

**BOROUGH OF MIDLAND PARK  
280 GODWIN AVENUE  
MIDLAND PARK, NJ 07432  
8:00 P.M. Open Public Meeting Minutes  
June 26, 2008**

**Mayor Monahan** called the meeting to order at 8:00 P.M.

**Mayor Monahan** called upon Rev. Scott Nichols to give this evening's Invocation, and then led all present in the Pledge of Allegiance.

**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.

<b>Roll Call:</b>	<b>Mayor Monahan</b>	<b>Aye</b>
	<b>Councilwoman Plumley</b>	<b>Aye</b>
	<b>Councilman Kruis</b>	<b>Aye</b>
	<b>Councilwoman Peet</b>	<b>Aye</b>
	<b>Councilman Holst</b>	<b>Aye</b>
	<b>Councilman O'Hagan</b>	<b>Aye</b>
	<b>Council President Pruiksmas</b>	<b>Aye</b>

**ALSO PRESENT:** **Borough Attorney Regan, Borough Administrator Dugan and Borough Clerk Hanna**

**OPEN TO THE PUBLIC:**

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

**OLD BUSINESS FOR DISCUSSION:**

**1. I.R.S. Ruling – Employee Health Benefit Waiver**

**Administrator Dugan** explained many communities have adopted a waiver plan which allows employees to choose to except payment in lieu of health benefits, and in order to allow this practice, the municipality would have to adopt a Section 125 Plan, known as the Cafeteria Plan. Steve Puntececca, our Risk Manager sitting in the public seats, will look into this and report back to the **Administrator**.

**2. Discussion on Web Site**

**The Administrator** reported, as directed, she spoke with Tom Carlock, the Web Master, and had the "Repair Form" removed from the website, "Contact Us" forwarded to herself and the Borough Clerk, and "Anonymous Tips" forwarded directly to Police Chief Casson. At **Mayor Monahan's** request, **Attorney Regan** investigated and gave a brief overview of his findings, noting there are no statutory divisions regarding municipal web sites. He said web sites are typically used for informational purposes and gave examples of what may be found on sites and what should not be found on sites. He stated a web sites function is a policy decision, totally up to the governing body as to what information is on a site and beneficial for the community. **Councilwoman Peet** stressed it is important to have a disclaimer statement on the Borough site. **Attorney Regan** will draft a disclaimer statement and have Mr. Puntececca review it. Mr. Puntececca noted the J.I.F. has no formal

stand governing web sites or their development, however, the Municipal Excess Liability Fund (MEL) is currently working on suggested guidelines and rules. He suggested, from a Risk Managers point of view, it is best to keep the site for information only. **Mayor Monahan** questioned if the Borough has an e-mail policy regarding the copying and filing of e-mails. **Attorney Regan** responded, other than the O.P.R.A. laws, he is not aware of any policy on keeping e-mails. **Councilwoman Plumley** suggested guidelines be developed regarding allowing outside agencies other than government on our web site. **Attorney Regan** recommended not to enter into this practice, as it could cause difficulties. .

**NEW BUSINESS FOR DISCUSSION:**

There was no New Business to be discussed this evening.

**LIAISON REPORTS:**

**Mayor Monahan**

**Mayor Monahan** reminded everyone of the Grand Opening of the DePhillips Center (The Barn) this Saturday the 28<sup>th</sup>, at 11 A.M. He informed the public the governing body is addressing the C.O.A.H. rules and stated he would like to address the Master Plan for a complete re-examination.

