

**BOROUGH OF MIDLAND PARK
280 GODWIN AVENUE
MIDLAND PARK, NJ 07432
8:00 P.M. Open Public Meeting Minutes
May 14, 2009**

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

Mayor Monahan called upon **Councilman Pruiksmas** 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.

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

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

APPROVAL OF MINUTES:

A Motion to approve the Minutes of the Open Public and Closed Session Meeting Minutes of April 23, 2009, as all 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 Pruiksmas Abstained, as he was absent from the meeting.

OPEN TO THE PUBLIC:

Mayor Monahan opened the meeting to the public for any comments, questions or concerns.

Alan Kooreman Chestnut St – came before Council to express his disappointment in the inappropriate behavior of some groups that have marched in the Memorial Day Parade in recent years. Mr. Kooreman stressed he feels the parade is a memorial service, not a celebration, and our children should learn its true meaning through the example of our leaders.

As there was no further response from the public, **Mayor Monahan** closed the meeting to the public.

RESOLUTION:

Resolution #79-09 – Budget by Title on Final

WHEREAS, the provisions of N.J.S.A. 40A:4-8 and N.J.S.A. 40A:4-9 have been followed.

NOW, THEREFORE, BE IT RESOLVED, that a majority of the full authorized membership of Borough Council of the Borough of Midland Park, affirmatively concurs that the 2009 Municipal Budget may be read by title only.

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**

ADOPTION OF THE 2009 BUDGET:

The **2009 Budget** on Final was:

Introduced by: Councilman Papapietro **Seconded by: Councilman Pruiksmas**

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

PUBLIC HEARING -

The **Mayor** opened the meeting to the public for discussion on the 2009 Budget. As there was no response from the public, the following Council Members expressed their thoughts.

Councilman Papapietro expressed, as this was his first time being involved with this 5 month budget process, he learned a great deal going through every line item for each department, and he feels the Mayor, Administrator and Council acted very fiscally responsible.

The **Mayor** closed the meeting to the public on the 2009 Budget and called for a Roll Call vote:

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

Councilman O’Hagan noted he felt this was not a rubber stamp approval, but a vote from knowledge.

OLD BUSINESS FOR DISCUSSION:

WORK SESSION ITEMS

1. Opposition – Proposed Diversion of Funds from EMT Training

Councilman Junta explained that the Governor wants to take \$4,000,000 from the funds set aside for E.M.T. training, to put it in the General Fund of the State. This would mean that volunteer squads across the State would have to pay for their own training, as well as give of their time, or will not be able to keep up with the training, or obtain new members because it is very expensive for the first-time training needed.. This issue will be addressed by a Resolution on the Consent Agenda opposing such action by the Governor.

2. **Capital Ordinance Draft**

Administrator Dugan explained her methodology in calculating the funding to be included in the draft Capital Ordinance. She spoke of using the remaining funds from the Borough Hall air conditioning unit repairs to address the fire horn atop the building, which needs to be replaced. Grant funds for this project were suggested by **Councilman Pruiksma**. **Councilman Pruiksma** requested the Department Heads be made aware of their final budget totals after the cuts were made, and then he publically thanked Mr. Bolger for his donations to the Midland Park Fire Department and the Midland Park Ambulance Corps. This Ordinance will be Introduced at the next Council Meeting.

3. **List of Issues – Mike DeSena Updates – Attending May 28th Meeting**

Administrator Dugan inquired if there were any issues not on the list she developed, that the Council may want to confer with Mike DeSena on. Council felt the list was complete, however, the **Administrator** noted she would also like to speak with Mr. DeSena regarding possibilities for Open Space Grant ideas.

