

**BOROUGH OF MIDLAND PARK  
280 GODWIN AVENUE  
MIDLAND PARK NJ 07432  
SEPTEMBER 22, 2022**

**8:00 P.M. OPEN PUBLIC MEETING MINUTES**

On September 22, 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 September 22, 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.

<b>Roll Call:</b>	<b>Mayor Shortway</b>	<b>Present</b>
	<b>Councilman DeBlasio</b>	<b>Present</b>
	<b>Councilman Damiano</b>	<b>Absent</b>
	<b>Councilman Iannone</b>	<b>Present</b>
	<b>Councilman Kruis</b>	<b>Present</b>
	<b>Councilwoman DeLuca</b>	<b>Present</b>
	<b>Council President Peet</b>	<b>Present</b>

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

**APPROVAL OF MINUTES:**

A Motion to approve the Minutes of Work Session, Closed Session, and Open Public Meeting from the date of July 14, 2022 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: Council President Peet      Seconded by: Councilwoman DeLuca**

<b>Roll Call:</b>	<b>Councilman DeBlasio</b>	<b>Aye</b>
	<b>Councilman Damiano</b>	<b>Absent</b>
	<b>Councilman Iannone</b>	<b>Aye</b>
	<b>Councilman Kruis</b>	<b>Aye</b>
	<b>Councilwoman DeLuca</b>	<b>Aye</b>
	<b>Council President Peet</b>	<b>Aye</b>

**OPEN TO THE PUBLIC:**

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

Ismael Sierra, 723 Franklin Avenue, Franklin Lakes, business owner at AL Tech Machine & Tool Inc., 230 Bank Street, Midland Park – stated his business' garbage pickup has stopped after 20 years. Mr. Sierra believes since he is a taxpayer, refuse pickup was part of his payments. Borough

Administrator/Clerk Wendy Martin explained to Mr. Sierra that only residential garbage pickup is in the contract between the carting company and Midland Park. All businesses in the municipality hire their own trash services.

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** thanked the Borough's Administration Department for assisting in the North West Mayors' Breakfast which was hosted in Midland Park on September 10, 2022. Eight mayors from neighboring municipalities attended the event in Council Chambers. A meeting on September 12, 2022 was held with a business owner who requested the Borough's input on the future occupants of their store fronts.

**Councilman DeBlasio**

**Recreation/Information Technology/Municipal Alliance**

**Councilman DeBlasio** reported the **Municipal Alliance** held their meeting on September 14, 2022. The **Councilman** was not able to attend but will appear in the next meetings. **Recreation** Director Kathy LaMonte sent the following updates in her monthly report: the annual town wide garage sale was a huge success and the upcoming events, Community Day and Veteran's Day, are in their final planning stages. Ms. LaMonte has devised methods for implementing safe and secure procedures for the background checks and certification of all coaches. The SDL program is operational according to Phil Scaglione, Director of **Information Technology**. When support is needed, the company responds in a positive and timely manner. There was a glitch in the Council and Court's recording system. They were resolved earlier today.

**Councilman Damiano**

**Finance/Public Works/Chamber of Commerce/Economic Development**

**Councilman Damiano** was absent, and no reports were given at this time.

**Councilman Iannone**

**Public Safety – Police/Property Maintenance/Personnel**

**Councilman Iannone** conveyed for **Personnel** and **Property Maintenance** there was progress. The updated Public Safety and **Police Department** reports states 143 calls categorized as public service. This includes several call types such as community service, assisting citizens and other similar assignments and requests. There were 84 traffic enforcement details including a radar post, motor vehicle stops, 10 suspicious persons investigated, and 1 missing person considered. The Police Department also assisted neighboring municipalities seven times.

**Councilman Kruis**

**Planning Board/Building Dept/Fire Prevention/OEM**

**Councilman Kruis** reported the **Planning Board's** meeting was on Monday, September 19, 2022. The **Building Department** states progress has been made with the new software. **Fire Prevention and OEM** Official Michael Rau participated in the update of lead paint laws webinar earlier this month. Mr. Rau is also resubmitting a collection of outstanding life hazards fees and reimbursements to the State of New Jersey. A Zoom meeting was held on the topic of submittals of amendments and process replacement of ID cards. The reimbursement amounts for CARES and FEMA have not changed since the last meeting. The **Councilman** will give an update at the next meeting.

