

**BOROUGH OF MIDLAND PARK
280 GODWIN AVENUE
MIDLAND PARK, NJ 07432
August 20, 2020**

8:00 PM Open Public Meeting Minutes

On August 20, 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: 226-044-717

Questions, Comments or Concerns were emailed in advance to the Borough Clerk at wmartin@midlandparknj.org no later than August 20, 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 August 20, 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	Present
	Councilman Kruis	Absent
	Councilman Sansone	Absent
	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:

Caller #2 - Mike and Karen Rau – 45 Fourth Street

Caller # 3 - Robert Hill – 46 Vreeland Avenue

Caller #4 - Ester Vierheilig – 333 Godwin Avenue

Caller #5 – No name provided

Caller #5 – No name provided

Caller #6 – No name provided

Caller #7 – No name provided

APPROVAL OF MINUTES:

A Motion to approve the Minutes of the Closed Session, Work Session and Open Public Meeting of July 9, 2020 and July 23, 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: Councilman Kamp	Seconded by: Council President DeLuca
Roll Call: Councilman Kamp	Aye
Councilman Iannone	Aye
Councilman Kruis	Absent
Councilman Sansone	Absent
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.

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

Administrator Seemon asked individual members of the Public to speak at this time. No one from the public had anything to say at this time.

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

LIAISON REPORTS:

Mayor Shortway

Mayor Shortway reported he attended the Planning Board meeting on August 17th and on August 18th, he and Administrator Seemon were on a phone call with the Governor's office.

Councilman Sansone

Public Works/ Board of Education/ Chamber of Commerce

Due to Councilman Sansone's absence, **Council President DeLuca** reported the **Department of Public Works** Superintendent thanked the Police officers that were working that day and helping the DPW even during the worst part of the storm. He indicated there needs to be some improvements regarding responses during the storm and will be meeting with other departments to discuss the issues in more detail. The **Council President** reported the roof replacement at the Department of Public Works building is almost complete, including the repairs that were necessary due to water damage; the LED lighting project has been completed in the DPW building, the Fire House, Social Hall, Police Department, Library and Town Hall; the electrical sub-panel in the Police Department was replaced and upgraded. **Council President DeLuca** reported they were busy dealing with the aftermath of the tropical storm: they got the streets cleared as quickly as possible, kept the storm drains unclogged and they held two Borough-wide storm debris pick-ups; and they continue to disinfect all Borough buildings daily as well as the Borough's vehicles. The **Council President** praised them for all the work they did and getting the town cleaned up so quickly.

Councilwoman Peet

Finance/Board of Health

Councilwoman Peet reported progress for **Finance**.

The **Councilwoman** stated the **Board of Health** reported two new COVID-19 cases in the Borough, bringing the total to 102. She reported there has been rodent investigations on Godwin, Busted and Canterbury with rodent prevention information being issued to the homeowners at that time; there has been re-inspections of Hill Street and Cypress Lane; the inspectors will continue to monitor the rodent issues in the area and respond to all new complaints. The West Bergen Regional Health Commission has been responding to complaints in various towns about retail food establishment employees not wearing

masks. The inspectors have been educating and reinforcing Chapter 14- Retail Food and Executive Order 107; there were no complaints from Midland Park. The Commission received \$5600 from the Federal Government fund to be used to offset expenses incurred by COVID-19.

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

Council President DeLuca reported she attended the **Ambulance Corps** meeting on August 3rd: they answered 42 calls for service in July and there is progress.

The **Council President** reported she attended the **Fire Department’s** meeting on August 12th: they answered 12 calls for duty in July, bringing the year-to-date total to 98; to prepare for the tropical storm that hit the area they readied the equipment the night before; they responded to one storm related call and gave the Police Department and Department of Public Works credit for keeping the Borough functioning. **Council President DeLuca** added her thank you to the Fire Department for doing a fantastic job, especially during this past month, when there have been numerous calls in the early morning hours.

Council President DeLuca reported the **Library** Board did not meet this month, so she reached out to the Library Director: the contactless pick-ups are ongoing and well received, especially by the parents of young children; the Children’s Director and the Highland School Media Center faculty member have been delivering Summer Reading Star signs which is a positive for the kids.

Councilman Kamp Recreation/Municipal Alliance/Ridgewood Water

Councilman Kamp reported there is progress with **Ridgewood Water**.