4. **Memo from Lori Dent – Recreation Board Requests**

a. **Background Checks – Councilwoman Peet** recommended the Borough obtain information on the policies and procedures the Board of Education follows in performing background checks on their employees. **Administrator Dugan** spoke of a meeting she and Lori Dent had with Bollinger Insurance regarding policies for the quasi sport groups and the ability to have background checks done through this process.

b. **Grant Opportunity** – Miss Dent stated this grant will allow for funding for summer recreation programs and salary costs for professional help for special needs programs. The Council consensus was for Ms. Dent to go forward with applying for this grant.

c. **Personal Trainer Program** - Ms. Dent explained this would be a morning program with an independent trainer. **Attorney Regan** stated the contractor would be required to submit a certificate of insurance. Ms. Dent said that she spoke with Steve Puntesecca 6 months ago and he said as long as this program is under the auspice of the Recreation Dept., it would be under our waivers and riders. **Council President Peet** questions the workers comp coverage. Ms. Dent said she will check into this as this trainer is an independent contractor and not an employee of the Borough. Ms. Dent also said the registration funds will be deposited into the Borough account and the trainer will be submitting invoices to the finance assistant for payments. **Councilman Papapietro** questioned who is responsible if someone were to be injured during this program. Ms. Dent explained the participants will be signing a Hold Harmless Agreement, and in response to **Council President Peet's** inquiry, Ms. Dent also explained that the first 4 participants, each paying \$40 per 4 week program, would pay for the trainer, the additional revenue taken in would go to the Borough, and if there were not 4 participants, the program would be cancelled. .

NEW BUSINESS FOR DISCUSSION:

There was no New Business to discuss this evening.

LIAISON REPORTS:

Mayor Monahan stated the Chamber of Commerce will be meeting with him at the Library on Wednesday, May 27th at 7:00 P.M., to discuss various economic issues, and Council members are invited to join. The **Mayor** then mentioned the Library will be coming before Council, at a future meeting, to present a proposal for enhancement to their web site with educational features. **Mayor Monahan** also spoke of the process followed in presenting the final 2009 Municipal Budget.

Councilman Junta

Buildings & Grounds/Board of Health

Councilman Junta reported under **Buildings and Grounds**, the athletic fields have been aerated, seeded and fertilized, the fire house lights/ballasts have been replaced, the flower beds mulched and the pavers at the Borough Hall back door have been put back in place. He also stated the old unused floor drain in the Borough Hall garage is a trip hazard and will be filled in by the D.P.W. Under **Board of Health** the **Councilman** noted the Free Rabies Clinic was held on May 11th, and the Board has been watching the H1N1 virus very closely and working on the P.O.D. for first responders. The **Councilman** also said the Board has been giving the Food Handlers classes to Midland Park restaurant employees.

Councilman O’Hagan

Public Safety - Police/JIF/Alliance

Councilman O’Hagan reported the **Police Department** is running well. He then mentioned the annual **J.I.F.** Elected Official’s Presentation was given this evening by Mr. David Grubb, the J.I.F. Director, and holding this presentation lowered the Borough’s deductible from \$50,000 to \$10,000. He also noted, at the next J.I.F. meeting, they will be having a sustainable energy joint meeting presentation at Westwood Borough Hall 6:30 P.M. on May 21st.

Councilman Pruiksma

Recreation

Councilman Pruiksma reported there was an award ceremony for the volunteers of the Theatre Arts program at the **Board of Recreation** meeting; Olympic day will be June 13th, with no rain date, and council participation in welcome; recreation staff training with the Ambulance Corps will be held in June; there will be swimming opportunities with the nearby municipalities; there will be a tennis camp for children K through 8th grade from May 18th to May 22nd; there are still openings for the summer camp, and on June 18th there will be a Senior Social event from 1:30 to 3:00 P.M., at the Wortendyke Park pavilion. Ms. Dent, from the public seats, noted she coordinated transportation to assist with seniors in attending the event.

Councilman Holst

Public Works

Councilman Holst reported the **D.P.W.** repaired 75 pot holes; repaired berms that had been damaged over the winter; performed after-winter maintenance on the salt equipment and snow plows; repaired street signs; power washed and lettered the new/used garbage truck; graded and added stone to the Veteran’s Park commuter parking area, and repaired the Little League Snack Bar roof.

Councilman Papapietro

Finance/Personnel

Councilman Papapietro reported we are in the process of reviewing and updating the Borough **Personnel** guide. Under **Finance**, the **Councilman** reiterated the 2009 Budget has been passed on Final, and he is hoping to have a mock version of the banking proposal for the next meeting. **Council President Peet** remarked the Council has not performed evaluations on the Council members and

employees that report directly to the Council, for the past few years, and would like to start this practice again and keep the professionalism going forward. **Mayor Monahan** noted he and **Administrator Dugan** recently had dialog on this subject.

