

**BOROUGH OF MIDLAND PARK
280 GODWIN AVENUE
MIDLAND PARK NJ 07432
JANUARY 27, 2022**

8:00 P.M. OPEN PUBLIC MEETING MINUTES

On January 27, 2022 at 8:01 P.M., the Mayor and Council of the Borough of Midland Park conducted a meeting at Borough Hall located at 280 Godwin Avenue as previously advertised, Agenda items for the meeting were listed on the Borough website. There was also an option for the public to access the meeting electronically by dialing this Toll-Free number 1-866-899-4679, Access Code: 766-030-917.

Mayor Shortway called the meeting to order, noting the date as January 27, 2022, 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 has been 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 De Blasio	Present
	Councilman Damiano	Present
	Councilman Iannone	Present
	Councilman Kruis	Present
	Councilwoman DeLuca	Present
	Council President Peet	Present

ALSO PRESENT: Borough Attorney Robert Regan and Borough Administrator/Borough Clerk Wendy Martin

APPROVAL OF MINUTES:

No Minutes for approval at this time.

OPEN TO THE PUBLIC:

The **Mayor** opened the meeting to the public for general questions, concerns, and comments.

Administrator/Clerk Martin asked members of the public present and on the phone to speak at this time.

Liam McElwain, 42 Hiawatha Court – requested permission from the Mayor and Council to refurbish the sign and beautify certain areas at Veterans Memorial Park for his Eagle Scouts Project. Governing Body were all in favor.

A Motion from Councilwoman DeLuca, Seconded by Councilman Kruis to give permission to Liam McElwain to refurbish the area at Veterans Memorial Park for his Eagle Scouts Project.

No one else from the Public came forward.

LIAISON REPORTS:

Mayor Shortway reported there were no mayoral meetings scheduled or attended in the month of January 2022.

Council President Peet Board of Health/ Board of Education/Ridgewood Water

On January 24, 2022, **Council President Peet** attended the **Ridgewood Water** presentation conducted by the New Jersey Water Authority. **Council President** summarized their discussion and information that transpired. At the January 10, 2022 the Northwest Bergen Regional Health Commission meeting for the Board of Health, the **Board of Health** conferred the most vulnerable population ages were from 18 to 65. The Pfizer booster will be available at the Waldwick location in the month of February. The old Lord & Taylor building will become a megasite for testing and booster shots. On the January 18, 2022, **Council President Peet** was present at the Board of Education meeting. One of the Motions for Finance was a district board election approval for March 8, 2022. Voters will be able to choose to opt or not for \$5.25 million turf fields for the schools. A recent mailing from Congressman Josh Gottheimer on infrastructure opportunities, the Congressman summarized the areas of concern. Input from Midland Park and surrounding towns are requested.

Councilman DeBlasio Recreation/Information Technology/Municipal Alliance

Kathy LaMonte, Recreation Director was approached by Arts Amble who would like to sponsor a three arts event in Midland Park. More information will follow. There were no **Board of Recreation** meetings for the month of January. For **Information Technology**, **Councilman DeBlasio** toured the Borough with Phil Scaglione. Mr. Scaglione reported on the two projects in progress: installation of security cameras at the Recreation Center and Borough Hall and the updating or replacing of employee's computers. Mr. Scaglione also stated his concerns of security of Borough buildings and a long-term plan if there was an emergency. **Municipal Alliance** reports progress.

Councilman Damiano Finance/Public Works/Chamber of Commerce

Finance reports progress. A meeting was held with Matthew Tauber, Supervisor of **Public Works**. Mr. Tauber showed the **Councilman** the two generators installed at the Fire House and the Recreation Center. The generators have been tested and are ready to run if there is a need. Through the winter months, the **Department of Public Works** has done a phenomenal job of filling potholes, collecting leaves, snow plowing, and Christmas trees pickup. The **Councilman** requested a contact person and their information for **Chamber of Commerce**. Wendy Martin, Borough Administrator will send the information to **Councilman Damiano**.