**Councilman Kruis**

**Finance**

**Councilman Kruis** reported the Finance Department is progressing.

**Councilwoman Peet**

**Public Safety - Fire & Ambulance/Board of Education**

**Councilwoman Peet** reported the **Fire Department** recently participated in a drill at Bergen County Fire Academy involving flashover, which was a good experience for those who attended. The **Ambulance Corps** is holding a BBQ on Saturday, at 4:30 P.M., at which they will be drawing the winning raffle ticket for the Sea Doo. She stated she will have the Corps formal report at the next Council meeting. **The Councilwoman** also reported the **Police Department, Fire Department** and **Ambulance Corps** recently coordinated a safe, secure evacuation of a trapped individual at Wostbrock ravine. She then informed the Governing Body that the **Board of Education** has been notified of 2 retirements: Lou Roer, Business Administrator and Jim Newman, Director of Special Services.

**Councilwoman Plumley**

**Buildings & Grounds/Board of Health/Library**

**Councilwoman Plumley** noted that this evening we will be Introducing the Ordinance which allows the Borough to purchase 120 Woodside Avenue with an Open Space Grant and Open Space funding, and that former Mayor Ester Vierheilg deserves credit for this action, as she initiated the process with the homeowner.

**Council President Pruiksmas**

**Public Safety – Police**

**Council President Pruiksmas** reviewed the Police Chief's report the Council received this evening.

**Councilman O'Hagan**

**Recreation/JIF/Alliance**

**Councilman O'Hagan** mentioned the DePhillip's Center (formerly know as the Recreation Barn) will have its official Grand Opening this Saturday, and he has an extra surprise planned of the unfolding of a new sign at the site.

Public Works

**Councilman Holst** reported the **Department of Public Works** is very busy focusing on making sure the DePhillips Center (the Recreation Barn) is in order for the Grand Opening; cleaning the inside, laying asphalt in the parking lot, leveling the property, trimming hedges, etc. **Councilwoman Peet** praised the D.P.W. for all the work they have been performing at the Center, while still maintaining all their other Borough duties. **Administrator Dugan** stated she will be speaking with Foreman Rudy Gnehm regarding the necessary paving.

**ADMINISTRATOR’S REPORT:**

**Administrator Dugan** reported the Second Quarterly Safety Meeting was held last week. She also reported the Soccer field project is underway, and the preconstruction meeting on Park Avenue Phase II was held yesterday. There is a Resolution addressing the road closing on this evening’s Consent Agenda, and a press release relative to this is being developed. **The Administrator** stated two Open Space 50/50 grant applications will be hand delivered to the County tomorrow: one for repairs to the basketball courts and one for repairs to the tennis courts on Dairy St. and additional funds for the completion of the tennis courts on College Rd.. She briefly explained both applications and explained lighting was not addressed due to the high cost. The Verizon FIOS correspondence **Administrator Dugan** put in the Council package relative to items offered to the municipality, was briefly discussed and she also reported the Dead End sign was put on Smith Lane. In answer to **Councilwoman Peet’s** inquiry, the **Administrator** explained there are two options in fulfilling our 50/50 open space obligation; either take the funds from our Capital Improvement funds or from the Municipal Open Space Trust fund. A discussion took place relative to the use of the Municipal Open Space Funds.

**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 #116-08 – Bills List**

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

Current Fund (07)	\$ 4,600.00
Current Fund	\$ 32,421.43
Trust Fund	\$ 546.64
Capital Fund	\$ 3,814.02
<b>TOTAL:</b>	<b>\$ 41,382.09</b>

**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	June School Tax Payment	\$1,289,082.58
Current	June 13 <sup>th</sup> Payroll	\$ 125,325.30
		\$1,414,407.88

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of

Midland Park that the claims totaling **\$1,455,789.97** and ratified respectively.

**Resolution #117-08 – Park Ave. – Authorized Road Closure/Detour Plan**

**WHEREAS**, the Borough of Midland Park and the Township of Wyckoff are jointly improving Park Avenue, a road in both municipalities with the center line as its boundary line; and

**WHEREAS**, the Consulting Engineer has recommended a road closing and detour to perform this improvement project; and

**WHEREAS**, the Police Departments of Midland Park and Wyckoff have reviewed the road closure and approved the detour plan.

**THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Midland Park, County of Bergen, State of New Jersey, that the road closure and detour plan is hereby approved from July 7, 2008 through August 20, 2008, pursuant to the recommendation of the Midland Park and Wyckoff Police Departments.

**BE IT FURTHER RESOLVED** that the Municipal Clerk shall provide a certified copy of this resolution to Midland Park Police Chief John Casson, Wyckoff Police Chief Ydo, Police Lieutenant Bernard Vanden Berg, Fire Chief Pete Hook, D.P.W. Foreman Rudy Gnehm and Township Administrator Shannon.

**Resolution #118-08 – Estimated Tax Bills**

**WHEREAS**, due to the late adoption of State Aid Benefits by the State of New Jersey, the Bergen County Board of Taxation is unable to certify tax rates throughout Bergen County, and the Borough of Midland Park Collector will be unable to mail the Borough's 2008 tax bills on a timely basis; and

**WHEREAS**, The Borough of Midland Park Tax Collector/Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54: 4-66.3, and has signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies

**NOW THEREFORE BE IT RESOLVED** by the Council of the Borough of Midland Park, in the County of Bergen, State of New Jersey, on this 26<sup>th</sup> day of June, 2008, as follows:

1. The Midland Park Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Borough for the third installment of 2008 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by L. 1994, c.72 (N.J.S.A. 54: 4-66.2 and 54.4-66.3).
2. The entire estimated tax levy for 2008 is hereby set at \$24,817,898.00
3. In accordance with law, the third installment of 2008 taxes shall not be subject to interest until the later of August 11, or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

**Resolution #119-08 – Acceptance of Audit**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the Year 2007 has been filed by a Registered

Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the Local Fiscal Affairs, as per R.S. 52:27BB-34; and

**WHEREAS**, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

**General Comments  
Recommendations**

and

**WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

**General Comments  
Recommendations**

as evidenced by the group affidavit form of the governing body; and

**WHEREAS**, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 to wit:

**R.S. 52:27BB-52 - AA local officer or member of a local governing body who after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.**

**NOW, THEREFORE, BE IT RESOLVED**, that the governing body of the Borough of Midland Park hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

**Resolution #120-08 – Zoning Board Escrow Fund Releases**

**WHEREAS**, at the meeting of June 11, 2008, it was unanimously approved and recommended by the Zoning Board, to return the unused escrows to the following party:

Gerald and Laura Smith, 128 Glen Avenue (Blk 10.01, Lt 4) – (#T-20-300-312)	\$18.78
Unused Soil Movement Escrow for this project (#T-20-300-324)	<u>\$250.00</u>
<b>TOTAL</b>	<b>\$268.7</b>

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Midland Park that the Financial Assistant issue a check for these funds in the above stated amount of \$268.78, for said property owners at the above address.

**Resolution #122-08 – Open Space App. – Basketball Cts.**

**WHEREAS**, a Bergen County Open Space Recreation, Farmland, and Historic Preservation Trust Fund application in the amount of \$92,031.25 has been proposed by the Borough of Midland

Park for Basketball Courts in the municipality of Midland Park; and

**WHEREAS**, pursuant to the State Interlocal Services Act, such 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 people of Midland Park,

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of Midland Park is committed to providing a dollar for dollar cash match for the project; and

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

**Resolution #123-08 – Open Space App. – Tennis Cts. Repair**

**WHEREAS**, a Bergen County Open Space Recreation, Farmland, and Historic Preservation Trust Fund application in the amount of \$91,250.00 has been proposed by the Borough of Midland Park for Tennis Court Repairs at Dairy Street and Additional Funding to Complete the College Road Tennis Courts in the municipality of Midland Park; and

**WHEREAS**, pursuant to the State Interlocal Services Act, such 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 people of Midland Park,

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of Midland Park is committed to providing a dollar for dollar cash match for the project; and

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

**Resolution #125-08 – Purchase Police Vehicle**

**WHEREAS**, the Borough of Midland Park wished to purchase a police vehicles from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

