

**BOROUGH OF MIDLAND PARK
280 GODWIN AVENUE
MIDLAND PARK, NJ 07432
8:00 P.M. Open Public Meeting Minutes
January 27, 2011**

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

The Mayor called upon **Councilman Pruiksmas** to give this evening's Invocation and the 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.

Roll Call:	Mayor Monahan	Present
	Councilman Papapietro	Present
	Councilman Junta	Present
	Councilman Pruiksmas	Present
	Councilman Holst	Present
	Councilman O'Hagan	Present
	Council Present Peet	Present

ALSO PRESENT: Borough Clerk/Administrator Hanna

APPROVAL OF MINUTES:

A Motion to approve the Minutes of the Reorganization Meeting and Sine Die Meeting of January 6, 2011, 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 O'Hagan **Seconded by: Council President Peet**, and carried.
Councilman Holst Abstained from the vote as he was absent from this meeting.

At this time, **Mayor Monahan** administered the Oath of Office to the following members of the 2011 Fire Department Board of Fire Officers:

Mark Berninger Jr. – Captain
Jeff Casson – Lieutenant

OPEN TO THE PUBLIC:

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

NEW BUSINESS FOR DISCUSSION:

Work Session Agenda Issues:

1. Sample Resolutions:

A. Waldwick – N.W.B.C.U.A. – Prior Increase Notification

Council will address this issue by Resolution at the February 10, 2011 Council meeting.

B. F.A.A. Air Traffic Pattern Changes

Council will address this issue by Resolution at the February 10, 2011 Council meeting.

2. Request for Web Site Link – attached e-mail

Meals on Wheels has asked Council's permission to have a link for their organization on the Borough Web Site. The consensus of Council was to allow this action.

3. Baseball/Softball Contribution to Scoreboard

Council spoke of the e-mail received stating the intended contributions. A thank you note will be sent to both organizations thanking them for their contribution of \$1,000.00 each, to be put towards the purchase of a new score board.

LIAISON REPORTS:

Mayor Monahan reported the Borough received a D.O.T. grant of \$150,000.00, for the reconstruction of the parking area in the Wortendyke section, at Greenwood and Central Avenues.

Councilman Junta

Public Safety-Fire / Board of Health

Councilman Junta reported the **Fire Department** responded to 236 calls in 2010. The men gave a total of 1200 hours for the year, which included all calls, drills and training. The **Councilman** then reported progress in the **Board of Health**.

Councilman O'Hagan

Public Safety-Police / JIF/ Alliance

Councilman O'Hagan stated the recent **Joint Insurance Fund** Reorganization Meeting was well attended. He then read the letter received from Peter Jeffer, commending Police Officer Christopher Birch for his assistance to his daughter during the December 27th snow storm.

Councilman Pruiksmas

Recreation

Councilman Pruiksmas reported the **Recreation** Department Winter Theater is in progress.

Councilman Holst

Public Works

Councilman Holst noted the winter weather has been extreme, and he has signed another requisition for the **D.P.W.** to purchase more salt. He stated the Department has been doing an excellent job in clearing the snow from the storms.

Councilman Papapietro

Finance/Ambulance

Councilman Papapietro reported progress in the **Finance** Department. He also stated the Governing Body is working on the 2011 budget, going through each department line by line.

Councilwoman Peet

Personnel / Board of Education

Councilwoman Peet noted progress in both Departments.

ADMINISTRATOR'S REPORT:

Administrator Hanna reiterated the information regarding the D.O.T. grant the Mayor previously noted.

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:

WHEREAS, the following checks from 2010 have not been cashed and
WHEREAS, they need to be voided and reissued on the next bills list of February 10, 2011;

<u>Issue Date</u>	<u>Check #</u>	<u>Issued To</u>	<u>Amount</u>
12-12-10	2604	Tony's Pizza	\$ 239.00
09-23-10	2213	Lori Dent	\$ 10.00
08-13-10	6847	Lindsay Tamuzza	\$ 158.92 (payroll)

Replacement check #1109

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park that the above items be voided and re-issued.

Resolution #031-11 – Double Pay Refund – PSE&G

WHEREAS, Financial Assistant, Laurie O'Hanlon has verified the following double payment on Private Duty invoice #2010-11 #2 in the amount of \$9,045.00;

WHEREAS, an ACH credit was received from PSEG in the amount of \$9,045 on 12/22/10 and 1/5/11 paying the above invoice into the Borough's Private Duty bank account;

WHEREAS, a refund check in the amount of \$9,045.00 is requested to be made out to:
Public Service Electric & Gas
80 Park Plaza,
Newark, N.J. 07102

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park that the Financial Assistant will issue separate check for the above refund amount.