Councilman Iannone Public Safety – Police/Property Maintenance/Personnel

Property Maintenance and **Personnel** there is progress. The **Police Department** had 569 calls for service which categorized as public service and community assistance. There were 25 motor vehicle violations given in the month of January. Two arrests were made on assault charges. Training session were completed by the Midland Park officers and these included: bias, digitalized motor vehicle records, access of security, and SWAT training.

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

On January 24, 2022, the **Planning Board** had their meeting. Dunkin Donuts has been approved for occupying the old Friendly's site. The Councilman had a meeting with Mark Berninger, Building Inspector, where Mr. Berninger has researching a new software package for the building department. Several towns are involved in this project. There has been progress with the Eastern Christian School. They asked for some time and patience while they fix the traffic situation for pick up and drop off

times. Michael Rau, Fire Prevention/OEM states the inventory for the PPE is at a satisfactory level. The 2022 inspections have already begun and are moving along smoothly.

Councilwoman DeLuca

Public Safety – Fire/Ambulance/Library

The **Ambulance Corps** meeting was held on Monday, January 6, 2022 virtually. The report for December is as follows: total calls for December 2021 were 62 and 438 miles were driven. Total calls For Rig #588, there were 37 calls with 275 miles and Rig #589 were 20 calls and 163 miles. The ambulances had 8 refusals, 4 cancellations, 3 stand byes, 3 mutual aids in and 7 out. The Kentshire had a total of 4 calls and 38 total since May 2021. On January 12, 2022, the **Fire Department** held their monthly meeting. Fire reports were as follows: 14 calls and no mutual aid calls with a total of 190 in the year 2021. Project Santa was a success with more participants than last year. It was well received by the residents and children and will continue next year. The **Library Board's** meeting was held on Tuesday, January 19, 2022 both in person and on Zoom. The Board's Trustees were confirmed as the following: Julie Yohana - President, Annie Campbell – Vice President, Erin Ortandl – Secretary, Lauren Sikora, and members of the Library Board. The next meeting will occur Thursday, January 27, 2022. Catherine Dileo submitted updates and reports for the programs, children's activities, circulation, and the strategic plan.

ADMINISTRATOR'S REPORT:

Borough Administrator/Clerk Martin stated she received a traffic analysis for the streets: Vreeland Avenue, Franklin Avenue, and Erie Avenue. The total crashes in those areas were down 84%. Ms. Martin relayed the Special School Election information. The Mail-In Ballots will be mailed out by the County on January 28, 2022. There are 680 Mail-In Ballot voters registered in the Borough of Midland Park. Further information will be posted on the Borough's website and eblasted.

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 #038-2022 Granting Approval of Certain Purchases Through New Jersey State Contract and/or Purchasing Cooperatives for 2022

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and P.L.2011, c.139, the governing body may delegate the power to award purchases, contracts and/or agreements through New Jersey State Contracts and/or Purchasing Cooperatives to which the Borough of Midland Park is a member; and

WHEREAS, in the interest of streamlining Borough operations and improving efficiency, it is the desire of the Mayor and Council to authorize the Purchasing Officer/Qualified Purchasing Agent (QPA) to approve purchases, contracts and agreements through New Jersey State Contracts and/or Purchasing Cooperatives, subject to provisions and requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and P.L.2011, c.139 below the \$44,000.00 threshold in individual purchases and the aggregate as defined by N.J.S.A. 40A:11-2(19); and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Midland Park that the Purchasing Officer/Qualified Purchasing Agent (QPA) upon receipt of an identified need and direction from the Borough is hereby authorized to approve purchases, contracts and/or agreements through New Jersey State Contracts and/or Purchasing Cooperatives to which the Borough of Midland Park is a member without further action from Council, provided that funds are available to cover the expenditure; and

BE IT FURTHER RESOLVED, Purchase approvals made by the Purchasing Officer/Qualified Purchasing Agent (QPA) by virtue of the adoption of this Resolution shall be subject to the provisions and requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and that no amount of any contract shall be in excess of the bid threshold in a single purchase or the aggregate without express individual resolutions authorizing such cooperative purchases by contract number.