**WHEREAS**, Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, New Jersey, 08034, has been awarded New Jersey State Contract number A-70462 for police vehicles; and

**WHEREAS**, the Police Chief recommended the utilization of this contract on the grounds that represents the best price available; and

**WHEREAS**, the actual cost for the purchase of the police vehicle is as follows:

1. 2008 Ford Crown Victoria (marked)      \$21,465.00, and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this purchase,

**NOW THEREFORE, BE IT FURTHER RESOLVED**, by the Council of the Borough of Midland Park that a purchase of the police vehicles is authorized from Winner Ford of Cherry Hill, New Jersey.

**Resolution #126-08 – Chapter 159 – Grant for ADA Doors**

**WHEREAS**, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the Budget; and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount; and

**WHEREAS**, the Borough of Midland Park has received an additional \$20,000.00 from the State of New Jersey Division of Elections, Attorney General's Office, and wishes to amend its 2008 Budget to include this amount as revenue.

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the Borough of Midland Park hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget of the Year 2008 in the sum of \$20,000.00, which is now available as a revenue for:

Miscellaneous Revenue

Special Items of General Revenue Anticipated with Prior Written Consent  
of the Director of the Division of Local Government Services:

Revenues Off-Set with Appropriations:

Division of Elections, Attorney General's Office – Buildings & Grounds 2008

**BE IT FURTHER RESOLVED**, that a like sum of \$20,000.00 be and the same is hereby appropriated under the caption of::

General Appropriation

Programs Off-Set by Revenues:

Division of Elections, Attorney General's Office – Buildings & Grounds 2008

**BE IT FURTHER RESOLVED**, that the Borough Clerk forward two copies of this resolution to the Director of the Division of Local Government Services along with attachment.

**Resolution #127-08 – Quote Award for ADA Doors – Library/Social Hall**

**WHEREAS**, quotes were received by the Borough Clerk for the installation of ADA doors on the rear of the Library building and for an ADA mechanism on the Fire House Social Hall door; and

**WHEREAS**, the quotes were reviewed by the Borough Clerk, in conformance with the Attorney General's grant to purchase these items; and

**WHEREAS**, it is recommended by Borough Clerk to award the contract to L.K.L. Contracting, at a total cost of \$19,985.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Midland

Park, County of Bergen, State of New Jersey, this contract be awarded to L.K.L. Contracting, 457 Shadyside Road, Ramsey, New Jersey 07446.

**The Consent Agenda was:**

**Introduced by: Councilman O'Hagan**

**Seconded by: Councilman Holst**

**Roll Call: Councilwoman Plumley**

**Aye**

Councilman Kruis	Aye
Councilwoman Peet	Aye
Councilman Holst	Aye
Councilman O’Hagan	Aye
Council President Pruiksmas	Aye

**RESOLUTIONS:**

**1. Resolution #121-08 – Appoint Part Time Police Clerk – Terri DeJong**

**WHEREAS**, the need for a Part-time Police Clerk exists in the Police Department of the Borough of Midland Park; and

**WHEREAS**, the Chief of Police feels this candidate is suitable to the duties.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Midland Park, that Terri DeJong be appointed as the Part-time Police Clerk at a rate of \$10.85 per hour.

**Introduced by: Councilman Holst**

**Seconded by: Councilman Kruis**

<b>Roll Call:</b>	Councilwoman Plumley	Aye
	Councilman Kruis	Aye
	Councilwoman Peet	Aye
	Councilman Holst	Aye
	Councilman O’Hagan	Aye
	Council President Pruiksmas	Aye

**2. Resolution #124-08 – Appoint Temporary Admin Asst. – Tara Giardino**

**WHEREAS**, the need for Administrative Assistant exists in the Borough of Midland Park; and

**WHEREAS**, the Borough Administrator feels this candidate is suitable to the duties.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Midland Park, that Tara Giardino, 138 Crescent Avenue, Waldwick, N. J. 07463, be appointed as an Administrative Assistant at a rate of \$10.50 per hour as of June 16, 2008.