Council President Peet **Public Safety - Fire & Ambulance/Board of Education**
Council President Peet brought forward a Motion to have John R. Grillo, 166 Vreeland Avenue, placed as a active member of the Midland Park **Fire Department**, this Motion was Seconded by **Councilman Pruiksm**a and carried. The **Council President** reminded everyone of the Fire Department Memorial Service, which will be held at the Fire House on Wednesday, May 20th, at 7:30 P.M. **Council President Peet** then reported Progress in both the **Ambulance Corps** and **Board of Education**.

ADMINISTRATOR’S REPORT:

Administrator Dugan reported Tom Murphy from the County touched base with her on the senior transportation issue, stating they are preparing for a mid-June finalization on the use of the County bus on Thursdays to take Midland Park senior citizens food shopping at the A&P, with giving advanced notice to the County as to addresses of our residents. The **Administrator** reported on a meeting she and the **Mayor** had with Capital Alternatives relative to the opportunities for grant applications. She noted one suggestion is the paving of the Wortendyke parking lot area, which Capital Alternatives felt would score high as it is part of a transportation hub, and on this evening’s agenda are the Resolutions relative to a grant for Spruce St. and Highwood Avenue. Lastly, the **Administrator** reported information on the swimming opportunity in Allendale will be placed on the web site, and she will inform the Council as soon as she is made aware of the Ridgewood Graydon Pool agreement. .

ORDINANCE ON FINAL:

ORDINANCE #04-09

“AN ORDINANCE TO AUTHORIZE THE EXPENDITURE OF \$184,000: \$92,000 FROM BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND FOR THE BASKETBALL COURT RECONSTRUCTION PROJECT IN THE BOROUGH OF MIDLAND PARK, AS WELL AS APPROPRIATING THE SUM OF \$92,000 FROM THE OPEN SPACE FUND”

Introduced by: Councilman Pruiksma **Seconded by: Councilman Holst**

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 \$92,000 by the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund municipal Program for the Basketball Court Reconstruction Project in the Borough of Midland Park

Section 2.

The sum of \$92,000 is hereby appropriated for the payment of the cost of such construction authorized and described in Section 1 hereof. The sum of \$92,000 is appropriated 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

**Midland Park Borough Council
Minutes – Open Public Meeting**

**May 14, 2009
Page 6**

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 \$184,000.00.

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.

OPEN TO THE PUBLIC:

At this time, the **Mayor** opened the meeting to the Public for any questions, comments or discussions on Ordinance No. 04-09. There being no response, the **Mayor** closed the meeting to the public and requested a Roll Call Vote of Council.

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

ORDINANCE ON FINAL:

ORDINANCE #05-09

“AN ORDINANCE ESTABLISHING SALARIES AND WAGES FOR CERTAIN BOROUGH OFFICERS AND EMPLOYEES OF THE BOROUGH OF MIDLAND PARK FOR THE YEAR 2009, BEGINNING APRIL 1ST, AND THEREAFTER.”

Introduced by: Councilman Papapietro Seconded by: Councilman Holst

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

1. The following schedule setting forth the salaries and wages to be paid to certain Borough Officers, Employees and Officials during the year 2009, beginning April 1st, and thereafter, be and is hereby approved:

POSITION	2009 RATE
Mayor	Up to \$ 4,000.00
Council Members	Up to \$ 4,000.00
Borough Administrator	\$50,000.00 to \$103,000.00
Chief Financial Officer/Treasurer	\$ 2,500.00 to \$ 45,000.00
Borough Clerk	Up to \$ 40,000.00
Assessment Search Officer	\$ 500.00 to \$ 1,000.00
Administrative Assistant	Up to \$ 22,000.00
Administrative Secretary/Support	Up to \$ 27,000.00