Resolution #032-11 – West Bergen Mental Health Contract

WHEREAS, West Bergen Mental Healthcare provides support to the residents and employees of the Borough of Midland Park; and

WHEREAS, West Bergen Mental Healthcare does this through contributions.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Midland Park, that \$4,850.00 be allocated to West Bergen Mental Healthcare. In addition, the Council authorizes the Mayor and Clerk to execute an agreement with this organization.

Resolution #033-11 – Interlocal w/ Ridgewood – Municipal Court Video Conferencing

WHEREAS, N.J.S.A. 40:8A-1, et seq. authorizes any local governmental unit to enter into a contract with any other local governmental unit for providing of any service which any party to such agreement is empowered to render within its own jurisdiction; and

WHEREAS, the Village of Ridgewood has agreed to provide, if needed, of the following listed service to the Borough of Midland Park:

1. Municipal Court Video Conferencing

WHEREAS, it is the desire of the Mayor and Council of the Borough of Midland Park to authorize the execution of said Interlocal Service Agreement with the Village of Ridgewood.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute an Interlocal Agreement whereby the Village of Ridgewood will provide such services as listed.

Resolution #034-11 – Mayor's Signature on Well Child Care – Waldwick Contract

BE IT RESOLVED, by the Council of the Borough of Midland Park, that the Mayor is hereby authorized to execute an Interlocal Agreement with the Borough of Waldwick, pertaining to the provisions of Well Child Care services by the Borough of Waldwick.

2011 - \$125.00 One time Administrative Charge

\$ 35.00	Charge per child
\$ 15.00	Charge per child for immunization only

Resolution #035-11 – All Points Towing License

WHEREAS, All Points Towing, Inc. has applied to the Borough Clerk for a license to tow within the Borough of Midland Park; and

WHEREAS, a review by the Midland Park Police Department into the qualifications and merit of the applicant and its drivers was conducted and has uncovered no reason to disqualify the applicant.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park that the Borough Clerk be and is hereby authorized to issue a license to All Points Towing, Inc. to tow within the Borough of Midland Park for the year 2011.

Resolution #036-11 – Dedication by Rider – Social Hall Funds

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 provide that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider; and

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

1. The Borough Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39, as amended by P.L. 1999, c.292, for the exclusive purpose of depositing and expending funds received from the rental of the Midland Park Fire House Social Hall to offset costs of operating the **Midland Park Fire House Social Hall maintenance**.

2. The Municipal Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Resolution #037-11 – Support for Wyckoff Open Space Acquisition Application

WHEREAS the Mayor and Borough Council of the Borough of Midland Park have become aware that the Township of Wyckoff has applied for Bergen County Open Space Land Acquisition funds to acquire the twenty-six acre parcel of land in Wyckoff know as the Maple Lake property; and

WHEREAS this twenty-six acre parcel consisting of woods, wetlands, steep slope and streams is contiguous to the Borough of Midland Park’s Wortendyke residential neighborhood and neighborhood shopping district; and

WHEREAS the protection of environmentally sensitive land from development is a quality of life enhancement that provides a significant benefit; and

WHEREAS, the Township of Wyckoff has requested that the Borough of Midland Park Mayor and Borough Council consider endorsing the Township of Wyckoff’s Bergen County Open Space application; and

WHEREAS the Mayor and Borough Council of the Borough of Midland Park have considered this request and have determined that the acquisition of this parcel is in the best interest of the residents of the Borough of Midland Park.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Midland Park, in the County of Bergen, State of New Jersey, that the Township of

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Wyckoff's Bergen County Open Space Grant Application to acquire the twenty-six acre parcel known as the Maple Lake property is hereby endorsed for the preservation of this environmentally sensitive parcel and the benefits that result.

The Consent Agenda was:

Introduced by: Council President Peet

Seconded by: Councilman Holst

Roll Call:	Councilman Papapietro	Aye
	Councilman Junta	Aye
	Councilman Pruiksma	Aye
	Councilman Holst	Aye
	Councilman O'Hagan	Aye
	Council President Peet	Aye

Resolution #29-11 – Bills List

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

Current Fund (2010)	\$ 110,458.26
Current Fund (2011)	\$ 999,046.86
Capital Fund	<u>\$ 5,707.60</u>
TOTAL:	\$1,115,212.72

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	January School tax	\$1,439,120.75
Current	January 14 ^h Payroll	\$ 129,867.09
Current	January Health Benefits	\$ 61,439.47
Current	Bollinger Ins-mnl check	\$ 3,091.51
Current	United States Postal-mnl	\$ 593.50
Current	Home Depot-mnl check	<u>\$ 79.12</u>
		\$1,634,191.44

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Midland Park that the claims totaling **\$2,749,404.16** be approved and ratified respectively.