**Introduced by: Councilman O’Hagan**

**Seconded by: Councilwoman Peet**

<b>Roll Call:</b>	Councilwoman Plumley	Aye
	Councilman Kruis	Aye
	Councilwoman Peet	Aye
	Councilman Holst	Aye
	Councilman O’Hagan	Aye
	Council President Pruiksmas	Aye

**ORDINANCES ON INTRODUCTION:**

**1. ORDINANCE # 06-08**

**“AN ORDINANCE TO AUTHORIZE THE EXPENDITURE OF \$590,000 : \$295,000 FROM BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND FOR THE ACQUISITION BY PURCHASE OF PROPERTY KNOWN AS 120 WOODSIDE AVENUE (BLK. 10.02, LOT 27) IN THE**

**BOROUGH OF MIDLAND PARK, AS WELL AS APPROPRIATING THE SUM OF \$295,000 FROM THE BOROUGH OF MIDLAND PARK OPEN SPACE FUND.”**

**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 Borough of Midland Park has been allocated granting monies in the sum of approximately \$295,000 by the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund municipal Program for the acquisition by purchase of property know as 120 Woodside Avenue (Block 10.02, Lot 27), in the Borough of Midland Park

**Section 2.**

The sum of \$295,000 is hereby appropriated for the payment of the cost of such purchase authorized and described in Section 1 hereof. The sum of \$295,000 is appropriated from the Borough of Midland Park Open Space Fund, for the matching amount of the granting funds.

**Section 3.**

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 4.**

This ordinance hereby incorporates the provisions of N.J.S.A. 40A:2-20 with a dollar amount not to exceed \$590,000.00.

**Section 5. Severability**

If any section, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment will not affect, impair, or invalidate the remainder of this Ordinance but will be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy which such judgment will be rendered.

**Section 6.**

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

**Introduced by Councilman Kruis**

**Seconded by: Councilman Holst**

<b>Roll Call:</b>	<b>Councilwoman Plumley</b>	<b>Aye</b>
	<b>Councilman Kruis</b>	<b>Aye</b>
	<b>Councilwoman Peet</b>	<b>Aye</b>
	<b>Councilman Holst</b>	<b>Aye</b>
	<b>Councilman O’Hagan</b>	<b>Aye</b>
	<b>Council President Pruiksmas</b>	<b>Aye</b>

**2. ORDINANCE # 07-08**

**“AN ORDINANCE TO AUTHORIZE THE ACQUISITION BY PURCHASE OF CERTAIN REAL PROPERTY KNOWN AS BLOCK 10.02, LOT 27 AS DEPICTED ON THE TAX ASSESSMENT MAP.” (120 Woodside Avenue)**

**WHEREAS**, there exists in the Borough of Midland Park certain property known as Block 10.02, Lot 27 as depicted on the Tax Assessment Map, consisting of 1.09 acre (hereinafter referred to as "the property"); and

**WHEREAS**, the property is contiguous to certain property owned by the Borough of Midland Park and used for recreational purposes; and

**WHEREAS**, the Borough received a commitment for a grant from the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund (hereinafter referred to as “the Fund”) for one-half (½) of the purchase price of the property; and

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Midland Park as follows:

**Section 1. Authorization of Acquisition.**

The Borough does hereby authorize the acquisition of certain property known as Block 10.02, Lot 27 as depicted on the Tax Assessment Map.

**Section 2. Purchase Price.**

The purchase price for the acquisition of the property shall be Five Hundred Forty-nine Thousand One Hundred (\$549,100.00) Dollars, which is consistent with the appraised value of the property and represents the fair market value thereof, less the value of the life estate which is a condition of the Contract of Sale and is to be provided to the Seller of the property.

**Section 3. Availability of Funds.**

The Chief Financial Officer of the Borough has certified that funds are available for the acquisition of the property, in addition to the grant from the Fund.