**Midland Park Borough Council
Minutes – Open Public Meeting**

**May 14, 2009
Page 7**

Financial Assistant	\$17,000.00 to	\$ 60,000.00
Tax Collector	Up to	\$ 30,000.00
Tax Search Officer	\$ 500.00 to	\$ 1,000.00
Deputy Tax Collector/Tax Clerk	\$20,000.00 to	\$ 45,000.00
Tax Assessor	\$11,000.00 to	\$ 40,000.00
Assistant to Tax Assessor	\$ 9,000.00 to	\$ 15,000.00
Plumbing Subcode Official	\$ 6,000.00 to	\$ 12,000.00
Fire Subcode Official	\$ 1,000.00 to	\$ 7,000.00
Elevator Subcode Official/Inspector	\$ 1,500.00 to	\$ 2,500.00
Construction Code Control Person and/or Assistant Control Person	\$ 2,000.00 to	\$ 25,000.00
D.P.W. Working Foreman/Mechanic	Up to	\$ 85,000.00
D.P.W. Utility Laborers	\$ 20,000.00 to	\$ 60,000.00
Recycling Center Attendant	Up to	\$ 30,000.00
Recycling Coordinator	Up to	\$ 3,000.00
Custodian/Building Maintenance Worker	Up to	\$ 40,000.00
Municipal Court Judge	\$ 7,000.00 to	\$ 18,000.00
Municipal Court Administrator	\$ 15,000.00 to	\$ 50,000.00
Deputy Municipal Court Clerk	\$ 65.00	per Session
Municipal Prosecutor	Up to	\$ 10,000.00
Special Help-Court Clerk's Office/Deputy	\$ 7.00/hr to	\$ 25.00/hr
Zoning/Property Maintenance Official	\$ 6,000.00 to	\$ 17,000.00
Zoning Official Attendance at Zoning Meetings	\$ 100.00	per Session
Zoning Board of Adjustment Secretary	\$ 6,000.00 to	\$ 15,000.00
Planning Board Secretary	\$ 10,000.00 to	\$ 20,000.00
Fire Prevention Officer	\$ 8,000.00 to	\$ 20,000.00
Secretary-Clerk/Fire Prevention & Police	\$ 20,000 to	\$ 40,000.00
Police Chief	\$ 60,000.00 to	\$132,000.00
Special Police/Matron	\$ Up to	\$ 20.00/hr
Crossing Guard	\$ Up to	\$ 18.00/hr
Extra Help - Any department	\$ Up to	\$ 18.00/hr
Field Manager	\$ 9,000.00 to	\$ 35,000.00
Recreation Director	\$ 500.00 to	\$ 55,000.00
Recreation Building Attendant	Up to	\$ 15,000.00
Tennis Camp Instructor		\$35.00/hr
Tennis Assistant	\$ 6.00 to	\$10.00 per hour
Cooking Instructor		\$20.00 per hour

Summer Staff Salaries 2008

Assistant Director	9.00 to	\$14.00 per hour
Asst. Counselor	\$ 4.40 to	\$ 5.30 per hour
Junior Counselor	\$ 6.00 to	\$ 7.10 per hour
Senior Counselor	\$ 6.80 to	\$ 8.00 per hour
Key Counselor	\$ 7.50 to	\$ 10.00 per hour

2. Individual salaries shall be set by Resolution of the Council within the salary range. In the absence of a minimum, any employee may be hired at any sum less than the maximum set forth above.

3. All civilian employees' fringe benefits will be in accordance with the Borough of Midland Park's Personnel Policy Manual.

4. All salaries and wages provided for herein shall be effective in accordance to the Resolution adopted pursuant to paragraph 2 of the Ordinance.

5. This Ordinance shall take effect upon final passages and publication according to law.

OPEN TO THE PUBLIC:

At this time, the **Mayor** opened the meeting to the Public for any questions, comments or discussions on Ordinance No. 05-09. There being no response, the **Mayor** closed the meeting to the public and requested a Roll Call Vote of Council.

Roll Call:

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

CONSENT AGENDA:

Resolution #080-09 – Bills List

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

Current Fund	\$ 690,966.36
Dog Fund	\$ 60.00
Capital Fund	\$ 33,759.75
Trust Fund	<u>\$ 59,466.39</u>
TOTAL:	\$ 784,252.50

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	May Health Benefits	\$ 49,462.61
Current	April 30 th Payroll	\$ 117,500.58
Current	May School Tax Payment	\$1,332,479.00
Current	Newsletter mailing –manual	\$ 576.21
Current	NWBCUA 2 nd Qtr. Sewer Svc	<u>\$ 275,932.00</u>
		\$1,775,950.40

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Midland Park that the claims totaling **\$2,560,202.90** be approved and ratified respectively.

