BOROUGH OF MIDLAND PARK 280 GODWIN AVENUE MIDLAND PARK, NJ 07432 September 3, 2020

8:00 PM Open Public Meeting Minutes

On September 3, 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 Access Code: 822-325-861

Questions, Comments or Concerns were emailed in advance to the Borough Clerk at wmartin@midlandparknj.org no later than September 3, 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 September 3, 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 Present
Councilman Sansone Present
Councilwoman Peet Present
Council President DeLuca Present

ALSO PRESENT: Borough Administrator Seemon and Borough Clerk Martin

PUBLIC ROLL CALL:

Administrator Seemon took a roll call of the public in attendance Anthony Sikora – 41 Chestnut Street Caller #3 – No name provided

APPROVAL OF MINUTES:

A Motion to approve the Minutes of the Work Session and Open Public Meeting of August 20, 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 Iannone Seconded by: Councilwoman Peet

Roll Call: Councilman Kamp Aye

Councilman Iannone Aye
Councilman Kruis Abstain
Councilman Sansone Abstain
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.

Jason Crean – Fire Department Chief was on the line to talk about the fire truck purchase.

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 Aye
Councilman Sansone Aye
Councilwoman Peet Aye
Council President DeLuca Aye

Fire Chief Crean spoke of purchasing a new truck for the Fire Department: the truck that is being replaced has reached the end-of-life for a front-line service vehicle and the committee has worked hard to keep the price low but still get an apparatus that will last twenty-five years. The price comes to \$678,198, and that was going through the co-op, however, if the Borough prepays the chassis, there is a savings of \$12,100, bringing the final total to \$666, 098. Mr. Crean noted the prepayment will be due three months after the order is placed, which he anticipates will be happening sometime in October or November, putting the prepayment of \$346,399.74 due in January or February. The remainder will be due after the delivery in October of 2021. The total price includes delivery and training. The Fire Chief asked for approval to move forward with the purchase of the truck. Administrator Seemon noted an additional \$30,000 in equipmentmostly updated radios-will be installed on the truck and that money could possibly come from the note. Councilman Sansone asked if the old truck could be sold? Chief Crean said he will investigate it but is doubtful the Borough will get much for it because it is twenty-five years old and not in high demand. Councilwoman Peet asked if any equipment from the old truck can be used with the new one? Mr. Crean replied most of the equipment will be switched over except for the radios because they are outdated and not up to standard anymore. Councilman Kamp asked Administrator Seemon if there is intent to finance the balance with another note to take advantage of the low interest rate? Mr. Seemon replied that he and the Chief Finance Officer are looking at the capital reserve to see how beneficial it would be to add another note, stating the numbers could come in great but would take away most of the surplus. Councilman Kamp affirmed that it would be imprudent to damage the surplus when the Borough can borrow so cheaply. Chief Crean reminded everyone that there should be \$340,000 in the capital account for truck replacement and that it is short \$6400 of the prepay amount due in January/February. Administrator Seemon stated the Borough is in good shape to handle the prepayment. The Council members expressed

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their thanks to Chief Crean and the committee for a job well done.

LIAISON REPORTS:

Mayor Shortway

Mayor Shortway reported he was on the Governor's call on Tuesday regarding the opening of restaurants for dining-in at 25% capacity starting September 4th.

Councilman Kruis

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

Councilman Kruis reported the **Planning Board** met last month: the agenda was light, but the virtual meetings have gone well over last few months.

The **Councilman** reported the **Building Department** has been busy, noting the Construction Official submitted a letter regarding his work throughout the tropical storm that hit in early August: he received two calls during the storm regarding houses that were damaged by downed trees and went to assess the damage for safety of the inhabitants; both houses were too damaged to allow anyone to live in them. The next day, the Construction Official received a call about a garage that was hit by a tree and when he assessed that, it too was too structurally damaged to be used. The **Councilman** commended the Construction Official for the being out during the storm, helping to keep the residents safe.

