

**BOROUGH OF MIDLAND PARK
280 GODWIN AVENUE
MIDLAND PARK NJ 07432
OCTOBER 26, 2023**

8:00 P.M. OPEN PUBLIC MEETING MINUTES

On October 26, 2023 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.

Mayor Shortway called the meeting to order, noting the date as October 26, 2023, 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 Sansone	Present (via GoTo Meeting)
	Councilman Braunius	Present
	Councilman DeBlasio	Present
	Councilman Kruis	Present
	Councilwoman Peet	Present
	Council President DeLuca	Present

ALSO PRESENT: Borough Attorney Robert Regan, Borough Administrator/Clerk Wendy Martin, and Deputy Clerk Mari J. Margiotta

ABSENT: None

OPEN TO THE PUBLIC:

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

Due to the adoption of Daniel's Law, P.L.2021, c.371 the Borough only requires the Public to state their name and if they reside in the Borough of Midland Park for the Record.

There being no one wishing to speak from the Public, the Public Portion was closed.

LIAISON REPORTS:

Mayor Shortway

Mayor Shortway attended the Planning Board meeting on October 16, 2023 where Peter's Fish Market's application to extend the existing store into the connecting building was approved. In attendance were a few residents expressing concern over the smell of the fish market. With the improvements, Peter's Fish Market stated the smells would improve. On October 19, 2023, the **Mayor and Council President DeLuca** hosted the 2nd grade students tour during their class trip. The **Mayor** stated the students asked very intelligent questions during their visit. The Ridgewood Water meeting held at the Firehouse was a well-attended gathering.

Councilman Kruis

Property Maintenance/ Public Works/Planning Board

Councilman Kruis met with **Property Maintenance Official Michael Thimme** and reported many of the pending violations and issues with properties in the Borough have been resolved. Superintendent of Public

Works Matthew Tauber's October 2023 monthly report read as follows: hosted a shred event sponsored by Bergen County Utilities Authority, the Department of Transportation Franklin Avenue Project will commence on October 30, 2023 (curb replacement, ADA ramps, and resurfacing of the road surface from Godwin Avenue to the Village of Ridgewood border), on November 3, 2023 the PSE&G contractor will mill Cedar Street, Evergreen Street, Floral Lane, Hemlock Street, Pine Street, Smithfield Road, Spruce Street, and Walnut Street, on November 16-17, 2023 the Recreation Barn's basketball floors were sanded down, the 2022 Right To Know survey was submitted to the Department of Environmental Protection, Department of Public Works staff member Mark Cohen passed his CDL test, the nets from the tennis courts have been removed for the winter season, asphalt pot hole repairs are continuing, and the leaf collection project has begun. The **Councilman** commended Mr. Tauber on his continued work and complimented the whole department for their tireless efforts.

Councilwoman Peet Public Safety – Police/Board of Health/Bd of Education/Ridgewood Water
Councilwoman Peet announced that the monthly **Police Department** report showed 113 public service details including: welfare checks, traffic details, disorderly persons, criminal investigations, traffic enforcements, traffic hazard investigation, suspicious persons, property checks, other municipal assists, missing persons investigation, and burglary inquiries. On October 17, 2023, the **Councilwoman** attended the **Board of Education's** meeting, a district assessment presentation was communicated by various administrative people, and during this portion, the students' academic performances and State ratings were discussed, the hiring of a security guard, Michael Zimmerman, was announced. From January 2, 2024 to June 30, 2024. This hiring will not replace the current position of School Resource Officer. Under the **Board of Health**, the Commission met on October 25, 2023. The next meeting will be held on November 29, 2023. The Commission continues to grow with their ability to provide municipalities with many services including nursing services. The **Councilwoman**, **Council President DeLuca** and **Councilman Braunius** attended the accreditation of the Board of Health meeting. This was the first of three meetings that will occur for the accreditation of the Commission. The **Ridgewood Water** educational meeting at the Firehouse was well attended and the Borough looks forward to working together during the updates and improvements of the lead lines.