Introduced by: Councilman Papapietro

Seconded by: Councilman O'Hagan

Roll Call:	Councilman Papapietro	Aye
	Councilman Junta	Aye
	Councilman Pruiksma	Aye
	Councilman Holst	Aye
	Councilman O'Hagan	Aye
	Council President Peet	Aye

ORDINANCES ON INTRODUCTION:

1. ORDINANCE #01-11

“AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING

ALLOWANCE AND TO ESTABLISH A CAP BANK WHEN THE COST OF LIVING ADJUSTMENT (COLA) IS EQUAL TO OR LESS THAN 2.5 PERCENT (N.J.S.A.40A:4-45.14)”

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

WHEREAS, the Local Government Cap Law, N.J.S.A 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% or the Cost-of-Living Adjustment (COLA), whichever is less, over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:45.14 provides that a municipality may, in any year in which the COLA is equal to or less than 2.5% increase its final appropriations by a percentage greater than the COLA, but not to exceed the 3.5% rate as specified in the law, when authorized by ordinance; and,

WHEREAS, the COLA for CY 2011 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 0%; and,

WHEREAS, N.J.S.A 40A:4-45.15a provides that a municipality may, in any year in which the COLA is equal to or less than 2.5% may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Midland Park, in the County of Bergen, finds it advisable and necessary to increase its CY 2011 Budget by more than 2.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$211,249.04 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Midland Park, in the County of Bergen, a majority of the full authorized membership of this governing Body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Borough of Midland Park shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$6,687,447.23, and that the CY 2011 municipal budget for the Borough of Midland Park, be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as Introduced be filed with the Director of the Division of Local Government Services within 5 days of Introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon Adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such Adoption.

BE IT FURTHER ORDAINED, that any 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.

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

Seconded by: Councilman Holst

Roll Call:	Councilman Papapietro	Aye
	Councilman Junta	Aye
	Councilman Pruiksmas	Aye
	Councilman Holst	Aye
	Councilman O’Hagan	Aye
	Council President Peet	Aye

MOTION:

1. A Motion to approve the appointments of Gail Bushman and Virginia Lissandrillo to the Midland Park Municipal Alliance Committee.

Introduced by: Councilman O’Hagan

Seconded by: Councilman Holst

Roll Call:	Councilman Papapietro	Aye
	Councilman Junta	Aye
	Councilman Pruiksmas	Aye
	Councilman Holst	Aye
	Councilman O’Hagan	Aye
	Council President Peet	Aye

2. A Motion to approve the resignations of Susan Aponte, Mary Ann Allyn and Lorie Palladino from the Midland Park Municipal Alliance Committee.

Introduced by: Councilman O’Hagan

Seconded by: Councilman Papapietro

Roll Call:	Councilman Papapietro	Aye
	Councilman Junta	Aye
	Councilman Pruiksmas	Aye
	Councilman Holst	Aye
	Councilman O’Hagan	Aye
	Council President Peet	Aye

3. A Motion to approve the appointment of Stantec Engineer Consulting firm as the Midland Park Borough Engineer for 2011.

Introduced by: Councilman Papapietro

Seconded by: Council President Peet

Roll Call:	Councilman Papapietro	Aye
	Councilman Junta	Aye
	Councilman Pruiksmas	Aye
	Councilman Holst	Aye
	Councilman O’Hagan	Aye
	Council President Peet	Aye

4. A Motion to approve the appointment of Capital Alternatives as the Midland Park Borough Grant Consultants for 2011.

Introduced by: Councilman Holst

Seconded by: Council President Peet

Roll Call:	Councilman Papapietro	Aye
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Councilman Junta	Aye
Councilman Pruiksma	Aye
Councilman Holst	Aye
Councilman O’Hagan	Aye
Council President Peet	Aye

PUBLIC COMMENT:

Once again **Mayor Monahan** opened the meeting to the public for any comments, questions or concerns. As there was no response, he then asked the Council members if they had any issue they would like to address.

Councilman O’Hagan spoke of the request he has received from a resident to allow her to walk her dog on the outer limits of Wortendyke Park, in conflict with the posted signs. Council discussed this request, and **Attorney Regan** was directed to review the ordinance prohibiting dogs in park areas. **Council President Peet** stated the Police Department should be made aware that there are many residents walking their dogs on the Dairy Street sports fields, and the ordinance prohibiting this should be enforced.

There being no further business to discuss, on a Motion made by **Councilman O’Hagan**, Seconded by **Councilman Holst**, and carried, **Mayor Monahan** adjourned the Open Public Meeting at 8:32 P.M.

Respectfully submitted,

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