Resolution #081-09 – Employees Salaries

WHEREAS, Ordinance #05-09 establishes salary ranges for employees; and

WHEREAS, said Ordinance requires that individual salaries be set by Resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park that the following salaries are hereby authorized for the period of April 1, 2009 through December 31, 2009:

POSITION	2009 RATE
Mayor	\$ 3,584.40

**Midland Park Borough Council
Minutes – Open Public Meeting**

**May 14, 2009
Page 9**

Council Member		2,619.29	
Borough Clerk		34,183.19	
Administrative Assistant		22,969.00	
Assessment Search Officer		500.00	
Administrative Support (8.00-17.00/hr)		17,503.20	
Borough Administrator		103,000.00	
Chief Financial Officer/Treasurer		15,012.25	
Tax Collector		10,300.00	
Recycling Coordinator		2,575.00	
Deputy Tax Collector/Tax Clerk		44,448.17	
Tax Search Officer		500.00	
Tax Assessor		36,188.37	
Assistant to Tax Assessor		4,491.12	
Financial Assistant		39,011.25	
Plumbing Sub-code Officer		11,119.98	
Fire Sub-code Officer/Fire Sub-code Inspector		5,317.85	
Elevator Inspector		2,400.00	
Construction Code Control Person		24,464.18	
Board of Adjustment Secretary		12,232.67	
Planning Board Secretary		12,232.67	
DPW Working Foreman/Mechanic		80,713.25	
D.P.W. Senior Utilities Laborer		53,155.07	
DPW Utility Laborer		39,800.66	
DPW Utility Laborer		41,446.36	
Recycling Center Attendant		28,895.34	
Custodian/Bldg Maintenance Worker		39,732.82	
Municipal Court Judge		17,295.70	
Municipal Court Administrator		40,420.05	
Municipal Court Cashier		65.00/Session	
Prosecutor		6,918.28	
Fire Prevention Official		15,144.12	
Police Chief		131,325.00	
Secretary Clerk Police		24,961.15	
Secretary Clerk Fire Prevention		12,858.78	
Crossing Guards		11.70/hour to 18.00/hour	
Police Special Officers		11.91/hour to 16.04/hour	
Recreation Director		53,431.25	
Field Manager		15,000.00	
DePhillips Attendant (13.31/hr)		10,377.00	
DePhillips Sub Attendant		10.00/hour to 12.00/hour	
<u>Summer Staff Salaries 2009</u>			
Assistant Director		9.00 to	14.00 per hour
Asst. Counselor	\$	4.40 to	\$5.30 per hour
Junior Counselor	\$	6.00 to	\$7.10 per hour
Senior Counselor	\$	6.80 to	\$8.00 per hour
Key Counselor	\$	7.50 to	\$10.00 per hour
Tennis Camp Instructor	\$	35.00 an hour	
Tennis Assistant	\$	6.00/hour to 10.00/hour	

\$ 20.60 per hour

Resolution #082-09 – National Day of Prayer

WHEREAS, Civic prayers and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775; and

WHEREAS, The Declaration of Independence, our first statement as Americans of National purpose and identity, made “The Laws of Nature and Nature’s God” the foundation of our United States of America, and asserted that people have inalienable rights that are God given; and

WHEREAS, The Supreme Court has affirmed the right of state legislatures to open their sessions with prayer, and the Supreme Court and the U. S. Congress themselves begin each day with prayer; and

WHEREAS, in 1988, legislation setting aside the first Thursday in May in each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Regan; and

WHEREAS, The National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and

WHEREAS, it is fitting and proper to give thanks to God by observing a day of prayer in Midland Park when all may acknowledge our blessings and gratitude for them, while recognizing the need for strengthening religious and moral values in our State and Nation; and

WHEREAS, this year marks the 58th Annual National Day of Prayer with this year’s theme:
“Prayer - America’s Hope”

NOW, THEREFORE, I, Joseph Monahan, Mayor of Midland Park do hereby proclaim Thursday, May 7, 2009, to be designated as

A DAY OF PRAYER IN MIDLAND PARK

and encourage our citizens to observe the day in ways appropriate to its importance and significance. Proclaimed this the 7th day of May, 2009.