The **Councilman** reported the **Municipal Alliance** grant funding acceptance will be voted on this evening.

Councilman Kamp reported **Recreation Department** has wrapped up the six-week summer camp and although it was a modified version due to COVID-19, it was a huge success; the second drive-in movie night turnout was not as many as the first but it was successful enough to plan for next year. The

Councilman gave kudos to the Recreation Director and her team as well as the DPW for the fantastic job at giving the attendees of the summer camp a chance to be out in the fresh air and run around with their peers.

Councilman Iannone Public Safety – Police/ Information Technology

Councilman Iannone’s report for the **Police Department** focused on the tropical storm: many calls were received, with the majority being for downed trees and limbs, power lines down and power outages; they handled 28 of these types of calls in a short time frame as well as 18 other calls of various kinds. The **Councilman** noted the Police, DPW and Building Department all worked well together during the storm and the Police Chief worked in conjunction with the Office of Emergency Management Coordinator. There were some issues with the County dispatch center being overwhelmed by the amount of calls coming in between Midland Park and Wyckoff and police radio communications causing the transmissions to be very slow with radio traffic on one frequency. This will be looked into and improvements will be made for the next storm.

The **Councilman** reported progress with **Information Technology**.

Councilman Kruis Planning Board/Building Dept/ Fire Prevention/OEM/Property Maintenance

Due to **Councilman Kruis’s** absence, no report was given.

ADMINISTRATORS REPORT

Administrator Seemon reported the final stages of securing the note for the Borough has been reached and he is hoping to have more details for the next meeting. The original forecast for the interest rate was between 1-1.5% but the Borough was able to lock in a 0.7% interest rate. The roof of the DPW building

is on target to be completed; Borough Hall opened this week with no major issues and modified summer camp was a huge success. The Administrator reminded the Governing Body the budget season is around the corner.

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 # 127-20 Marlow Park Tax Appeal Settlement

WHEREAS, there is presently pending in the Tax Court of New Jersey a certain matter entitled, “Marlow Park, LLC v. Borough of Midland Park”, Docket Nos. 003231-2018, 006516-2019 and 002137-2020, which matters involve appeals of the assessment for the tax years 2018, 2019 and 2020 on certain premises known as Block 26, Lot 4.01 and being more commonly known as 445 Godwin Avenue; and

WHEREAS, the parcel is assessed for the 2018, 2019 and 2020 tax years at \$8,531,600.00; and

WHEREAS, said appeals were filed to contest the assessment on the property for the 2018, 2019 and 2020 tax years.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Midland Park that it does hereby authorize settlement of the above-captioned matters based upon the following terms and conditions:

1. The Stipulation of Settlement shall provide that the appeal filed for the 2018 tax year shall be withdrawn.
2. The Stipulation of Settlement shall provide that the assessment for the 2019 and 2020 tax years on said parcel shall be established at \$8,281,600.00.
3. Plaintiff agrees to waive interest due on the refund in connection with this settlement. In addition, any refund due the property owner shall be payable in the form of a cash refund or credit against future taxes due for the first quarter following the entry of judgment, at the option of the Borough.

BE IT FURTHER RESOLVED that Borough attorney Robert T. Regan be and is hereby authorized and directed to execute any and all documents necessary to effectuate the terms of the within settlement.

**Resolution # 128-20 Return of Performance Bond Posted by Check – 203 Hill Street -Blk. 11.04
Lt. 29**

WHEREAS, it is the recommendation of the Construction Official and Borough Engineer, as the project has been confirmed completed, to return the performance bond posted by check to the following party:

Kenneth Junta (T-20-300-143) Performance Bond \$545.13
203 Hill Street
(Blk. 11.04, Lt. 29)

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, for said property owner at the above address.

Resolution #129-20 Midland Park Municipal Alliance Grant Funding

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989, to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Midland Park, County of Bergen, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst

persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Midland Park of Bergen, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Midland Park Municipal Alliance grant for fiscal year 2021 in the amount of:

DEDR	\$3,126.15
Cash Match	\$ 781.54
In Kind	\$2,344.61

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance audit requirements.

