of Commerce** and the **Department of Public Works**.

Councilwoman Peet **Finance/Board of Health**

Councilwoman Peet reported progress for **Finance**.

The **Councilwoman** reported the **Board of Health** has hired a new health officer who will be starting July 7th. She noted the number of COVID-19 cases in Midland Park was last updated on May 26th and remains at 90 with 4 demises.

Council President DeLuca **Public Safety – Fire/Ambulance/ Personnel/Library**

Council President DeLuca reported the **Ambulance Corps** held an outdoor meeting on June 1st: they answered 37 calls for May.

The **Council President** reported the **Fire Department** did not have a meeting but the report from the Chief stated they answered 17 calls for May, including a structure fire on Park Avenue. The Chief also noted the department will be going back to drills and normal operations while remaining cautious.

Council President DeLuca reported the **Library** Director will be attending a virtual meeting on June 12th with the Governor's office for plans on re-opening the library; she will have a more detailed report at the next Council meeting.

Councilman Kamp **Recreation/Municipal Alliance/Ridgewood Water**

Due to **Councilman Kamp's** absence, a report was emailed to the Governing Body.

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 next week so he will have a report at the next Council meeting.

The **Councilman** reported progress for the **Building Department**: he will be meeting with the Construction Official sometime during the next week.

Councilman Kruis reported he met with the Official for the **Office of Emergency Management, Property Maintenance and Fire Prevention** several times and there is progress.

ADMINISTRATOR’S REPORT

Borough Administrator Seemon reported he and **Mayor Shortway** were on a call with the County Executive today and several things were announced: Saturday, at 7A.M. all parks will be re-opened and picnicking will be allowed with the stipulation that no more than eight people gather together at a table; dog parks are still under discussion; more will be coming regarding ways small businesses are being helped and outdoor dining guidelines were discussed. The Borough is trying to do everything possible to operate under the Governor’s orders correctly while still trying to help residents and businesses; the next phase of roadwork will be curbing for Aqueduct Avenue and West View Place and the contractor will be reaching out to the residents that will be affected; work at Borough Hall is being completed to ensure safe a re-opening; the staff is doing a phenomenal job, keeping things as normal as possible.

ORDINANCES ON FINAL:

1. ORDINANCE #08-20

“A CAPITAL ORDINANCE TO AUTHORIZE ADDITIONAL FUNDS TO THE RESERVE FUND, FOR MUNICIPAL VEHICLES IN THE BOROUGH OF MIDLAND PARK, TO APPROPRIATE THE SUM OF \$15,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR THE FUTURE PURCHASE OF MUNICIPAL VEHICLES”

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

Section 1.

The acquisition of funding from the Capital Improvement Fund is hereby authorized for:

- A. Midland Park Department of Public Works’ Reserve for a new garbage truck, in the amount of \$15,000.00

Section 2. The sum of \$15,000.00 is hereby appropriated to the payment of the cost of such acquisition and improvement authorized and described in Section 1 hereof. Said sum so appropriated shall be met from the Capital Improvement Fund of the Borough.

Section 3. Said improvements are lawful capital improvements of the Borough having a period of usefulness of at least five (5) years. Said improvements shall be made as a general improvement, and no part of the cost which has been nor shall be assessed against property specially benefited.

Section 4. The capital budget is hereby amended to conform with the provisions of this capital 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 5. This ordinance hereby incorporates the provisions of N.J.S.A. 40A:2-20.

Section 6. This ordinance shall take effect at the time and in the manner provided by law.

Section 7. 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. In addition, ordinance #07-20 be it and is hereby repealed in its entirety.

Introduced by: Councilwoman Peet

Seconded by: Council President DeLuca

At this time, **Mayor Shortway** opened the meeting to the public for any questions, comments, or concerns regarding Ordinance #08-20. There being none, the **Mayor** closed the meeting to the public.

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

Councilman Sansone	Aye
Councilwoman Peet	Aye
Council President DeLuca	Aye

2. ORDINANCE #09-20

“AN ORDINANCE TO AMEND CHAPTER 4 OF THE CODE OF THE BOROUGH OF MIDLAND PARK ENTITLED, “GENERAL LICENSING”

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 4 of the Code of the Borough of Midland Park, General Licensing, §4-18, Outdoor Cafes In The Business Districts, Subsection 4-18.19, Consumption of Alcoholic Beverages Prohibited, be and is hereby repealed in its entirety.