Resolution #083-09 – Return of Escrow – Tudor Park

WHEREAS, at the meeting of April 8, 2009, it was unanimously approved and recommended by the Zoning Board, to return the unused escrows to the following party:
Tudor Park L.L.C., 65 & 85 Maltbie Avenue (Blk 4, Lts 19 & 20) – (#T-20-300-264)

TOTAL \$10,503.84

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 \$10,503.84 forr said property owner at the above address.

Resolution #084-09 – Redemption – Tax Sales Certificate – 102 Godwin

WHEREAS, the Tax Collector has been paid \$28,350.89, by the owner, which is the necessary amount to redeem Tax Sale Certificate 09-00001, held by Royal Tax Lien Services LLC, 179 Washington Lane, Jenkintown, PA 19046, on the property know as 102 Godwin Ave. (Block 18, Lot 17) assessed to Jasper, Walter (In Trust).

WHEREAS, a premium of \$30,000.00, paid at the time of purchase, is to be returned to Royal Tax Lien Services LLC, 179 Washington Lane, Jenkintown, PA 19046.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector, upon receipt of the Tax Sale Certificate properly endorsed for cancellation, be authorized to draw two checks in the amounts

of \$28,350.89 and \$30,000.00, to Royal Tax Lien Services, 179 Washington Lane, Jenkintown, PA. 19046, from the Trust Account and forward said check to the lien holder.

BE IT FURTHER RESOLVED, that the Tax Collector be authorized to cancel lien 09-00001 from the municipal records.

Resolution #085-09 – Capital Alternatives – Spruce St & Highwood Ave

BE IT RESOLVED, by the Mayor and Council of the municipality of Midland Park, that application is made to the Commissioner of Transportation for aid under the New Jersey Trust Fund Authority Act for:

(1) Spruce Street and Highwood Avenue

WHEREAS, the Council has determined that such application should be prepared by Capital Alternatives Corporation, the grants specialists engaged by the municipality for assistance in such matters.

NOW, THEREFORE, BE IT RESOLVED, that Capital Alternatives Corporation is authorized to prepare, assemble, and submit the necessary documentation on behalf of the municipality of **MIDLAND PARK** for the stated projects.

Resolution #086-09 – Approval to Submit Grant – Spruce St & Highwood Ave

Resolution: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Spruce Street and Highwood Avenue project.

WHEREAS, the Borough of Midland Park is requesting funding from the New Jersey Department of Transportation Municipal Aid Program.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Midland Park formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2010-Midland Park Borough-00124 to the New Jersey Department of Transportation on behalf of the Borough of Midland Park.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Midland Park and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the great agreement and approve the execution of the grant agreement as authorized by the resolution above.

Resolution #087-09 – Chapter 159 – Fire Dept. and Amb. Corps Equipment

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 \$14,100.00 from the DePhillips Foundation, and wishes to amend its 2009 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 2009 in the sum of \$14,100.00, 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:

The DePhillips Foundation – Fire Dept. and Ambulance Corps Equipment

BE IT FURTHER RESOLVED, that a like sum of \$14,100.00 be and the same is hereby
appropriated under the caption of::

General Appropriation

Programs Off-Set by Revenues:

Fire Department Equipment - \$12,000.00

Ambulance Corps Equipment - \$2,100.00

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 #088-09 – Opposition – Proposed Diversion of Funds from EMT Training

WHEREAS, the Emergency Medical Technical (“EMT”) Training Fund was created by
New Jersey P.L. 1992, chapter 143 (N.J.S.A. 26:2K-54 et seq.) as a dedicated, non-lapsing,
revolving fund, established to reimburse any private agency, organization or entity which is certified
by the Commissioner of Health and Senior Services to provide training and testing for volunteer
ambulance, first aid and rescue squad personnel who are seeking EMT certification and/or
recertification: and

WHEREAS, the Fund has allowed thousands of Volunteer EMTs to earn and maintain their
EMT certification without incurring out-of-pocket personal expense and without the need for
funding from their volunteer squad or municipality; and

WHEREAS, the EMT Training Fund is not supported through the use of any tax money, but
rather is supported by a \$0.50 surcharge on each fine, penalty and forfeiture imposed and collected
by the State of New Jersey for motor vehicle or traffic violations and is currently running at
approximately a \$1,000,000 deficit per year; and

WHEREAS, on April 23, 2009, the Department of Health and Senior Services Office of
Emergency Medical Services (OEMS) informed the New Jersey State First Aid Council of Governor
Corzine’s intention to redirect \$4,000,000 from the dedicated EMT Training Fund to the general
treasury of the State of New Jersey leaving only a proposed \$400,000 balance in the Fund; and

WHEREAS, a \$400,000 balance in the EMT Training Fund is inadequate to meet the annual
training needs of the Volunteer EMTs of this State and will result in severe cut-backs of state-paid
EMT training for New Jersey’s EMS Volunteer Community.