Councilman Kruis reported the Fire Prevention/Office of Emergency Management and Property Maintenance Official has been busy and making good progress.

Councilman Sansone

Public Works/ Board of Education/ Chamber of Commerce

Councilman Sansone reported that he missed the last **Board of Education** meeting but was able to report that today was the first day of school and everything went smoothly.

The **Councilman** reported the **Chamber of Commerce** President is continuing to send out emails with various information for businesses regarding grants from state helping businesses either re-open or persevere.

Councilman Sansone reported the Department of Public Works continues to disinfect all borough buildings and vehicles daily; the playgrounds and basketball courts have been cleaned and open to the public, including placement of proper signage; they are working with recreational sports teams to ensure fields and playing conditions are safe for the participants; continuing repairs to the catch basins; Ridgewood Water has completed a project on Garrett Place and paving will take place in the fall. The Superintendent sent letters to 30 residences regarding dangerous trees and the Councilman noted there has been some negative feedback however the Superintendent is handling it well. Councilman Sansone noted it is all about the safety of the residents.

Councilwoman Peet

Finance/Board of Health

Councilwoman Peet reported progress for Finance.

The **Councilwoman** reported the **Board of Health** states there are 105 positive cases of COVID-19 in Midland Park; there were no new rodent reports and the two court cases were dismissed with the violations abated.

Council President DeLuca

Public Safety - Fire/Ambulance/ Personnel/Library

Council President DeLuca reported the **Ambulance Corps** answered 37 calls for August and the next meeting is scheduled for September 14th.

The **Council President** reported the **Fire Department** is in the process of purchasing a new truck and the next meeting is scheduled for September 9th. The **Council President** commended the committee for all the work they did for the purchase of the new truck.

Council President DeLuca reported the **Library** is open to public on a limited basis and the next meeting is scheduled for September 15th. She commended the Library Director for the wonderful job

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she did organizing the re-opening.

Councilman Kamp Recreation/Municipal Alliance/Ridgewood Water

Councilman Kamp reported progress with the Municipal Alliance.

The **Councilman** reported **Ridgewood Water** continues to be at Stage 2 with regards to water restrictions.

Councilman Kamp reported the **Recreation Board** has decided to cancel Community Day and will substitute with an additional movie night on October 2nd; the alternate summer program was popular and booking and interest in utilizing the outside pavilion recreation facilities has been expressed by the Scouts and other organizations.

Councilman Iannone Public Safety – Police/ Information Technology

Councilman Iannone reported the Police Department has great progress.

The **Councilman** reported **Information Technology** has had progress although there has been a setback with the replacement of the Fire Department radio at the water tank on Glen Avenue: the space at the communication shed is limited and will require internal construction and a new rack. Information Technology will be coordinating with Ridgewood Signal, County dispatch and the Borough's radio vendor, Goosetown Communication, to alleviate the problems.

ADMINISTRATORS REPORT

Borough Administrator Seemon reported received note and are busy on the purchasing side and looking forward to the upgrades that will better serve the public; on September 8th the Building Department will be opening to the public; he received a request from Midland Park basketball to use the courts on the weekends for about four hours per day. The consensus of the Council is to go ahead with allowing Midland Park basketball to use the courts on the weekends.

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 # 133-20 - Void/Re-Issue AP Check

WHEREAS, the Zoning Board approved the refund balance of escrow in the amount of \$4,125.00 to T-Mobile on Resolution #217-19 back on December 19, 2019;

WHEREAS, the refund check #15927 dated December 31, 2019 issued to T-Mobile Northeast LLC c/o Gregory Meese, Esq. mailed to 50 Tice Blvd, Woodcliff Lake, NJ 07677 was lost by T-Mobile;

WHEREAS, Gregory Meese has requested a stop payment to be issued and new check mailed to same address as above:

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park that the above item be void and a new check issued on the September 10, 2020 bills list.