Council President DeLuca Public Safety – Fire/Personnel/Library
Council President DeLuca announced the **Personnel Department** reported progress. The **Fire Department** conducted a meeting on October 25, 2023. Fire Chief Matthew Tauber wanted to thank everyone who attended the Annual Beefsteak Fund Raiser held on October 6, 2023. The Fire Department administered fire prevention demonstrations to the Midland Park Schools on October 11, 2023. The 2024 Elections results are as follows: Chief Matthew Tauber, Lt. Steven Rau, and Lt. Griffin Kutcha, all for two-year terms. A new member has been accepted, Matthew Genoa, and the **Council President** will make a Motion under New Business for the Governing Body to approve. The Library Board's meeting was conducted on October 24, 2023. **Library** Director Catherine Dileo's report stated that for the month of September 2023, statistics show a 2% increase in circulation and foot traffic in the building has increased 38% from the previous year. The evening with Bill Ervolino was a successful evening with 86 people in attendance. The Movers and Shakers event had a photographer from The Record and photos will be published in Wednesday's paper. Ms. Dileo is applying for a grant for a "book bike" that will benefit older adults with mobility issues in the community and Miss Emily may use the bike for outside story times. The BCCLS committee hosted "Leveraging Generative AI in the Public Sector" for the library consortium. The Children's Department has partnered with the Midland Park Schools. The 4th grade students have applied for their library cards along with the 2nd graders class trip to tour the Library. Please visit their website for more information.

Councilman Braunius stated **Office of Emergency Management** Official Michael Rau attended meetings with the County of Bergen this past month. Mr. Rau received a FEMA check associated with Storm Ida to apply to the Culvert Repair Project. There has been progress reported for the **Chamber of Commerce**. A recap meeting for Community Day was conducted with **Recreation** Director Kathy LaMonte, Borough Administrator/Clerk Wendy Martin, Superintendent of Department of Public Works Matthew Tauber, Chief Michael Powderley, Library Director Catherine Dileo, and Fire Prevention Official Michael Rau. Some of the topics were: time change, bouncy house placement, vendor arrival time, a welcome table, golf cart, and to provide the animals a tent due to the heat. Next year's Community Day is scheduled for October 6, 2023.

Councilman DeBlasio **Information Technology/Building Department/Municipal Alliance**
Councilman DeBlasio reported the **Building Department** is extremely busy and the **Councilman** will have their October 2023 statistics at the next meeting. On November 8, 2023, the **Municipal Alliance** will conduct its monthly meeting. Phillip Scaglione of **Information Technology** is working on and finishing several projects such as: the Department of Public Works control cards are working, the Fire Department had a component failure that has been replaced, a new router was ordered for the Police Department since the cameras in the Police vehicles were not automatically uploading and needed to be done manually, the date is pending for the College Road-Ridgewood Water Shed Wiring project, however, the Director of Ridgewood Water approved the wiring plan within their shed. Mr. Scaglione received an estimate for the Recreation grounds camera project from RCM Communications for \$8,800.00 that included the Recreation Center, Pavilion, and the Refreshment Stand, plus the cost of camera licenses (approximately a total of \$10,000.00 to \$12,000.00), which the **Councilman** did not have a chance to forward but will ask that Mr. Scaglione or Ms. Martin to send out to the Governing Body to review the details of the proposal.

Councilman Sansone **Finance/Public Safety – Ambulance/Fire Prevention**
Councilman Sansone stated there has been progress for Borough's **Finance Department**. The **Councilman** is waiting for the new Officers listing from the **Ambulance Corps**. **Fire Prevention** Official Michael Rau gave a report to the **Councilman** stating on October 11, 2023, Mr. Rau attended an educational session for fire prevention. Furthermore, on October 17, 2023, Mr. Rau participated with the Midland Park 2nd Grade students field trip to Borough Hall.

ADMINISTRATOR'S REPORT:

Borough Administrator/Clerk Wendy Martin reported Toys For Tots has notified the Borough, on December 9, 2023 at the Hotdog Caboose, they will be collecting toys during the day. Jessica Harmon, Board Secretary for Zoning and Planning, sent the Mayor and Council a required by State memo regarding the granted variances from the Zoning Board of Adjustments. Ms. Martin asked the Governing Body if there was interest in the Mayor's Wellness Campaign that is promoted by the County of Bergen. Kathy LaMonte, the Director of Recreation is advertising the County run tree decorating contest. The Midland Park Police Department is organizing a program named the Blue Envelope Program. This program is designed for drivers that have autism and aids them with all pertinent information and documents inside a blue envelope if they are pulled over or need assistance. The Ridgewood Water open house attendance was as follows: 41 sign ins at the Social Hall with 28 Midland Park residents and the Ridgewood Library had 43 people attended.