Resolution #130-20 Bond Anticipation Note (IRS Compliance)

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MIDLAND PARK, IN THE COUNTY OF BERGEN, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF MIDLAND PARK AND AUTHORIZING THE MAYOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$1,393,000 BOND ANTICIPATION NOTE, DATED AUGUST 21, 2020, PAYABLE AUGUST 20, 2021, AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS, the Borough of Midland Park, in the County of Bergen, New Jersey (the "Borough") from time to time issues bonds, notes and other obligations the interest on which is excluded from gross income for Federal income tax purposes and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough intends to issue a \$1,393,000 bond anticipation note, dated August 21, 2020 and payable August 20, 2021 (the "Note"); and

WHEREAS, the Borough desires to designate the Note as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Code;

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

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the

Borough (including the Note) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) the Note is not a "private activity bond" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2020.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2020.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

Introduced by: Councilwoman DeLuca

Seconded by: Councilwoman Peet

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

RESOLUTIONS:

1. Resolution #126-20 – Bills List

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

Current Fund ‘19	\$ 8,496.85
Current Fund	\$ 216,574.34
Dog Fund	\$ 382.80
Trust Fund	\$ 5,295.63
Capital Fund	\$ 141,603.53
TOTAL:	\$ 372,353.15

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 30 th Payroll	\$ 187,725.04
Current	August 14 th Payroll	\$ 183,834.69
Current	August Health Payments	\$ 78,882.53
Current	August School Tax Payment	\$1,644,071.32
Current	BC Div of Treasurer – mnl ck	\$ 741,726.00
Current	BC Div of Treasurer – mnl ck	\$ 31,911.58

Current Boxcar Inc. – mnl ck \$ 2,500.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Midland Park that the claims totaling **\$3,243,004.31** approved and ratified respectively.

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

ORDINANCES ON INTRODUCTION:

1. ORDINANCE #10-20

“AN ORDINANCE TO AMEND CHAPTER X OF THE CODE OF THE BOROUGH OF MIDLAND PARK ENTITLED, “BUILDING AND HOUSING”

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 X of the Code of the Borough of Midland Park, Building and Housing, §10-4, Property Maintenance, Subsection §10-4.8, Enforcement, be and is hereby amended to read as follows:

- a. Enforcement Officer. The Property Maintenance Official, appointed annually by the Mayor and Council, is hereby designated as the officer charged with enforcement of this Code and is hereinafter referred to as the Property Maintenance Official. The Property Maintenance Official will also be responsible for the enforcement of the following codes: Chapter 14-2 titled; Removal of Impediments, and Zoning Ordinance 34-13.5, titled; Trailers, Mobile Homes, Boats, Campers, and Wheel Based Vehicles
- b. 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
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Roll Call: Councilman Kamp	Aye
Councilman Iannone	Aye
Councilman Kruis	Absent
Councilman Sansone	Absent
Councilwoman Peet	Aye
Council President DeLuca	Aye

2. ORDINANCE #11-20

“AN ORDINANCE TO AMEND CHAPTER II OF THE CODE OF THE BOROUGH OF MIDLAND PARK ENTITLED “ADMINISTRATION” ARTICLE V “BOARDS, COMMITTEES AND

COMMISSIONS” TO CREAT AND INCLUDE “§ 2-20 ECONOMIC DEVELOPMENT COMMITTEE”

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 II of the Code of the Borough of Midland Park, Administration, Article V, Boards Committees and Commissions, Subsection §2-20 Economic Development Committee, be and is hereby amended to add the following Sections and Subsections as hereinafter set forth

2-20 ECONOMIC DEVELOPMENT COMMITTEE

Sections:

[2-20.1 Purpose.](#)

[2-20.2 Economic development committee created – Membership.](#)

[2-20.3 Vacancies](#)

[2-20.4 Meetings, officers, records, and quorum.](#)

[2-20.5 Duties.](#)

[2-20.6 Severability.](#)

2-20.1 Purpose.

The purpose and intent of this chapter is to make available to the Borough Council and staff additional expertise relative to the monitoring, assessing and strengthening of existing economic development strategies and to develop new strategies of economic development for the Borough by establishing an Economic Development Committee consisting of representatives from various professional disciplines. The Economic Development Committee herein created shall not supplant administrative input to the Borough Council by staff, but shall complement staff input through the utilization and application of the special expertise possessed by its members.

2-20.2 Economic development committee created – Membership.

