

BOROUGH OF MIDLAND PARK

280 Godwin Avenue

Midland Park NJ 07432

July 22, 2021

8:00 PM Open Public Meeting Minutes

On July 22, 2021 at 8:00 p.m., the Mayor and Council of Midland Park conducted an in person meeting, the location has changed to 280 Godwin Avenue, there was also an option for the public to access the meeting electronically by dialing this Toll-Free Dial in number [1 866 899 4679](tel:8668994679) Access Code: 766-030-917

Agenda items for the meeting were listed on the Borough website. The foregoing electronic option was recommended due to the current situation involving the COVID-19 Virus and directives of State and County governments.

The **Mayor** called upon **Councilwoman 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 July 22, 2021, 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 Damiano	Present
	Councilman Kruis	Present
	Councilman Sansone	Present
	Councilwoman DeLuca	Present
	Councilwoman Peet	Present
	Council President Iannone	Present

ALSO PRESENT: Borough Attorney Regan and Acting Borough Administrator/Borough Clerk Martin

APPROVAL OF MINUTES:

No minutes available for approval at this time.

OPEN TO THE PUBLIC:

The **Mayor** opened the meeting to the public for general questions, concerns, and comments. No one from the public came forward at this time

Acting Administrator/Clerk Martin asked members of the public on the phone to speak at this time.

No one was on the line at this time

LIAISON REPORTS:

Mayor Shortway

Mayor Shortway reported he attended the July 13th Bergen County Mayors meeting: the guest speaker was one of the County Commissioners, Ramon Hache, who is a former Mayor of Ridgewood and he spoke of the different things that can be applied for at the County.

Councilman Sansone

**Public Works/Chamber of Commerce/Economic
Development Committee**

Councilman Sansone reported progress for the **Economic Development Committee** and the **Chamber of Commerce**.

The **Councilman** reported the **Department of Public Works** have been kept busy cleaning up after another heavy storm: they cleared the storm drains, took away debris from roadways, and assisted the Police Department. For their regular duties, they: replaced 23 basin heads with Department of Environmental Protection approved basin heads which prevent garbage and larger sticks from going into the storm system and causing blockages; they identified 36 catch basins that need to be repaired; the Superintendent was contacted by Bergen County regarding the drainage project on Goffle Road which will go from Van Blarcom Avenue to the bridge. The project will be starting on July 23rd and is expected to take about two weeks. The D.P.W. continues to disinfect Borough buildings and vehicles. **Councilman Sansone** stated the D.P.W. has had a tough year this year, with the snowstorms and the severe summer storms, and wished to recognize them and the fine job they have been doing.

Councilwoman Peet

**Board of Health/ Board of Education/Municipal
Alliance**

Councilwoman Peet reported she attended the **Board of Education** meeting on July 20th in which several important topics were discussed: violence and vandalism, HIV investigations, an inappropriate language case and converting Sunset Field to a turf field were discussed; they are keeping up with training to stay compliant; as of July 14th, no masks will be mandated in the schools but is subject to change. For more information, please visit the Board of Education website. The **Councilwoman** reported the Soccer Association will be working in conjunction with the School Board to make Sunset Field the first turf field in the Borough. The Board will be financing the cost by putting it into the new referendum. Additionally, they are trying to get stakeholders to sit on the committee, however have not followed the proper protocols to keep the Council informed. Acting Administrator Martin reported she contacted the Superintendent and the Business Administrator of the Board of Education to remind them of the procedure to contact the liaison instead of a Borough employee directly; **Council President Iannone** asked about the stakeholder position, if it has to do with the amount of donations; Acting Administrator Martin and **Councilwoman Peet** responded that stakeholders are not donors but rather, people who sit on the committee. Acting Administrator Martin noted she received a reply from the Superintendent that stated she would remind the Board to adhere to the protocol. The **Councilwoman** reported the Board of Education received, from the Federal Government through the Individuals with Disabilities Education Act, the basic amount for public schools, \$223,103, for non-public schools, \$21,452 and for preschools, \$21,000.

The **Councilwoman** reported progress for the **Board of Health** which is scheduled to meet next month.

Councilwoman Peet reported progress for the **Municipal Alliance**.

Councilwoman DeLuca Public Safety – Fire/Ambulance/Library

Councilwoman DeLuca reported the **Ambulance Corps** answered 52 calls for service in June and will be meeting July 26th.

The **Councilwoman** reported she attended the **Fire Department** meeting on July 14th: they answered 17 calls for service in June.

Councilwoman DeLuca reported the **Library Board** met on July 20th and it was on Zoom and in person. She noted the Department of Public Works addressed some maintenance issues and a new window in the Children’s Department will be replaced on August 27th. The Library Director is the new Co-Chair for the Bergen County Cooperative Library System Technology Committee, giving her some input for the BCCLS. **Councilwoman DeLuca** reported there are 113 children enrolled in the summer reading program and 19 have received their summer reading star. The many programs the Library is running have been well received. The Director applied for a grant from the American Rescue Plan Act of 2021 for \$12,400 and the Children’s Librarian applied for one from NASA which will provide training, resources and \$1,600 for materials to implement the program. She gave an update on the town wide scavenger hunt: 154 clue cards were handed out to a wide range of ages and the Library has received positive feedback from residents in person and on social media. For more information, please visit the Library’s website.