**Councilwoman DeLuca**

**Public Safety – Fire/Ambulance/Library**

**Councilwoman DeLuca** stated the **Ambulance Corps** meeting was conducted on September 12, 2022 and the **Councilwoman** informed the Council of Captain John Lazzari's report at the last meeting. The **Fire Department's** meeting was held on September 14, 2022. Fire Chief Matthew Tauber's report stated he stated received 16 calls and 2 of them were for mutual aid, Oakland and Mahwah. On October 12, 2022, the Fire Department will host their annual fire prevention open-house, and all are invited to attend. The **Library Board's** meeting occurred on September 19, 2022. Library Director Catherine Dileo indicated the August 2022 statistics show an increase of 9% in circulation. Foot traffic has risen mostly in the Children's Section. On Community Day, the Library will have craft table suitable for children and a sign up for library cards. On November 4, 2022, the Library's staff will have a professional development webinar and the Board voted to have a delayed opening at 12:00 P.M. During the summer, 109 scavenger hunt cards were handed out to Midland Park's residents. The success of the event will ensure its recurrence for the following year.

**Council President Peet**

**Board of Health/Board of Education/Ridgewood Water**

**Council President Peet** updated the Governing Body of **Ridgewood Water's** status concerning meetings. Ridgewood Water Director Richard Calibi stated in October 2022, more information will be available regarding funding of the replacement of households lead lines. The **Board of Education** met on September 20, 2022 mostly to discuss the new event of "Open Gym". The school's gym will be open for students to play basketball at night during the week. Further information will follow. The **Board of Health** met on September 12, 2022. The **Council President** stated Governor Murphy has passed a law where no Registrar fees will be collected for marriage licenses and in turn municipalities will not receive monies for this service. At the Borough's recent Rabies Clinic, there were a total of 71 dogs and 21 cats vaccinated and the event was successful. Since January 2022 through the end of August 2022, 802 positive cases of COVID-19 have been reported. The number of cases has increasingly drop but partially due to the ceasing of contract tracing. The Board of Health has tabulated the following demographic statistics: Midland Park high school graduates enrolling in higher education establishments is 94.9% and national is 88%; Midland Park residents acquiring a bachelor's degree in Midland Park is 35.5% and nationally is 32.1%; 3.5% Midland Park residents do not have health insurance coverage and throughout the United States it is 10.2%; the poverty level in Midland Park is 1.101% (70 persons) and nationally 2.8%.

**ADMINISTRATOR'S REPORT:**

Borough Administrator/Clerk Wendy Martin stated, she and **Councilwoman DeLuca** attended the Board of Recreation meeting. The meeting did not have quorum, but the meeting continued as an informational session. During this meeting, the upcoming event, Community Day, was discussed and many outstanding items were finalized. Ms. Martin sent out the notification to the Governing Body concerning the Borough's Open Space Public Funding that has been awarded \$78,612.00 to Midland Park. In a letter from the Township of Frelinghuysen, New Jersey, Mayor Keith Ramos requested surplus fire department equipment from the Borough's Fire Department. **Mayor and Council** agreed that Ms. Martin should forward this letter to Fire Chief Matthew Tauber. The (JIF) Joint Insurance Fund will update the policies concerning the PFAS and PFOS. The deadline of December 16, 2022 has been set for any claims being filed in regard to said chemicals. The Borough is not aware of any pending claims. In reference to property maintenance issue at 80 East Center Street, the Judge has granted 14 additional days to the property owner to comply with the court order. The public was allowed to attend the zoom call. During the County's Municipal Administrators Meeting, Ms. Martin stated the new lead laws are being enforced.

Neighboring towns have assigned this task to their Fire Officials since they have access to the rental information. First, the Borough must produce a residential list of homes built prior to 1978. Ms. Martin and Fire Official Michael Rau will work together to fulfill this obligation.

