

**BOROUGH OF MIDLAND PARK
280 GODWIN AVENUE
MIDLAND PARK NJ 07432
DECEMBER 15, 2022**

8:00 P.M. OPEN PUBLIC MEETING MINUTES

On December 15, 2022 at 8:00 P.M., the Mayor and Council of the Borough of Midland Park conducted a meeting at Borough Hall in the Council Chambers located at 280 Godwin Avenue as previously advertised. Agenda items for the meeting were also 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 December 15, 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 was 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 DeBlasio	Absent
	Councilman Damiano	Present
	Councilman Iannone	Absent
	Councilman Kruis	Present
	Councilwoman DeLuca	Present
	Council President Peet	Present

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

APPROVAL OF MINUTES:

No Minutes for approval at this time.

OPEN TO THE PUBLIC:

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

Thomas Locicero, owner of All Points Towing, 30 Olden Road, Paramus, NJ – made a plea to the Mayor and Council to amend the Borough's towing ordinance. Mr. Locicero gave a list of towns that have or are considering amending their ordinances. With the increase in gas prices and the cost of materials, the prices that are listed in Midland Park's Towing Ordinances are outdated. The New Jersey State Police towing contract has higher rates than the Borough's. The Governing Body directed Borough Administrator/Clerk Wendy Martin to contact Police Chief Michael Powderley to research matter.

There being no one else from the Public and/or no callers were on the telephone, the Public Hearing was closed.

LIAISON REPORTS:

Mayor Shortway attended the Bergen County Mayors' Association in Hackensack. The guest speaker was the new President and Chief Executive Officer Deborah Visconi, a representative from New Bridge Medical Center, Paramus, NJ, Ms. Visconi who spoke of the services their facility offers to the residents of Bergen County.

Councilman DeBlasio

Recreation/Information Technology/Municipal Alliance

Councilman DeBlasio was absent. No report was given at this time.

Councilman Damiano **Finance/Public Works/Chamber of Commerce/Economic Development**
Councilman Damiano noted there was progress reported for **Finance**, the **Chamber of Commerce**, and the **Economic Development** committees and/or departments. The Department of **Public Works** has completed the fall leaf cleanup program. The **Councilman** thanked the **Public Works** staff for an outstanding job on keeping the Borough's streets clean and safe.

Councilman Iannone **Public Safety – Police/Property Maintenance/Personnel**
Councilman Iannone was absent. No report was given at this time.

Councilman Kruis **Planning Board/Building Dept/Fire Prevention/OEM**
Councilman Kruis stated the year-to-date **Fire Prevention** inspections completed were 504. Fire Official Michael Rau attended the Bergen County Fire Prevention seminar in Closter, NJ which included classes related to fire inspections, escapes routes, and certifications. Mr. Rau has completed the collection of all keys for the Midland Park Shopping Center Knox Box. The **Office of Emergency Management** State Division offered a seminar for winter storm training. The **Planning Board's** meeting is scheduled for next week. The **Building Department** reported progress for the month of December.

Councilwoman DeLuca **Public Safety – Fire/Ambulance/Library**
Councilwoman DeLuca stated the **Ambulance Corps** held their annual holiday gathering. On December 10, 2022, the **Fire Department's** Breakfast with Santa was a success in the community along with the donations for Toys for Tots. Project Santa's popularity has increased through the years with many more stops and requests. The Junior Fire Department program will be launched after the holidays. For more information, please visit the Borough's website. The **Library Board's** meeting has been scheduled for December 20, 2022. Library Director Catherine Dileo reported 68% increase in foot traffic in the Library from the previous year.

Council President Peet **Board of Health/Board of Education/Ridgewood Water**
Council President Peet The meeting of the **Board of Education** was held on December 13, 2022. At this regular meeting items such as: personnel items, finance motions, and curriculum changes were discussed. The **Council President** announced the BOE, Mayor Shortway, Jr., Councilwoman DeLuca and Borough Administrator/Clerk Wendy Martin are meeting in the month of January to further discuss the handling of the Sunset fields. The **Board of Health** reports there is progress and will be meeting in the following month. At the NorthWest Bergen Regional Health Commission, a grant of \$615,000.00 was awarded from the State of New Jersey Department of Health. On December 9, 2022, Council President met with the Borough of Glen Rock and the Township of Wyckoff concerning the bond issues our municipalities will be facing for the connections of the lead pipe replacements. Township of Wyckoff's Administrator Matthew A. Cavallo is representing the three (3) municipalities to **Ridgewood Water**. Mr. Cavallo is constructing an email detailing the municipalities needs for bonding and administrative fees connected to the project. These are just the initial stages of this development. When more information is available, the public will be advised. The participating municipalities met to continue discussions how bonding will be handled for the remediations of the lead line replacements in the communities. Midland Park currently knows of 207 homes that are affected by the lead lines and more discovery is ongoing. If the homeowner sells their home, the lead line replacement must be addressed by the owner or buyer.