Councilman Damiano Finance/Recreation/Information Technology

Councilman Damiano reported progress for **Finance** and **Information Technology**.

The **Councilman** reported he spoke to the **Recreation** Director regarding Community Day: the Cub Scouts will be sponsoring hot air balloon rides; she is waiting for confirmation from the Rotary Club that they will be sponsoring eight beer gardens; she is looking into getting small pumpkins for the kids to decorate with the Girl Scouts overseeing that table; Baseball and Softball are wrapping up their seasons and should be done by the middle of next week; Football and Soccer will be starting the week of August 16th; she will be attending a meeting regarding the 20th anniversary of 9-11; the town wide garage sale is set for September 18th.

Council President Iannone Public Safety – Police/ Personnel/Ridgewood Water

Council President Iannone reported progress for **Personnel** and **Ridgewood Water**.

The **Council President** reported the **Police Department** has been very active in the area of Starbucks; he read segments of a letter that was written to the cadets of the Junior Police Academy:

“This academy has been a complete success. I’d like to say that it takes a lot of work and planning to run this academy it’s just not one week that our officers show up and do this, it takes a great deal of planning throughout the year.” **Council President Iannone** noted Officer Tillson received special thanks for orchestrating the events and all his work and preparation are why the academy was so successful. Officer Tillson and the Midland Park Police Department received a plaque to thank them for all their work. There was also thanks to many instructors that worked hard to make this program successful. “It’s my hope that all of you have learned from us and about us while enjoying yourselves and maybe some day maybe want to experience this as a career.” The **Council President** stated it was an positive experience for all involved, especially

in this day and age where Police are getting bad reputations.

Councilman Kruis

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

Councilman Kruis reported the **Planning Board** met in person for the first time on July 19th: the meeting went well, and it was good to get back together.

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

Councilman Kruis reported he received a report from the **Fire Prevention** Official: he performed 53 inspections and 28 re-inspections to date for July.

The **Councilman** reported the **Office of Emergency Management** Coordinator gave him the Personal Protection Equipment inventory report and everything is in good shape.

Councilman Kruis reported he spoke with the **Property Maintenance** Official: he has checked on 21 properties, issued 15 tree violations and six grass violations, three of which were resolved and he is working on the Borough ordinance regarding invasive plants and bamboo.

ADMINISTRATOR’S REPORT

Acting Administrator/Borough Clerk Martin reported she submitted the second quarter safety report for the Joint Insurance Fund.

ORDINANCES ON FINAL:

1. ORDINANCE # 14-21

“AN ORDINANCE TO AMEND CHAPTER IX OF THE CODE OF THE BOROUGH OF MIDLAND PARK ENTITLED “RECREATION FACILITIES”

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 IX of the Code of the Borough of Midland Park, Recreation Facilities, §9-3.3, Rules for Use of Basketball Courts, paragraph a, be and is hereby amended to read as follows:

a. The basketball courts shall be utilized for the purpose of but not limited to basketball play, unless otherwise authorized by the Mayor and Council. Notwithstanding the foregoing, pickleball play shall be permitted on court number one (1).

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 4. Effective Date.

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

Introduced by: Councilman Sansone

Seconded by: Councilman Kruis

At this time, **Mayor Shortway** opened the meeting to the public for any questions, comments, or concerns regarding Ordinance #14-21. There being no response, the **Mayor** closed the meeting to the public and called for a Roll Call Vote of Council.

Call:	Councilman Damiano	Aye
	Councilman Krus	Aye
	Councilman Sansone	Aye
	Councilwoman DeLuca	Aye
	Councilwoman Peet	Aye
	Council President Iannone	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 #130-21 Authorizing a Professional Service Agreement between the Borough of Midland Park and Peter Lupo, Hoplite Communications, LLC

WHEREAS, the Borough of Midland Park desires to award a Contract for professional legal services to Peter J. Lupo, Esq. of Hoplite Communications, LLC (“Special Legal Counsel”) to represent the Borough in connection with Agreements with communication carriers for the impending deployment in the Borough of 5G generation of mobile networks; and

WHEREAS, pursuant to the Municipal Land Use Law, *N.J.S.A. 40:55D-53.2*, application review and inspection charges shall be limited only to professional charges for review of applications, review and preparation of documents and inspections of developments under construction and review by outside consultants where an application is of a nature beyond the scope of the expertise of the professionals normally utilized by the Borough; and

WHEREAS, all compensation paid to Special Legal Counsel for services rendered to the Borough will be paid by the communication/utility carrier.

NOW THEREFORE BE IT RESOLVED that Special Legal Counsel be and is hereby appointed to represent the Borough in providing legal services in connection with the impending deployment in the Borough of 5G generation of mobile networks and to perform such services as set forth in Schedule A attached the Professional Service Agreement; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute the aforementioned Professional Service Agreement; and

BE IT FURTHER RESOLVED that this resolution is made without competitive bidding as permitted under the Local Public Contracts Law, *N.J.S.A. 40A:11-5(1)(a)(i)*; and

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized to publish a notice of the award of such Contract as set forth in *N.J.S.A. 40A:11-5(1)(a)(i)*.