**ORDINANCE ON FINAL:**

**1. ORDINANCE #20-2022**

**AN ORDINANCE TO AMEND CHAPTER VII, SECTION 1, OF THE CODE OF THE BOROUGH OF MIDLAND PARK ENTITLED "TRAFFIC" (Cyphers Lane and Irving Street)**

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

**Section 1.**

Chapter VII of the Code of the Borough of Midland Park, Traffic, §7-3.4 **Parking Prohibited at All Times on Certain Streets**, be and is hereby amended to read as follows:

**THE FOLLOWING SECTION SHALL BE ELIMINATED FROM THE ORDINANCE:**

Cyphers Lane	Both	East Payne Avenue to Hill Street
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**and; REPLACED WITH THE FOLLOWING:**

Cyphers Lane	Both	From a point 172 feet of the Northeast corner of Hill Street at Cyphers Lane
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**and: THE FOLLOWING WILL BE ADDED TO THE ORDINANCE:**

Irving Street	West	From the Northwest corner of Irving Street to a point 150' North on Irving Street
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**Section 2. Fines and Penalties.**

Any person convicted of a violation of a provision of this Ordinance, or any amendment thereof, shall be liable to a penalty as set forth in §7-14 of the Borough Code.

**Section 3. Severability.**

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

**Section 4. Inconsistent Ordinances Repealed.**

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

**Section 5. Effective Date.**

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

At this time, **Mayor Shortway** opened the meeting to the public for any questions, comments, or concerns regarding Ordinance #20-2022.

There being no response, the **Mayor** closed the meeting to the public regarding Ordinance #20-2022 and called for a Roll Call vote of the **Council**.

**Introduced by: Councilman Kruis**

**Seconded by: Councilwoman DeLuca**

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

**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.

**1. Resolution #162-2022 Void/Reissue AP Check**

**WHEREAS**, our vendor's payment has been lost in transit and still showing unpaid on latest statement;

**WHEREAS**, the CFO issued a stop payment on the following payment issued on July 28, 2022 to:

North Jersey Media Group, 1 Garret Mnt Plaza, West Paterson, NJ 07424

Check #19426 in the amount of \$101.25

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Midland Park that North Jersey Media Group payment of \$101.25 will be reissued and processed on the September 22, 2022 Bills List.

**2. Resolution #163-2022 Authorize Bid Award – 2022 Road Resurfacing Project: West Street and Birch Street to D & L Paving Contractor Inc.**

**WHEREAS**, the Borough of Midland Park has a need for various road resurfacing projects that comprise the 2022 Road Resurfacing Program: and

**WHEREAS**, Responses to the Bid for 2022 Road Resurfacing Program were opened and read aloud on September 14, 2022 at 10:00 A.M.; and

**WHEREAS**, D&L Paving Contractors Inc., 675 Franklin Avenue, Nutley, NJ 07110 submitted the lowest bid in the amount of \$323,220.00, deemed the lowest responsive and responsible bidder for the 2022 Road Resurfacing Program consisting of the following roads; West Street, and Birch Street and;

**WHEREAS**, *the Chief Financial Officer hereby certifies that funds are available NOT TO EXCEED \$323,220.00 as follows:*

*ORD #21-21 2021-2022 CDBG (X-10- -392-101) \$110,990*

*ORD #13-21 VARIOUS ROAD IMPROVEMENTS (X-10- -390-105) \$212,230*

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Midland Park authorizes the Mayor to enter into a contract with D&L Paving Contractors Inc., 675 Franklin Avenue, Nutley, NJ 07110 not to exceed \$323,220.00 for the 2022 Road Resurfacing Program.

**3. Resolution #164-2022 Tax Exempt – Quest Autism Programs Inc. 157 Godwin Avenue Block 20 Lot 3.01**

**WHEREAS**, the Tax Assessor has granted a full tax exemption to Block 20 Lot 3.01, (157 Godwin Ave) in accordance with N.J.S.A. 54:4-3.63 effective January 1, 2023.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Midland Park, the 2023 tax billing in the amount \$6,552.00 should be canceled for:

QUEST AUTISM PROGRAMS INC  
157 GODWIN AVE,

MIDLAND PARK, NJ 07432

<b>Introduced by:</b>	<b>Councilman Iannone</b>	<b>Seconded by:</b>	<b>Council President Peet</b>
<b>Roll Call:</b>	<b>Councilman DeBlasio</b>	<b>Aye</b>	
	<b>Councilman Damiano</b>	<b>Absent</b>	
	<b>Councilman Iannone</b>	<b>Aye</b>	
	<b>Councilman Kruis</b>	<b>Aye</b>	
	<b>Councilwoman DeLuca</b>	<b>Aye</b>	
	<b>Council President Peet</b>	<b>Aye</b>	

**RESOLUTIONS:**

**1. Resolution #161-2022 Bills List**

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

Current Fund	\$ 54,059.12
Capital Fund	\$ 3,237.10
Trust Fund	\$ 684.30
<b>TOTAL:</b>	<b>\$ 57,980.52</b>

**WHEREAS**, such claims have been listed according to Department and account number with corresponding vouchers to be reviewed and approved by the Finance Committee; and

**WHEREAS**, the CFO has determined that the funds have been properly appropriated for such purposes and are available, in the Borough of Midland Park and that the claims specified on the schedule attached hereto, following examination and approval by the Finance Committee, be paid and checks issued accordingly; and

**WHEREAS**, claims have already been paid in the following accounts:

Current	September 15 <sup>th</sup> Payroll	\$ 282,171.85
Current	September School Taxes	\$1,716,561.08
Current	September Health Payments	\$ 87,594.85

**NOW, THEREFORE, BE IT RESOLVED**, by the Council President and Council of the Borough of Midland Park that the claims totaling **\$2,144,308.30** approved and ratified respectively.

<b>Introduced by:</b>	<b>Councilman Iannone</b>	<b>Seconded by:</b>	<b>Council President Peet</b>
<b>Roll Call:</b>	<b>Councilman DeBlasio</b>	<b>Aye</b>	
	<b>Councilman Damiano</b>	<b>Absent</b>	
	<b>Councilman Iannone</b>	<b>Aye</b>	
	<b>Councilman Kruis</b>	<b>Aye</b>	
	<b>Councilwoman DeLuca</b>	<b>Aye</b>	
	<b>Council President Peet</b>	<b>Aye</b>	

**2. Resolution #165-2022 Appoint Substitute Crossing Guard – Edgar W. Weathers**

**WHEREAS**, the need for Substitute Crossing Guards exists in the Borough of Midland Park; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Midland Park, that Edgar W. Weathers, to be appointed as a Substitute Crossing Guard at a rate of \$20.48 per hour, effective September 15, 2022.

**Introduced by:** Councilwoman Deluca      **Seconded by:** Councilman Kruis

**Roll Call:**

<b>Councilman DeBlasio</b>	<b>Aye</b>
<b>Councilman Damiano</b>	<b>Absent</b>
<b>Councilman Iannone</b>	<b>Aye</b>
<b>Councilman Kruis</b>	<b>Aye</b>
<b>Councilwoman DeLuca</b>	<b>Aye</b>
<b>Council President Peet</b>	<b>Aye</b>

**MOTION:**

Council President Peet made a motion to accept and file the adoption of the Borough of Midland Park, 2020-2021 Annual Report for the Zoning Board of Adjustment.

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

**Roll Call:**

<b>Councilman DeBlasio</b>	<b>Aye</b>
<b>Councilman Damiano</b>	<b>Absent</b>
<b>Councilman Iannone</b>	<b>Aye</b>
<b>Councilman Kruis</b>	<b>Aye</b>
<b>Councilwoman DeLuca</b>	<b>Aye</b>
<b>Council President Peet</b>	<b>Aye</b>

**OLD BUSINESS:**

**Councilman DeBlasio** announced Eleven Central will be opening in mid-October 2022.

**Councilwoman DeLuca** proclaimed in the Education Foundation Run, the Councilwoman placed 1<sup>st</sup> in her age category. **Council President Peet** attended the run and showed her support.

**NEW BUSINESS:**

No New Business at this time.

**PUBLIC COMMENT:**

No public was present or on the line.

**ADJOURNMENT:**

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

Respectfully submitted,



Wendy Martin, RMC  
Borough Administrator/Clerk