ADMINISTRATOR'S REPORT:

Borough Administrator/Clerk Wendy Martin reminded the Mayor and Council of an invitation to attend the Joint Insurance Fund Reorganization Meeting on January 19, 2023. On the Consent Agenda, there is a Resolution #210-2022 for a Community Development Block Grant Application relative to Road Resurfacing of Bank Street. This Resolution has been compiled with the assistance of the Borough Engineer, Schwanewede and Hals Engineering. Ms. Martin received a response from Boy Scouts Gideon Eliya requesting to digitize

the Borough's historical documents. Council President Peet and Councilwoman DeLuca discussed the importance of the handling of these fragile documents and perhaps this action should be done by professionals. The Council agreed to not have the Boy Scouts handle the Borough's historic documents. They wished success upon Mr. Eliya with obtaining his Eagle Scouts' award. Ms. Martin will contact him of the Council decision.

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 #194-2022 Tax Court of NJ Stipulation of Settlement – 686 Godwin Avenue

WHEREAS, the Borough of Midland Park has received a Stipulation of Settlement from the Tax Court of New Jersey, reducing the assessed value from \$550,000 to \$500,000 for the 2021 tax year and \$550,000 to \$475,000 for the property know as 686 Godwin Ave., Block 55 Lot 7.01, a refund to be issued to:

Saiber LLC Trust
18 Columbia Turnpike, Suite 200
Florham Park, NJ 07932

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park, that the amount of \$1,598.00 for overpayment in taxes of 2021 and \$2,439.00 for overpayment in taxes of 2022, be refunded.

Resolution #202-2022 Budget Transfer 2022 #3

WHEREAS, transfers are permitted between budget appropriations during the last two months of the fiscal year; except for out-of-cap expenses;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Midland Park, in the County of Bergen, New Jersey, that transfers between 2022 Budget Appropriations be made as follows:

<u>Department</u>	<u>Account Name</u>	<u>Account #</u>	<u>To</u>	<u>From</u>
Insurance	Health-Active	2-01--011-401	\$ 2,400.00	
Legal	Litigation	2-01--005-223		\$ 2,400.00

**Resolution #203-2022 Confirm Endorsement Of Bergen County Home Funded Project
Applications**

WHEREAS, a Bergen County HOME Investment Partnerships application of \$250,000.00 has been proposed by NOUVELLE LLC, for 714 GODWIN AVENUE, BLK 55, LT 8 SUPPORTIVE HOUSING in the municipality of MIDLAND PARK, and

WHEREAS, pursuant to the State Interlocal Services Act, HOME funds may not be spent in a municipality without authorization by the Mayor and Council, and

WHEREAS, the aforesaid project is in the best interest of the people of MIDLAND PARK, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid HOME application,

Now, Therefore, Be It Resolved, that the Mayor and Council of MIDLAND PARK hereby confirm endorsement of the aforesaid project, and

Be It Further Resolved, that a copy of this resolution shall be sent to the Director of the Bergen County Division of Community Development so that implementation of the aforesaid project may be expedited.

Resolution #204-2022 Amendment To The Mayor And Council Bylaws

WHEREAS, the Mayor and Council has adopted By-laws to establish policies and procedures pertaining to the deliberations of the Governing Body; and

WHEREAS, Article VI, Section 2, establishes Standing Committees of the Council; and

WHEREAS, Paragraph (c) provides that there shall be a committee designated as "Public Safety-Fire and

Ambulance” and

WHEREAS, the Governing Body wishes to separate fire and ambulance into separate committees.

NOW THEREFORE BE IT RESOLVED that Section 2, Paragraph (c) is hereby amended to read as follows:

(c)(1) Public Safety-Fire

(c)(2) Public Safety-Ambulance

BE IT FURTHER RESOLVED that the Governing Body does hereby amend the By-laws so as to modify the Committees pertaining to fire and ambulance so as to be separated as hereinabove set forth.

Resolution #205-2022 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 2023.

Resolution #206-2022 City Wide Towing License

WHEREAS, City Wide 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 City Wide Towing, Inc. to tow within the Borough of Midland Park for the year 2023.