Resolution # 134-20 - Covid-19 Events Cancelled - Deposit Refund

WHEREAS, the State of New Jersey is implementing aggressive social distancing measures to mitigate further spread of COVID-19 at this time;

WHEREAS, all deposits for events that have been received are to be refunded due to the cancellation of gatherings in excess of 10 people.

WHEREAS, the following refund check is being requested to be made out to the following:

(MPHS Food Truck Festival – code #29B)

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park that the Certified Finance Officer will issue a check for the above refund amount.

Resolution # 135-20 - Reclassification of Capital Project Usage

WHEREAS, funds previously budgeted for capital request projects in prior years, has a balance left that is no longer needed for that specific project and;

WHEREAS, the DPW Superintendent requests to reclass title usage of these monies already in the capital budget due to changes in circumstances to do those projects; and

WHEREAS, the C.F.O. will reclass the following projects:

Ordinances 2014-2017 (X-345-102) DPW Sweeper to (X-345-101) DPW Truck \$17,943.76 Ord #04-12 (X- 359-103) Tennis Court Maint. to (X- 342-101) Various Open Space projects \$711.69 Ord #08-06 (X-328-102) Tennis Court Construct. to (X-342-101) Various Open Space projects \$2100.00

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park, County of Bergen, State of New Jersey, that the above funds be reclassed for new expense usage.

Resolution # 136-20 - Planning Board Escrow Refund, Blk. 52, Lt.1

WHEREAS, at the meeting of August 17, 2020, it was unanimously approved and recommended by the Planning Board, to return the unused escrow to the following party:

Mid-Green Associates LLC Acct. #T-20-500-429 301 Greenwood Avenue (Blk. 52, Lt.1)

\$600.00

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 Horizon Comm Cleaning & Maintenance LLC, 495 Mola Blvd. # 2, Elmwood Park NJ 07407.

Resolution # 137-20 - Planning Board Escrow Refund, Blk. 10.05, Lt.4

WHEREAS, at the meeting of August 17, 2020, it was unanimously approved and recommended by the Planning Board, to return the unused performance escrow for Plot Plan/Soil Movement to the following party:

Hallak, Jacques & Shanna Acct. #T-20-300-515 101 Dairy Street (Blk. 10.05, Lt.4)

\$552.00

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 Jacques & Shanna Hallak, 101 Dairy Street, Midland Park NJ 07432.

Resolution # 138-20 - Zoning Board Escrow Refund, Blk. 10.05, Lt. 4

WHEREAS, at the meeting of August 14, 2020, it was unanimously approved and recommended by the Zoning Board, to return the unused escrow to the following parties:

Hallak, Jacques & Shanna 101 Dairy Street (Blk. 10.05, Lt. 4)

Acct. #T-20-256-173

\$16.01

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 following parties, Jacques & Shanna Hallak, 101 Dairy Street, Midland Park, NJ 07432.

Resolution # 139-20 - Tax Exempt - Blk 20.09, Lot 7.02 -W.B.M.H. – 14 Cross Avenue

WHEREAS, the status of Block 20.09, Lot 7.02, 14 Cross Avenue, has been changed to tax exempt. However, West Bergen Mental Healthcare has agreed to pay "in lieu of taxes", the minimal Service Fee Rate for 2020 is as follows:

2019 County Tax Rate	.288
2019 Local Tax Rate	<u>.769</u>
2019 Municipal Service Fee Rate	1.057

Assessed Value	332,100
Rate	1.057
Amount Due	\$3,510.30

Resolution # 140-20 - Tax Exempt - Blk 13, Lot 20 -F.C.S.R. 22 Prospect Street

WHEREAS, the status of Block 13, Lot 20, has been changed to tax exempt. However, Family Counseling Services Ridgewood, Inc., 22 Prospect Street has agreed to pay "in lieu of taxes", the minimal Service Fee Rate for 2020 is as follows:

2019 County Tax Rate	.288
2019 Local Tax Rate	.769
2019 Municipal Service Fee Rate	1.057

Assessed Value	501,800
Rate	1.057
Amount Due	\$5,304.03

Resolution # 141-20 - Support of Eastern Christian Children's Retreat Bergen County Community Development Grant

WHEREAS, a Bergen County Community Development Grant of \$104,618.78 has been proposed by the Eastern Christian Children's Retreat for COVID Response to Protect Staff and Residents Initiatives in the Borough of Midland Park and,

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and,

WHEREAS, the aforesaid project is in the best interest of the citizens of Borough of Midland Park, and

WHEREAS, this resolution does not obligate the financial resources of the Borough of Midland Park and is intended solely to expedite the expenditures of the aforesaid Community Development funds.

NOW THEREFORE, BE IT RESOLVED that the Borough Committee of Midland Park, County of Bergen and State of New Jersey hereby confirms endorsements of the aforesaid project.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Resolution #142-20 - Appointment - Crossing Guards- 2020-2021

WHEREAS, the need for School Crossing Guards exists in the Borough of Midland Park; and **WHEREAS**, the Chief of Police feels these candidates are suitable to the duties.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council, that the following

appointments be made as Crossing Guards in the Borough of Midland Park, for the school calendar year of 2020–2021 in compliance with Ordinance #02-17:

Regular GuardsSubstitute GuardPaul MensingGlenn BiswurmSharon MoranEric de LeeuwerkJoseph VigilanteCheryl BiswurmBrittnee Shortway

Martha Schimpff
Donald Hachey
Kathleen Donnelly
Mary Televantos

Resolution # 143-20 - Authorizing Contract through Educational Services Commission of NJ Cooperative Contract Vendor Hudson County Motors. Through Bid # ESCNJ 17/18-30 Class 8 Trucks

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 2020Western Star 4700SB with options through Hudson County Motors Inc 290 Secaucus Rd Secaucus, N.J. 07096 through ESCNJ Contract 17/18-30 in the amount of **\$115,582.00**; and

WHEREAS, the Chief Financial Officer has certified that funds in the amount of \$115,582.00 are available in:

Ordinance 02-20 Bond – Vehicles/Garbage Truck – X-10-387-105

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 herby is authorized to procure 2020Western Star 4700SB with options through Hudson County Motors Inc 290 Secaucus Rd Secaucus, N.J. 07096 through ESCNJ Contract 17/18-30 in the amount of \$115,582.00.

Introduced by: Councilman Sansone Seconded by: Councilman Iannone

Roll Call: Councilman Kamp Aye

Councilman IannoneAyeCouncilman KruisAyeCouncilman SansoneAyeCouncilwoman PeetAyeCouncil President DeLucaAye

RESOLUTIONS:

1. Resolution #132-20 – Bills List

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

TOTAL:	\$ 112,964.95
Capital Fund	\$ <u>10,308.40</u>
Trust Fund	\$ 8,087.72
Current Fund	\$ 94,568.83

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 August 28th Payroll \$ 183,896.26 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 **\$299,361.21** approved and ratified respectively.

Introduced by: Councilwoman Peet Seconded by: Councilman Kamp

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

MOTION

1. A Motion to approve the membership application of Michael Keenan to the New Jersey State Firemen's Association. Possible changes in the State Statutes for the NJSFA relative to age requirements is being pursued and would make Mr. Keenan eligible for membership.

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

OLD BUSINESS/NEW BUSINESS:

Councilman Kamp congratulated the Administrator and Clerk on locking in the outstanding interest rate for the one year note at 0.7%. The **Councilman** suggested locking in the rate by issuing a bond as opposed to having to renew the note every year which would be done at the prevailing rate at that time, not the current rate. He suggested taking out a 8-10 year bond to take full advantage of what has been happening in the marketplace and offered to speak with the Administrator and Bond Counsel regarding such matter.