Section 2.

Chapter 4 of the Code of the Borough of Midland Park, General Licensing, §4-18, Outdoor Cafes In The Business Districts, Subsection 4-18.20, Time Period for Outdoor Cafes, is hereby amended to read as follows:

§4-18.20. Time Periods for Outdoor Cafes.

Outdoor cafes shall be permitted to operate throughout the calendar year from January 1 to December 31. The license, when issued, shall be valid for the entirety of the calendar year which it was issued.

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: Council President DeLuca

Seconded by: Councilwoman Peet

At this time, **Mayor Shortway** opened the meeting to the public for any questions, comments, or concerns regarding Ordinance #09-20. There being none, the **Mayor** closed the meeting to the public.

Roll Call:	Councilman Kamp	Absent
	Councilman Iannone	Absent
	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 #090-20 Planning Board Application Fee Refund-301 Greenwood Ave.–Blk 52, Lt. 1 –
Midgreen Associates**

WHEREAS, at the meeting of May 18, 2020, it was unanimously approved and recommended by the Planning Board, to return the application fee Midgreen Associates, payable to the following:

Horizon Comm. & Maintenance LLC Rev:01-205-013 \$300.00
495 Mola Blvd.
Suite @2
Elmwood Park, NJ 07407

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park that the Chief Financial Officer issue a check for the funds in the above stated amount, to the Horizon Comm. & Maintenance LLC at the appropriate address on file with the Chief Financial Officer.

**Resolution #091-20 Planning Board Escrow Refund-CV Dental LLC 662 Godwin Ave.-Blk 45,
Lt. 8.01 & 184 Godwin Ave LLC- Blk 17, Lt 9.01**

WHEREAS, at the meeting of May 18, 2020, it was unanimously approved and recommended by the Planning Board, to return the unused escrow to the following parties:

CV Dental LLC Acct. # T-20-500-415 \$610.00
662 Godwin Ave.
Midland Park, N. J. 07432
(Blk. 45, Lt. 8.01)

184 Godwin Ave. LLC Acct. # T-20-500-403 \$5,786.68
184 Godwin Ave.
Midland Park, N.J. 07432
(Blk. 17, Lt. 9.01)

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 CV Dental LLC and 184 Godwin Ave. LLC, at the appropriate address on file with the Chief Financial Officer.

**Resolution #092-20 Authorizing the Qualified Purchasing Agent to Receive Certain Bids in
Accord with N.J.A.C.5:34-5.1, E- Procurement**

WHEREAS, the Borough of Midland Park has appointed a Qualified Purchasing Agent in accord with N.J.S.A. 40A:11-9; and

WHEREAS, the State of New Jersey in Administrative Code in response to the Covid 19 crisis has promulgated rules to allow for electronic receipt of bids with the rules at N.J.A.C. 5:34-1 et. Seq. and

WHEREAS, Sean P. Canning, QPA has recommended the use of Bidnet Direct software which complies with all the administrative rule as required by the New Jersey Administrative Rules; and

WHEREAS, the electronic procurement platform is available to other officials as required to virtually observe bid openings in a transparent manner and provide for bids available for public inspection; and

WHEREAS, the cost to the Borough and to the Vendors wishing to conduct business with the Borough is a zero cost.

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 Sean P. Canning QPA of The Canning Group LLC is hereby authorized to conduct bid openings and procurement in accord with N.J.S.A.40A:11-9 through E-Procurement in accord with N.J.A.C. 5:34-1 et. Seq., through Bidnet Direct at a zero cost to the Borough and to vendors for bid response.
2. That the Borough Clerk shall forward a certified copy of this Resolution to the following:
 - A. Business Administrator;

- B. Chief Financial Officer;
- C. Purchasing Agent;