NOW, THEREFORE BE IT RESOLVED, that the Borough of Midland Park formally
opposes Governor Corzine’s plan to transfer money from the EMT Training Fund, because of the
detrimental effect this will have on the availability of EMT training for New Jersey’s Volunteer
EMS Community; and

BE IT FURTHER RESOLVED, that the Borough of Midland Park opposes the intended
re-appropriation of monies from the dedicated EMT Training Fund, which would shift the cost of

Volunteer EMT Training to the Midland Park Volunteer Ambulance Corps, the municipality, and its
residents, which during this time of economic hardship, when squads continue to see a decrease in
donations, contributions, and a short fall in fund raising, is fundamentally unfair to those who
already volunteer their time to attend training courses and answer emergency calls, and to require
them to pay for their own training, when they already provide so much to their community, and
which will further, significantly impact the recruitment of new member, as well as retention of

existing members since many will not be able to pay for their training; and

BE IT FURTHER RESOLVED, that the Governor and the Legislature of the State of New Jersey are requested not to remove any money from the EMT Training Fund and to return any money to the Fund that has already been removed for purposes other than those specified in New Jersey P.L. 1992, chapter 143; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Governor Corzine, to our State Legislators and to the New Jersey League of Municipalities.

Minus check #17734 on Resolution 80-09 - Bills List (Stantec - \$508.00 Council Special Assignment)

The Consent Agenda was:

Introduced by: Councilman Pruiksma

Seconded by Councilman Junta

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

MOTIONS:

1. A Motion to approve a request for the Boy Scout Troop 157 to use Wortendyke Park for their Annual picnic on June 12th, between the hours of 5:00 – 9:30 P.M.

Introduced by: Councilman Holst Seconded by: Councilman O'Hagan, and carried

Mayor Monahan, once again opened the meeting to the public for any comment, questions or concerns, There being no response and no further business to discuss, at 9:18 P.M., the **Mayor** recessed the Open Public Meeting and the following Resolution was adopted by Council:

Resolution #089-09 - Closed Session-After

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

WHEREAS, the Governing Body of Midland Park has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of Midland Park will go into closed session for the following reason (s) as outlined in N.J.S.A. 10:4-12:

_____ Any matter which, by express provision of Federal Law, State Statute or Rule of Court shall be rendered confidential or excluded from discussion in public (Provision relied upon): _____

_____ Any matter in which the release of information would impair a right to receive funds from the federal government;

_____ Any matter the disclosure of which constitutes an unwarranted invasion of individual privacy;

_____ Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body (Specify contract): _____.

_____ Any matter involving the purpose, lease or acquisition of real property with public funds, the

setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;

_____ Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

_____ Any investigations of violations or possible violations of the law;

X Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer (If pending or anticipated litigation, the matter is: _____)

(If contract negotiations the nature of the contract and interested party is PBA)

Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the Borough's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded or the circumstances no longer present a potential impact);

X Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting (Subject to the balancing of the public's interest and the employee's privacy rights under South Jersey Publishing, 124 N. J. 478, the employee(s) and nature of discussion is: Investigation of Letter from Ms. Dent)

_____ Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility;

BE IT FURTHER RESOLVED, that the Borough Council hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Borough Attorney advises the Borough Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough, or any other entity, with respect to said discussion. That time is currently estimated as the time of said matter.

BE IT FURTHER RESOLVED that the Borough Council, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place, and hereby directs the Borough Clerk to take the appropriate action to effectuate the terms of this resolution.

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

**Midland Park Borough Council
Minutes – Open Public Meeting**

May 14, 2009

Page 15

discuss and no further action to be taken, on a Motion made by **Councilman Junta**, Seconded by **Councilman Holst** and carried, **Mayor Monahan** adjourned the Open Public Meeting.

Respectfully submitted,

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