ORDINANCE ON FINAL:

1. ORDINANCE #22-2023 - TABLED

AN ORDINANCE CLARIFYING RETIREE HEALTH BENEFITS FOR EMPLOYEES HIRED PRIOR TO JANUARY 1, 2024 AND ELIMINATING RETIREE HEALTH BENEFITS AND MEDICARE PREMIUM REIMBURSEMENT FOR EMPLOYEES HIRED FROM AND AFTER JANUARY 1, 2024

Introduced by: Council President DeLuca
Roll Call: Councilman Sansone
Councilman Braunius
Councilman DeBlasio
Councilman Kruis
Councilwoman Peet
Council President DeLuca

Seconded by: Councilman DeBlasio
Aye (via GoTo Meeting)
Aye
Aye
Aye
Aye
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.

Resolution #176-2023 Disabled Veteran Exemption Frederick Lodema

WHEREAS, N.J.S.A. 54:4-3.30A allows for exemption from taxation from property for any citizens and resident of the State who has a disability as defined by this statute; and

WHEREAS, the property located at 71 Zimmer Avenue known as Block 10.30, Lot 28 as set forth on the official tax map of the Borough of Midland Park; and

WHEREAS, Frederick Lodema, the owner of said property, has filed the claim for property tax exemption; and

WHEREAS, the Tax Assessor has granted full Veteran's exemption status, effective October 16, 2023, to the property owner of 71 Zimmer Ave (Block 10.30, Lot 28), Frederick Lodema.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Midland Park here by approves that the Tax Collector be authorized to cancel the remaining balance of taxes on said property as of October 16, 2023

4th quarter of 2023 in the amount of \$2,691.45

1st quarter of 2024 in the amount of \$2,580.00

2nd quarter of 2024 in the amount of \$2,580.00

Resolution #180-2023 2013 Ford Explorer Model K8A Purchased by NorthWest Bergen Regional Health Commission

WHEREAS, N.J.S.A. 40A:12-13(b)(1) and N.J.S.A. 40A:12-13.1 permit a municipality to sell personal property by private sale to a political subdivision of the State of New Jersey; and

WHEREAS, the Borough of Midland Park ("the Borough") is the owner of a 2013 Ford Explorer, Model K8A, Identification No. 1FM5K8AR2DGB15882 ("the Vehicle"); and

WHEREAS, the Borough and the Northwest Bergen Regional Health Commission have determined to enter into an agreement whereby the Borough will sell the Vehicle to the Northwest Bergen Regional Health Commission for the sum of \$3,000.00, in "as in condition", with no warranties neither expressed nor implied, as to the condition of the Vehicle.

NOW THEREFORE BE IT RESOLVED that the Mayor and Borough Clerk/Administrator be and are hereby authorized to execute any documents to effectuate the sale and transfer of title of the vehicle.

Resolution #182-2023 Cost Change #1 – 2022 Project of Midland Avenue Culvert Replacement and Witte Drive Culvert Rehabilitation

WHEREAS, the Borough previously entered into a contract with Grade Construction, 110 Pennsylvania Avenue, Paterson, NJ 07503, for the 2022 Project of Midland Avenue Culvert Replacement and Witte Drive Culvert Rehabilitation; and

WHEREAS, a cost Change Order has been proposed for the costs of the modifications as listed in the attached document; and

WHEREAS, said Cost Change is less than 3.32% of the contract price as per stated in Resolution #085-2022; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose;

Bid Price	\$ 565,047.47
Change Order #1 Cost Increase	\$ 13,893.24
Change Order #1 Cost Decrease	(\$ 42,028.08)
Supplemental	\$ 9,357.79
Total Project Cost	\$ 546,270.42
Total Cost Change #1	\$ 18,777.05

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Borough Clerk be and are hereby authorized to execute the aforesaid Cost Change #1 for these modifications.