Resolution #093-20 Authorizing the Increase to the Bid Threshold

WHEREAS, effective July 1, 2020 the Governor of the State of New Jersey has adjusted the bid threshold for awarding contracts under the Local Public Contracts Law. The change in the bid threshold allows municipalities with a Qualified Purchasing Agent to increase their bid threshold up to \$44,000; and **WHEREAS**, N.J.S.A. 40A:11-3a, permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Sean P. Canning of The Canning Group was appointed the Borough of Midland Park’s Qualified Purchasing Agent by the adoption of Resolution #006-20 and possesses the qualifications and designation of Qualified Purchasing Agent as issued by the Director of Local Government Services in accordance with N.J.A. C. 5:34-5 et seq.; and

WHEREAS, the Borough of Midland Park desires to increase the bid threshold to \$44,000.00 in accord with N.J.S.A.40A:11-3a.

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

- 1. That the bid threshold is hereby increased to \$44,000.00 effective July 1, 2020 consistent with the New Jersey Local Publics Contract Law.

Resolution #094-20 Authorizing Contract Through Educational Services Commission of New Jersey Cooperative Contract Vendor Weatherproofing Technologies Inc. Through #65mcescps - ESCNJ 19/20-15

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 Educational Services Commission of New Jersey Cooperative Pricing System; and

WHEREAS, the Borough Department of Public Works desires to purchase goods and services utilizing Educational Service Commission of New Jersey Contracts, 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 of DPW Building Roof Replacement through Weatherproofing Technologies Inc. 3735 Green Road, Beachwood, OH 44122 through ESCNJ Contract 19/20-15 in the amount of **\$118,000.00** ; and

WHEREAS, the Chief Financial Officer has certified that funds in the amount of **\$118,000.00** are available in:

Account numbers: 380-101	Buildings & Grounds	\$70,000.00
385-101	Buildings & Grounds	\$38,570.00
385-107	Admin	\$ 9,430.00

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 Department of Public Works hereby is authorized to procure DPW Building Roof Replacement through Weatherproofing Technologies Inc. 3735 Green Road, Beachwood, OH 44122 through ESCNJ Contract 19/20-15 in the amount of \$118,000.00

Resolution #095-20 Road Repaving Project Interlocal with Ramsey

WHEREAS, Ordinance No. 06-20 authorized the expenditure of funds for road resurfacing projects throughout the Borough of Midland Park; and

amounts:

Current Fund ('19)	\$ 400.00
Current Fund	\$ 196,927.84
Dog Fund	\$ 97.20
Trust Fund	\$ 4,899.00
Capital Fund	\$ 7,566.43
TOTAL:	\$ 209,890.47

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	May 29 th Payroll	\$ 181,896.56
Current	June Health Payments	\$ 79,862.12
Current	June School Taxes	\$1,779,766.65

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Midland Park that the claims totaling **\$2,251,415.80** be approved and ratified respectively.

Introduced by: Councilwoman Peet

Seconded by: Councilman Kruis

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

2. Resolution # 097-20 - Appoint Deputy Tax Collector – Anna Kalata

WHEREAS, the Borough of Midland Park finds it necessary to fill the position of Deputy Tax Collector; and

WHEREAS, Anna Kalata has attended and passed all required courses to qualify to take the State examination, to obtain the certificate of Tax Collector, and successfully passed said State exam; and

WHEREAS, Anna Kalata has assumed all the responsibilities of Deputy Tax Collector effective April 12, 2020; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park that Anna Kalata be confirmed at a salary of \$65,000.00 effective April 16, 2020, as Deputy Tax Collector

Introduced by: Councilman Sansone

Seconded by: Council President DeLuca

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

OLD BUSINESS/NEW BUSINESS:

There was no Old Business to discuss.

Administrator Seemon spoke of a memorandum of agreement with the County for the CARES act.

MOTION:

A Motion to approve the memorandum of agreement with Bergen County for the CARES act.

Introduced by: Councilman Sansone

Seconded by: Council President DeLuca

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

PUBLIC COMMENT:

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

Administrator Seemon asked the public if there are any comments.
There were no residents on the line at this time.

There being no response and no further business to address, at 8:25 P.M., on a Motion by **Councilman Kruis** Seconded by **Councilwoman Peet** and carried, **Mayor Shortway** adjourned the meeting.

Respectfully submitted,

Wendy Martin, R.M.C.
Borough Clerk