Resolution #039-2022 Amend Resolution #192-21 Special Legal Counsel

WHEREAS, there was a need for special legal counsel in connection with the *in rem* Foreclosures; and

WHEREAS, annexed is the Proposal to Perform *in rem* Foreclosures in the amount of \$5,000.00; and

WHEREAS, the Proposal has increased by \$2,500.00 by the title search company due to a complicated tax search; and

NOW, THEREFORE, BE IT RESOLVED, that Keith A. Bonchi, Esq., be and is hereby appointed as Special Legal Counsel for an amended amount not to exceed \$7,500.00.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk be and are hereby authorized to execute a Professional Services Agreement in connection with this matter.

Introduced by: Councilwoman DeLuca Seconded by: Council President Peet

Roll Call:	Councilman De Blasio	Aye
	Councilman Damiano	Aye
	Councilman Iannone	Aye
	Councilman Kruis	Aye
	Councilwoman DeLuca	Aye
	Council President Peet	Aye

RESOLUTIONS:

1. Resolution #035-2022 – Bills List

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

Current Fund ('21)	\$ 64,236.23
Current Fund	\$ 51,789.79
Capital Fund	\$ 13,973.18
Trust Fund	\$ 8,174.94
TOTAL:	\$ 138,174.14

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 15th Payroll	\$ 198,223.37
Current	January Health Payments	\$ 88,118.60
Current	January School Taxes	\$1,871,330.75
Current	Public Svc Electric & Gas	\$ 44.47

WHEREAS, the following manual checks dated January 18, 2022 from the current account needed to be received before meeting date:

Optimum	\$ 345.23
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BC Mun Joint Ins Fund	\$ 73,048.00
Metropolitan Life Ins	\$ 2,539.82
NJ Motor Vehicle Comm	\$ 150.00
PSEG	\$ 12,182.87
Verizon Wireless	\$ 531.58
Verizon	\$ 8.85

NOW, THEREFORE, BE IT RESOLVED, by the Council President and Council of the Borough of Midland Park that the claims totaling **\$2,384,697.68** approved and ratified respectively.

Introduced by: Councilwoman DeBlasio

Seconded by: Councilman Iannone

Roll Call:

Councilman De Blasio

Aye

Councilman Damiano

Aye

Councilman Iannone

Aye

Councilman Kruis

Aye

Councilwoman DeLuca

Aye

Council President Peet

Aye

2. Resolution #036-2022 Trade In To Offset Cost of New Equipment

WHEREAS, in accordance with the requirements of the Local Public Contract Law 40A:11-36(7) the Borough may authorize trade in of obsolete equipment to offset the cost of new equipment; and

WHEREAS the Borough of Midland Park is desirous of trading in a 2007 Peterbilt Roll off vehicle Hudson County Motors 290 Secaucus Road, Secaucus, N.J. 07094 for a trade in value of \$35,000.00: and

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 be and herby is authorized to trade in 2007 Peterbilt Roll off vehicle Hudson County Motors 290 Secaucus Road, Secaucus, N.J. 07094 for a trade in value of \$35,000.00
2. That the Borough Clerk shall forward a certified copy of this Resolution to the following:
 - A. Borough Administrator;
 - B. Chief Financial Officer;
 - C. Purchasing Agent
 - D. Superintendent of Public Works

Introduced by: Councilman Kruis

Seconded by: Councilman Iannone

Roll Call:

Councilman De Blasio

Aye

Councilman Damiano

Aye

Councilman Iannone

Aye

Councilman Kruis

Aye

Councilwoman DeLuca

Aye

Council President Peet

Aye

3. Resolution #037-2022 Amend Resolution #154-21 Authorizing Contract Through Educational Services Commission of NJ Cooperative Contract Vendor Hudson County Motors Through Bid # 20/21-55 Class 8 Trucks

WHEREAS the Borough of Midland Park by resolution # 154-21 authorized procurement of a 2022 Western Star 4700SB with options through Hudson County Motors Inc 290 Secaucus Rd., Secaucus, N.J. 07096 through ESCNJ Contract 20/21-55 in the amount of \$145,116.54; and