Resolution #183-2023 Awarding a Contract to D.L.S. Contracting Inc. for the 2023 Road Resurfacing Program

WHEREAS, the Borough of Midland Park has advertised for bids in a fair and open manner consistent with N.J.S.A. 19:44A-20.5, for 2023 Roads Program, bids were received, opened and reviewed on October 25, 2023; and

WHEREAS the following bids were received, to wit:

CONTRACTOR	BID
D.L.S. Contracting	\$247,168.92
American Asphalt & Trucking, LLC	\$250,244.82
AJM Contractors	\$258,744.92
D & L Paving Contractors, Inc.	\$277,496.38
Crossroads Pavement Maintenance	\$277,747.72
Construct Connect	NO BID

;and

WHEREAS it was determined by the design engineer and qualified purchasing agent that the lowest responsible bidder was D.L.S. Contracting Inc., 36 Montesano Rd., Fairfield, N.J. 07004 with the bid in the amount of \$247,168.92 in accord with N.J.S.A. 40A:11-4A; and

WHEREAS the Chief Financial Officer certifies funding in the amount of \$247,168.92 is available from:

Ord #23-2023 Bank Street Road Resurfacing CDBG	X-10- -400-101	\$141,410.00
Ord #13-21 Various Road Improvement (Rea Ave & Chamberlain Place)	X-10- -390-105	\$105,758.92

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Midland Park, County of Bergen, State of New Jersey, that:

1. A contract for the bid known as 2023 Roads Program, be and is hereby authorized for award to the lowest responsible bidder, D.L.S. Contracting Inc., 36 Montesano Rd., Fairfield, N.J. 07004 with the bid in the amount of \$247,168.92.
2. The Borough Administrator/ Clerk and Mayor are hereby authorized to execute the contract.

Introduced by: Councilwoman Peet

Seconded by: Councilman Braunius

Roll Call:

Councilman Sansone

Aye (via GoTo Meeting)

Councilman Braunius

Aye

Councilman DeBlasio

Aye

Councilman Kruis

Aye

Councilwoman Peet

Aye

Council President DeLuca

Aye

RESOLUTIONS:

1. Resolution #181–2023 Bills List

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

Current Fund	\$ 957,660.37
Open Space Fund	\$ 1,520.00
Capital Fund	\$ 23,789.27
Trust Fund	\$ 3,354.02
TOTAL:	\$ 986,323.66

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	October 13 th Payroll	\$ 265,931.54
Trust	P-Card payment	\$ 14.00

NOW, THEREFORE, BE IT RESOLVED, by the Council President and Council of the Borough of Midland Park that the claims totaling **\$1,252,269.20** approved and ratified respectively.

Introduced by: Councilman Sansone

Seconded by: Councilman Braunius

Roll Call:	Councilman Sansone	Aye (via GoTo Meeting)
	Councilman Braunius	Aye
	Councilman DeBlasio	Aye
	Councilman Kruis	Aye
	Councilwoman Peet	Aye
	Council President DeLuca	Aye

2. Resolution #177-2023 Appoint DPW Seasonal Laborer – Peter Amalfitano

WHEREAS, there is a need for Seasonal Laborer to be hired for the Department of Public Works; and

WHEREAS, it is the recommendation of the Department Superintendent, Matthew Tauber, that Peter Amalfitano is qualified to fill this temporary position, at the rate of \$17.00 per hour.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park, that Peter Amalfitano be confirmed as Seasonal Laborer effective October 16, 2023.

Introduced by: Councilman Kruis

Seconded by: Councilwoman Peet

Roll Call:	Councilman Sansone	Aye (via GoTo Meeting)
	Councilman Braunius	Aye
	Councilman DeBlasio	Aye
	Councilman Kruis	Aye
	Councilwoman Peet	Aye
	Council President DeLuca	Aye

3. Resolution #178-2023 Appoint DPW Seasonal Laborer – James Holm

WHEREAS, there is a need for Seasonal Laborer to be hired for the Department of Public Works; and

WHEREAS, it is the recommendation of the Department Superintendent, Matthew Tauber, that James Holm is qualified to fill this temporary position, at the rate of \$17.00 per hour.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park, that James Holm be confirmed as Seasonal Laborer effective October 16, 2023.

Introduced by: Councilman DeBlasio

Seconded by: Council President DeLuca

Roll Call:	Councilman Sansone	Aye (via GoTo Meeting)
-------------------	---------------------------	-------------------------------

Councilman Braunius	Aye
Councilman DeBlasio	Aye
Councilman Kruis	Aye
Councilwoman Peet	Aye
Council President DeLuca	Aye

4. Resolution #179-2023 Appoint DPW Seasonal Laborer – Timothy Murray Jr.

WHEREAS, there is a need for Seasonal Laborer to be hired for the Department of Public Works; and
WHEREAS, it is the recommendation of the Department Superintendent, Matthew Tauber, that Timothy Murray Jr. is qualified to fill this temporary position, at the rate of \$17.00 per hour.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park, that Timothy Murray Jr. be confirmed as Seasonal Laborer effective October 16, 2023.