OLD BUSINESS:

As required, the Determination and Award of Certificate of the \$1,393,000.00 Bond Anticipation Note is presented to the Mayor and Council with the Agenda for September 3, 2020, 8:00 P.M., Open Public Meeting. This item is attached to the Agenda for review and will be spread in full in the minutes of September 3, 2020.

DETERMINATION AND AWARD CERTIFICATE

(\$1, 393, 000 BOND ANTICIPATION NOTE)

BOROUGH OF MIDLAND PARK, COUNTY OF BERGEN, NEW JERSEY

I, LAURIE O' HANLON, Chief Financial Officer of the Borough of Midland Park, in the County of Bergen, New Jersey (herein called "Issuer"), HEREBY CERTIFY as follows:

1 . By virtue of the authority conferred upon me by a bond ordinance adopted by the Borough Council of the Issuer on March 12, 2020 (Ord. No. 02–20) I have determined to issue a Bond Anticipation Note (herein called the "Note") of the Issuer in accordance with the following description:

TOTAL PRINCIPAL AMOUNT:\$1,393,000

DATED: August 21, 2020

MATURITY : August 20, 2021 (non—callable)

NUMBER DENOMINATION

20-1 \$1, 393, 000

INTEREST RATE PER ANNUM (payable at maturity). 0 . 7 0%

PLACE OF PAYMENT: Amboy Bank

3590 U.S. Highway 9 Old Bridge, New Jersey

- 2 . Pursuant to said authority, I have awarded and will sell the Note to Amboy Bank, at the price of \$1, 393, 000 plus an amount equal to the interest on the Note accrued to the date of payment of the purchase price thereof.
- 3 . No obligations of the Issuer other than the Note have been issued pursuant to the ordinance referenced above.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of August, 2020.

LAURIE O' HANLON

Chief Financial Officer Borough of Midland Park County of Bergen

State of New Jersey

New Business:

Borough Clerk Martin received a request from the Class of 2021 to use the municipal parking lot for a 2nd clothing drive to be held on September 19th from 7 A.M. to 12 P.M., noting everything will be done as this past spring.

Motion:

A Motion to approve the Class of 2021 to use the municipal parking lot for a clothing drive on Saturday, September 19 between 7 A.M. and 12 P.M.

Introduced by: Councilman Sansone Seconded by: Councilman Kamp

Roll Call: Councilman Kamp Aye

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Councilman Iannone	Aye
Councilman Kruis	Aye
Councilman Sansone	Aye
Councilwoman Peet	Aye
Council President DeLuca	Aye

Borough Clerk Martin spoke of a request from John Mulligan for barricades for a block party on September 26th, with a rain date of September 27th, for a block party.

Motion:

A Motion to approve placement of barricades for a block party on each end of Rubble Street

Introduced by: Councilman Sansone Seconded by: Councilman Kamp

Roll Call: Councilman Kamp Aye

Councilman IannoneAyeCouncilman KruisAyeCouncilman SansoneAyeCouncilwoman PeetAyeCouncil President DeLucaAye

New Business:

Mayor Shortway brought to everyone's attention that **Councilwoman Peet** has served the Borough of Midland Park, on the Board of Education and as a Councilwoman for over 20 years.

PUBLIC COMMENT:

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

Anthony Sikora – 41 Chestnut Street - extended congratulations to **Councilwoman Peet** for 20 years of service to the Borough

The following people spoke to the Governing Body regarding Ordinances 3-16 and 34-1.4 and allowance, use and dispensing of medical marijuana:

Edward Grimes - 84 Hanover Road, East Hanover, NJ

Jeffrey King - 24 Elizabeth Parkway, Eatontown, NJ

Jeff Oakes – Oceanport, NJ

Marina Rebmann – 3 Borough Square, Parlin, NJ

There being no response and no further business to address, at 8:46 P.M., on a Motion by **Councilman Sansone**, Seconded by **Councilman Kruis** and carried, **Mayor Shortway** adjourned the meeting.

Respectfully submitted,

Wendy Martin, R.M.C. Borough Clerk