WHEREAS due to shortages of material, the vehicle authorized for procurement is no longer being produced; and

WHEREAS, the Borough Department of Public Works has received a change order quotation under the cooperative contract of a 2023 Western Star 47X Roll Off Chassis with options in the amount of \$163,868.00; and

WHEREAS the Borough has through Resolution #036-2022 in accord with N.J.S.A. 40A:11-36 traded in for \$35,000.00 credit a 2007 Peterbilt Roll off; and

WHEREAS, the intends to enter into contract for procurement of a 2023 Western Star 47X Roll Off Chassis with options through Hudson County Motors Inc 290 Secaucus Rd Secaucus, N.J. 07096 through ESCNJ Contract 20/21-55 in the final amount of \$128,868.00; and

WHEREAS, the Chief Financial Officer has certified that funds in the amount of **\$128,868.00** are available in:

ORDINANCE 13-21 BOND VEHICLE PURCHASES - X-10-390-103

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. Resolution #154-21 is hereby amended to authorize the procurement of a 2023 Western Star 47X Roll Off Chassis with options through Hudson County Motors Inc 290 Secaucus Rd Se caucus, N.J. 07096 through ESCNJ Contract 20/21-55 in the final amount of \$128,868.00.

Introduced by: Council President Peet

Seconded by: Councilwoman DeLuca

**Roll Call: Councilman De Blasio
Councilman Damiano
Councilman Iannone
Councilman Kruis
Councilwoman DeLuca
Council President Peet**

**Aye
Aye
Aye
Aye
Aye
Aye**

MAYORAL APPOINTMENTS:

Mayor Shortway reappointed the following members to the Midland Park Planning Board retroactive to January 6, 2022 Reorganization Meeting:

- **Kent Rigg reappointed as Full Member, Class IV, term ending December 31, 2025.**
- **Bruce Alan Goldsmith reappointed as Alternate #2, term ending December 31, 2023**

ORDINANCES ON INTRODUCTION:

1. ORDINANCE #01-2022

“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 2021 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 2.5%; 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 2022 Budget by up to 3.5% 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 \$300,666.95 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 2022 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 \$8,891,151.49 and that the CY 2022 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.

Introduced by: Councilman Damiano
Roll Call: Councilman DeBlasio

Seconded by: Councilwoman DeLuca

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

OLD BUSINESS

Councilman Kruis made a motion, Seconded by **Councilman Iannone** Mayor Shortway appointed with the consent of Council, the following members to the Zoning Board of Adjustment:

- Mark Divak appointed as full Member, term ending December 31, 2025
- William Placier appointed as Alternate #1, term ending December 31, 2023
- David N. Barlow appointed as Alternate #2, term ending December 31, 2022 filling balance of the unexpired term for William Placier)

Councilman DeBlasio	Aye
Councilman Damiano	Aye
Councilman Iannone	Aye
Councilman Kruis	Aye
Councilwoman DeLuca	Aye
Council President Peet	Aye

NEW BUSINESS:

Wendy Martin, Borough Administrator/Clerk stated Lauren Sikora requested the approval of an eblast sent by the Borough to the residents to inform them of the lacrosse registration commencing. Governing Body approved Ms. Martin to eblast requested.

PUBLIC COMMENT:

James Capalbo, 89 Millington Street – questioned the appointment of Zoning Board of Adjustment and their validity of their vote. Robert Regan, Borough Attorney explained a letter was written to the Mayor of appointment and that this was more ceremonial than statutory.

Ray Chapman, 225 Vreeland Avenue - thanked the Department of Public Works. Mr. Chapman urged the Borough to contact the County for the roads that are in need of paving. Mr. Chapman also asked to encourage signs to made and placed on lawns for support of the Borough's Police Department and officers.

ADJOURNMENT:

There being no response and no further business to address, at 8:45 P.M., on a Motion by **Councilwoman DeLuca**, Seconded by **Councilman Kruis** and carried, **Mayor Shortway** adjourned the meeting.

Respectfully submitted by,

Wendy Martin, RMC
Borough Clerk