Resolution #131-21 Appointment of Municipal Representatives to Bergen County Community Development Regional Committee

WHEREAS, the Municipality of Midland Park has entered into a three year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act *N.J.S.A. 40A:65-1 et seq.* and Title 1 of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that the Municipal Council to appoint a representative and alternate and that the Mayor appoint a representative and alternate for the FY 2021-2022 term starting July 1, 2021 and ending on June 30, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council hereby appoints Mayor Harry Shortway Jr. as its representative and Councilwoman Nancy Peet as its alternate and the Mayor hereby appoints Councilman Kenneth Krus as his/her alternate and Councilman Damiano as his/her alternate to serve on the Community Development Regional Committee for FY 2021-2022; and

BE IT FURTHER RESOLVED that an original, certified copy of this resolution be immediately emailed and sent via postage to Robert G. Esposito, Director; Bergen County Division of Community

Development; One Bergen County Plaza, Fourth Floor; Hackensack, New Jersey 07601 | resposito@co.bergen.nj.us as soon as possible and no later than **Friday, July 30, 2021.**

Resolution #132-21 Authorizing the Signatures on J.I.F. Agreement

WHEREAS, the Borough of Midland Park is a member of the Bergen County Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2021 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW THEREFORE, be it resolved as follows:

1. The Borough of Midland Park agrees to renew its membership in the Bergen County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Bergen County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

Resolution #133-21 J.I.F. Agreement

WHEREAS, the Bergen County Municipal Joint Insurance Fund (hereinafter the Fund) is a duly chartered Municipal Insurance Fund as authorized by NJS 40A:10-36 et seq., and;

WHEREAS, the Borough of Midland Park is currently a member of said Fund, and;

WHEREAS, effective December 31, 2021, said membership will expire unless earlier renewed, and;

WHEREAS, the Mayor and Council of the Borough of Midland Park has resolved to renew said membership;

NOW THEREFORE, it is agreed as follows:

1. The Borough of Midland Park hereby renews its membership in the Bergen County Municipal Joint Insurance Fund for a three (3) year period, beginning January 1, 2022 and ending January 1, 2025*.
2. The Borough of Midland Park hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operational documents of the Bergen County Municipal Joint Insurance Fund as from time to time amended and altered by the Department of Banking & Insurance in accordance with the Applicable Statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.
3. The Borough of Midland Park agrees to be a participating member of the Fund for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.
4. In consideration of the continuing membership of the Borough of Midland Park in the Bergen County Municipal Joint Insurance Fund, the Fund agrees, subject to the continuing approval of the Commissioner of Insurance, to accept the renewal application of the Borough of Midland Park.
5. Executed the 22nd day of July, 2021 as the lawful and binding act and deed of the Borough of Midland Park, which execution has been duly authorized by public vote of the governing body.

Introduced by: Councilwoman Peet

Seconded by: Council President Iannone

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

RESOLUTIONS:

1. Resolution #129-21 – Bills List

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

Current Fund	\$ 1,177,958.81
Capital Fund	\$ 107,817.00
Trust Fund	<u>\$ 2,234.61</u>
TOTAL:	\$ 1,288,010.42

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	July 15 th Payroll	\$ 198,904.89
Current	NJEIT Loan Payment	\$ 19,459.20
Current	Home Depot – mnl ck	\$ 418.77

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Midland Park that the claims totaling **\$1,506,793.28** approved and ratified respectively.

Introduced by: Councilman Damiano

Seconded by: Councilwoman Peet

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

2. Resolution #134-21 – Appointment of Substitute Barn Attendant – Ryan Coughlin

WHEREAS, the need for substitutes for the position of Barn Keeper exists in the Recreation Department of the Borough of Midland Park; and

WHEREAS, the Borough Recreation Coordinator and the President of the Board of Recreation feel this candidate is suitable for appointment to the duties.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Midland Park, that Ryan C. Coughlin, to be appointed as Substitute Barn Keeper at a rate of \$12.00 per hour, effective July 15, 2021.

Introduced by: Council President Iannone

Seconded by: Councilwoman DeLuca

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

OLD BUSINESS/NEW BUSINESS:

There was no Old or New Business to address.

PUBLIC COMMENT:

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

Ray Chapman – 225 Vreeland Avenue – spoke of the speeding on Vreeland Avenue and that it seems to be the bigger trucks such as moving vans and dump trucks. He spoke of the good job Acting Administrator/Borough Clerk Martin has been doing.

Caller 1-Rich Formicola – 200 Kew Court – thanked the Department of Public Works for the good job they have been doing with the baseball fields, in spite of the amount of people attending the games and the rainy weather.

There being no response and no further business to address, at 8:35 P.M., on a Motion by **Councilwoman Peet**, Seconded by **Councilman Damiano** and carried, **Mayor Shortway** adjourned the meeting.

Respectfully submitted,

Wendy Martin, R.M.C.
Borough Clerk