Resolution #207-2022 Authorize The Extension Of Award Of Bid For Snowplow Services

WHEREAS, the Borough of Midland Park has a need for snow plowing and removal services for the public health, safety and welfare; and

WHEREAS snow plowing and removal services were awarded through resolution #177-19 on to Peter Englishman and Sons; and

WHEREAS it is the desire of the Borough of Midland Park to extend the contract as authorized by the New Jersey Local Publics Contract Law at N.J.S.A. 40A:11-15 for an additional two (2) years; and

WHEREAS, the Chief Financial Officer, certifies subject to the Governing Bodies approval of future budgets that the amounts are available from:

2023 Budget - DPW Snowplow Storm Expenses - 3-01--020-201

2024 Budget - DPW Snowplow Storm Expenses - 4-01--020-201

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Midland Park authorizes the Business Administrator to enter into a contract with Peter Englishman and Sons for an extension period of two (2) years for the 2023 and 2024 years.

Resolution #208-2022 Inter Local Agreement with NBCUA – Sanitary Sewer Cleaning

WHEREAS, N.J.S.A 40A:65-1, the Uniform Shared Services and Consolidation Act governs shared services between parties; and

WHEREAS, the Borough of Midland Park and the Northwest Bergen County Utility Authority has agreed to enter into a Share Service Agreement for Sanitary Sewer Cleaning for the Calendar years of 2023 and 2024; and

WHEREAS, it is the desire of the Council of the Borough of Midland Park to authorize the execution of said

Interlocal Service Agreement with the Northwest Bergen Utility Authority.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute an Interlocal Agreement whereby the Northwest Bergen Utility Authority will provide the services of Sanitary Sewer Cleaning.

Resolution #209-2022 Inter Local Agreement with NBCUA Tv Inspection of Sanitary Sewer System

WHEREAS, N.J.S.A 40A:65-1, the Uniform Shared Services and Consolidation Act governs shared services between parties; and

WHEREAS, the Borough of Midland Park and the Northwest Bergen County Utility Authority has agreed to enter into a Share Service Agreement for TV Inspection Services of the Sanitary Sewer System or other systems for the Calendar years of 2023 and 2024: and

WHEREAS, it is the desire of the Council of the Borough of Midland Park to authorize the execution of said Interlocal Service Agreement with the Northwest Bergen Utility Authority.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute an Interlocal Agreement whereby the Northwest Bergen Utility Authority will provide TV Inspection Services of the Sanitary Sewer System or other systems.

Resolution #210-2022 Community Development Block Grant Application Road Resurfacing of Bank Street

WHEREAS, a Bergen County Community Development grant of \$148,480.00 has been proposed by the Borough of Midland Park for Resurfacing of Bank Street in the municipality of Midland Park, and

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

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

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Midland Park hereby confirms endorsement of the aforesaid project, and

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

Introduced by: Council President Peet Seconded by: Councilwoman DeLuca

Roll Call:	Councilman DeBlasio	Absent
	Councilman Damiano	Aye
	Councilman Iannone	Absent
	Councilman Kruis	Aye
	Councilwoman DeLuca	Aye
	Council President Peet	Aye

RESOLUTIONS:

1. Resolution #201-2022 Bills List

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

Current Fund	\$ 144,333.61
Unemployment Fund ('21)	\$ 3,179.48
Capital Fund	\$ 374,810.51
Dog Fund	\$ 8.40
Private Duty Fund	\$ 1,200.00
Trust Fund	\$ <u>7,056.48</u>

TOTAL: \$ 530,588.48

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	December 15 th Payroll	\$ 252,340.17
Current	December Health Payments	\$ 87,618.47
Current	December School Taxes	\$1,716,561.08
Current	Procurement Card	\$ 14.00

NOW, THEREFORE, BE IT RESOLVED, by the Council President and Council of the Borough of Midland Park that the claims totaling **\$2,587,122.20** approved and ratified respectively.

Introduced by: Councilman Damiano **Seconded by: Council President Peet**

Roll Call:	Councilman DeBlasio	Absent
	Councilman Damiano	Aye
	Councilman Iannone	Absent
	Councilman Kruis	Aye
	Councilwoman DeLuca	Aye
	Council President Peet	Aye

OLD BUSINESS:

No Old Business at this time.

NEW BUSINESS:

Borough Attorney Robert Regan thanked and commended Councilman Iannone for his service and contribution to the Borough for the past six (6) years.

PUBLIC COMMENT:

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

There being no one from the Public and/or no callers were on the telephone, the Public Hearing was closed.

ADJOURNMENT:

There being no further business to discuss, on a Motion by **Councilman Kruis**, Seconded by **Councilwoman DeLuca** and carried, **Mayor Shortway** adjourned the Open Public meeting at 8:40 P.M.

Respectfully submitted,



Wendy Martin, RMC
Borough Administrator/Clerk