There is hereby created within the Borough of Midland Park an Economic Development Committee composed of eight (8) members appointed by the Borough Council. The Mayor and a member of the Borough Council will serve on this committee. The remaining six members will serve staggered three-year terms which will be defined as follows:

Two (2) Members will serve a one (1) year term

Two (2) Members will serve a two (2) year term

Two (2) Members will serve a three (3) year term

In making appointments to the committee, the Borough Council shall strive to appoint individuals with multiple skills and with experience and expertise from various disciplines and backgrounds.

2-20.3 Removal – Vacancies.

The removal of a member of the Economic Development Committee shall be made by the Mayor and Council after receiving a recommendation of removal from the Economic Development Committee.

2-20.4 Meetings, officers, records, and quorum.

The committee shall hold quarterly meetings each year unless cancelled by the chairperson as a result of having no business or for other good cause.

2-20.5 Duties.

A. The Economic Development Committee shall perform the following functions:

1. Assist staff with the formulation of economic development goals for the city in a structured framework.

2. Assess existing economic development policies for the purpose of recommending such modifications as may be appropriate to achieve the economic goals approved by the Mayor and Council.

3. Assist with the formulation of new economic development strategies and policies for the purpose of assuring achievement of the economic development goals approved by the city council.

B. In addition to the broad major functions outlined above, the Economic Development Committee

shall, consistent with established borough policy:

1. Prepare and submit recommendations to staff and council on a broad range of matters generally related to economic development.
2. Assist in the development of plans and programs for the purpose of retaining and enhancing the existing commercial and industrial base of the borough.
3. Assist in the development of strategies and programs to strengthen the concept of the public/private development partnership.
4. Review and advise the borough council on the relative merits of individual economic development proposals.
5. Convene, when necessary, to greet potential commercial and industrial business owners and serve as a central body for the dissemination of economic development information relating to availability of land, financial tools and resources and other factors relating to successful commercial and economic development.
6. Perform such other duties and provide such additional information, assistance and advice to the borough council as the borough council may request or direct.

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: Councilwoman Peet

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

Borough Administrator Seemon requested a Motion to go out of Order to discuss the issues that were requested to be discussed in public.

MOTION:

A Motion to go out of Order

Introduced by: Council President DeLuca

Seconded by: Councilman Kamp

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

Attorney Regan explained this is a discussion by the Governing Body regarding a personnel issue regarding Mike Rau, the Property Maintenance Official, Fire Prevention Official and Office of Emergency Management

Coordinator. Attorney Regan stressed this is a discussion only and not a hearing.

Attorney Regan asked Mr. Rau to confirm, for the record, that he did request this matter be discussed at the Public Meeting. Mr. Rau confirmed.

Administrator Seemon stated the issue is infractions of the “Use of Vehicle Policy”. He stated Mr. Rau was in an automobile accident while using his personal car for Borough business and did not report this to the Administrator. In addition, Mr. Rau took the Fire Prevention car home for the weekend without any authorization. Mr. Seemon requested a meeting with **Mayor Shortway, Council President DeLuca** and **Councilman Kruis** at a time convenient for all to discuss further action.

Motion:

A Motion for the aforementioned individuals to meet with Mr. Rau at a time convenient for all 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
Aye
Absent
Absent
Aye
Aye**

OLD BUSINESS/NEW BUSINESS:

There was no Old Business to discuss.

Councilman Kamp spoke of a request by an organization from outside of Midland Park asking to rent the basketball courts for all day on Saturdays and Sundays for most of the fall. After much discussion by the Council, the consensus was to disapprove renting out the basketball courts. Administrator Seemon spoke of a discussion he had with the Recreation Director regarding possibly renting out the recreation center for parties in the future. Attorney Regan interjected, noting that under the Local Land’s and Building law, the Borough may have to bid out for this. **Councilman Kamp** asked about re-opening the basketball courts. Mr. Seemon answered it was discussed a month ago but put on hold because of COVID-19 infecting players in a neighboring town. With time having passed, he feels the Borough is in a better place to reconsider opening the basketball courts and playgrounds, noting the biggest issue is monitoring and ensuring being able to shut down if anything happened. Mr. Seemon favored restricting hours to the same times as the Recreation Director. With much consideration, the consensus of the Council was to move forward with re-opening the playgrounds. Administrator Seemon said he will speak with the Department of Public Works Superintendent regarding getting the playgrounds ready for use, including signage reminding people they are playing at their own risk, and noting that a message will be sent out to the public.