Introduced by: Councilman Braunius **Seconded by: Councilwoman Peet**

Roll Call:	Councilman Sansone	Aye (via GoTo Meeting)
	Councilman Braunius	Aye
	Councilman DeBlasio	Aye
	Councilman Kruis	Aye
	Councilwoman Peet	Aye
	Council President DeLuca	Aye

ORDINANCES ON INTRODUCTION:

1. ORDINANCE #23-2023

AN ORDINANCE CLARIFYING RETIREE HEALTH BENEFITS FOR EMPLOYEES HIRED PRIOR TO JANUARY 1, 2024 AND ELIMINATING RETIREE HEALTH BENEFITS AND MEDICARE PREMIUM REIMBURSEMENT FOR EMPLOYEES HIRED FROM AND AFTER JANUARY 1, 2024

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 received 2023 Bergen County Community Development Block Grant Funding for the Bank Street Road Improvement Project.

Section 2.

The sum of \$141,410.00 is appropriated to the payment of the cost of such improvements authorized and described in Section 1 hereof.

Section 3.

Said improvements are lawful capital improvements of the Borough having a period of usefulness of at least five (5) years. Said improvements shall be made as a general improvement, and no part of the cost has been nor shall be assessed against property specially benefited.

Section 4.

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 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 5.

This ordinance hereby incorporates the provisions of N.J.S.A. 40A:2-20.

Section 6.

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

Introduced by: Councilman Kruis	Seconded by: Council President DeLuca
Roll Call: Councilman Sansone	Aye (via GoTo Meeting)

Councilman Braunius	Aye
Councilman DeBlasio	Aye
Councilman Kruis	Aye
Councilwoman Peet	Aye
Council President DeLuca	Aye

Final Adoption and Open Public Hearing on Ordinance #23-2023 will be held on November 9, 2023.

OLD BUSINESS:

Council President DeLuca reminded the **Governing Body** that the Boy Scouts will attend the **Mayor** and **Council Meeting** on November 9, 2023. Pastor Popjes has invited the **Governing Body** to her church's their Thanksgiving celebration on November 19, 2023. On November 11, 2023, the Veterans will have a ceremony honoring the Borough's heroes. Borough Administrator/Clerk Wendy Martin researched the surrounding municipalities and they all had Historic Preservation Commissions not committees. Ms. Martin would like to update and adopt an ordinance to reflect this before posting for the Commission. Borough Attorney Robert Regan will revise the Borough's Ordinance to state a Commission not a committee. The **Mayor** and **Council** agreed.

NEW BUSINESS:

Council President DeLuca announced the Fire Department would like to approve Matthew Genao as a new volunteer member to the Midland Park Fire Department.

Motioned by **Council President DeLuca** and seconded by **Councilwoman Peet**.

Roll Call:	Councilman Sansone	Aye (via GoTo Meeting)
	Councilman Braunius	Aye
	Councilman DeBlasio	Aye
	Councilman Kruis	Aye
	Councilwoman Peet	Aye
	Council President DeLuca	Aye

PUBLIC COMMENT:

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

Due to the adoption of Daniel's Law, P.L.2021, c.371, the Borough only requires the Public to state their name and if they reside in the Borough of Midland Park for the Record.

There being no one from the Public wishing to speak, the Public Session was closed.

ATTORNEY REGAN READ THE RESOLUTION

Resolution #175-2023 Closed Session 10-26-2023

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 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;

☒ 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 School Resource Officer the nature of the contract and interested party is Board of Education in 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);

☒ 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 Personnel).

_____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: Councilman Braunius

Roll Call: Councilman Sansone

Councilman Braunius

Councilman DeBlasio

Councilman Kruis

Councilwoman Peet

Council President DeLuca

Seconded by: Council President DeLuca

Aye (via GoTo Meeting)

Aye

Aye

Aye

Aye

Aye

At this time, the public was notified that the Mayor and Council will be going into Closed Session. No further action will take place during or after the Closed Session.

ADJOURNMENT:

There being no further business to discuss, on a Motion by **Council President DeLuca**, Seconded by **Councilwoman Peet** and carried, **Mayor Shortway** adjourned the Open Public meeting at 8:44 P.M.

Respectfully submitted,



Wendy Martin, RMC
Borough Administrator/Clerk