**Section 4. Authorization To Execute Documents.**

The Mayor, Borough Clerk and Borough Attorney be and are hereby authorized to execute a Contract of Sale, and such other documents, including closing documents, for the acquisition of the property consistent with the terms and conditions of the within Ordinance.

**Section 5. 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 6. Effective Date.**

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

**Introduced by Councilwoman Peet**

**Seconded by: Councilman Holst**

**Roll Call: Councilwoman Plumley**

**Aye**

**Councilman Kruis**

**Aye**

**Councilwoman Peet**

**Aye**

**Councilman Holst**

**Aye**

**Councilman O’Hagan**

**Aye**

**Council President Pruiksmas**

**Aye**

**3. ORDINANCE # 08-08**

**“AN ORDINANCE TO AMEND CHAPTER II OF THE CODE OF THE BOROUGH OF MIDLAND PARK ENTITLED, ‘ADMINISTRATION.’”**

**BE IT ORDAINED**, by the 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 2-12-11,

Age and Residency Requirements, is hereby amended to read as follows:

**“2-12.11 Age and Residency Requirements.**

**Any legal resident of the United States not less than eighteen (18) years of age, is eligible for membership in the Department, subject to such rules and regulations governing membership as shall be provided in the bylaws, rules and regulations adopted by the Board of Fire Officers and approved by the Mayor and Council.”**

**Section 2. Inconsistent Ordinances Repealed.**

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance, are hereby repealed, but only to the extent of such inconsistencies.

**Section 3. Effective Date.**

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

**Introduced by Council President Pruikisma**

**Seconded by: Councilman Holst**

**Roll Call: Councilwoman Plumley  
Councilman Kruis  
Councilwoman Peet  
Councilman Holst  
Councilman O’Hagan  
Council President Pruikisma**

**Aye  
Aye  
Aye  
Aye  
Aye  
Aye**

**MOTION:**

A Motion to approve the Borough to proceed with the bid process relative to the purchase of a New/Unused Mason Dump Truck with a Snow Plow.

**Introduced by: Councilman Holst**

**Seconded by: Councilwoman Peet**

**Roll Call: Councilwoman Plumley  
Councilman Kruis  
Councilwoman Peet  
Councilman Holst  
Councilman O’Hagan  
Council President Pruikisma**

**Aye  
Aye  
Aye  
Aye  
Aye  
Aye**

**PUBLIC COMMENT:**

**Nick Papapietro, 152 Payne Ave.** – inquired if there is a town policy regarding backing up data. **Administrator Dugan** explained the municipal date is backed up daily and there is also an off-site storage for this backup. She noted she has been speaking with Jeff Allyn, O.E.M. Coordinator, regarding shared services and a shared services grant to address this particular practice in the future. Mr. Papapietro than asked what wording is involved with the use of Open Space funds. **Attorney Regan** replied it is mandated language which reads for purchase or improvements.

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**Councilwoman Plumley** referred to a letter received from County Executive McNerney relative to shared services, and asked if there is anything the Borough should be doing to reach out to the County on this issue. **Mayor Monahan** stated the Northwest Mayor's Association is looking into ideas for shared services in addition to those 18 or 19 services presently in effect. Mr. Bob Freudenrich, consultant for the Northwest Mayors Association and Northwest Administrators/Managers Association is performing a feasibility study on what else is possible. **Councilman O'Hagan** requested the Borough send a letter to the County Executive asking what the County is doing along the lines of shared services to save taxpayers dollars. The Governing Body directed **Administrator Dugan** to draft such a letter.

There being no further response from the public and no additional business to discuss, on a Motion made by **Councilman Holst**, Seconded by **Councilman O'Hagan**, and carried, **Mayor Monahan** adjourned the Open Public meeting at 9:01 P.M.

Respectfully submitted,

Adeline M. Hanna, R.M.C.  
Borough Clerk