PUBLIC COMMENT:

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

Mike Rau – 45 Fourth Street – stated he did not know the accident should have been reported because it was his personal vehicle and his insurance. He said he was appalled at how he was addressed at the meeting he had with Mr. Seemon and considers it verbal harassment because of the very foul language involved, noting if he had used that kind of language, he would be insubordinate. He reiterated he did not realize he had to report it because it was his personal vehicle and his insurance.

Ester Vierheilig – 333 Godwin Avenue – expressed surprise about this topic and Mr. Rau’s comments due to this not being on the agenda. She spoke of Mr. Rau being a very conscientious, hardworking member of the staff

as well as being a volunteer fireman. She agrees it was a violation but a minor one and would hate to have anything happen to him because of this and just make sure it did not happen again.

Borough Clerk Martin explained this was not on the agenda because Mr. Rau received a rice notice on August 18th and had until August 19th to reply with his intentions.

Rich Franklin – 176 Vreeland Avenue – agreed with Mrs. Vierheilig: Mr. Rau is a great volunteer and employee; Mike has used his contacts and relationships with PSE&G to get issues resolved in a timely fashion to benefit the residents. He hopes this does not lead to anything significant with Mike as he is a great employee for the Borough of Midland Park.

Stephen Rupp – 25 Crest Drive – introduced himself as the new Cubmaster for Pack 157 in Midland Park and is interested in relaunching the program: he is planning on holding outdoor meetings and setting up fund raisers, particularly, setting up a booth at Community Day if it is still being held. Administrator Seemon stated that the Recreation Director is just starting to plan for Community Day, and he will forward Mr. Rupp's information to her so this can be taken care of. Borough Clerk Martin stated she has forwarded the information he sent to her to the **Mayor** and Council about future plans for his Pack.

Council President DeLuca questioned a part of the information letter that mentions a "game of chance" which is not permitted for Scouting. Mr. Rupp explained the phraseology he used was a wrong choice of words and that it was designed for everyone to get a prize and the spinning of the wheel was to determine what prize would be given, but, of course, they will not do it if it's against the rules. **Councilman Kamp** and **Councilwoman Peet** suggested a donation jar. Mr. Rupp said they will probably stick with the tulip bulb flower sale and recruitment initiative. **Councilman Kamp**, addressing the recruitment initiative, suggested giving a prize for every email they get. Mr. Rupp spoke of the depletion of membership due to COVID-19 and several of the scouts moving up to Boy Scouts and they are trying to rebuild the ranks.

Robert Hill – 46 Vreeland Avenue - explained the situation he was involved in regarding an illegal dump and landfill being created by his next-door neighbor. Mr. Hill told of trying to get the town to remedy the matter for over 10 years and that no one took it seriously. He described the mound of debris, made up of various unclean materials consisting of mostly old tires-over 100 of them-as being over seven feet tall and causing a rodent problem. Mr. Hill stated that over the course of the ten years, the tires were starting to break down and leaching chemicals into the stream at the back of the property, thereby going into neighboring communities. He stated that rotting tires also release toxic gas into the air. He spoke again of trying for years to get someone in the town to rectify the situation, but nobody would take him seriously. When he contacted Mike, he was told it would be taken care of. He knows Mike contacted the Department of Environmental Protection, the Environmental Protection Agency and HazMat as well as other agencies. Mr. Hill said it went on for a couple of years and he continued to contact Mike, at least weekly for status updates and Mike told him it was being worked on. Realizing that dealing with these various agencies is time consuming, Mr. Hill gave him the benefit of the doubt that it was truly being worked on. Mr. Hill reported that the matter was finally resolved. He wanted the Governing Body to know that Mike is a man of his word and that he went above and beyond in trying to remedy the situation and these things should be taken into consideration when assessing Mike Rau.

Administrator Seemon remarked that it has been his understanding that this was due to the efforts of the Zoning/Construction Official and that Mr. Hill should contact him to thank him for his work on this matter too.

There being no response and no further business to address, at 8:48 P.M., on a Motion by **Council President DeLuca**, Seconded by **Councilman Iannone** and carried, **Mayor Shortway** adjourned the meeting.

Respectfully submitted,

Wendy Martin, R.M.C., Borough Clerk