

**BOROUGH OF MIDLAND PARK
280 GODWIN AVENUE
MIDLAND PARK, NJ 07432
NOVEMBER 9, 2023**

7:00 P.M. WORK SESSION MINUTES

On November 9, 2023 at 7:00 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.

Mayor Shortway called the Meeting to Order at 7:00 P.M.

Mayor Shortway read the Sunshine Law Statement: The meeting was held in accordance with the Sunshine Law, notice has 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.

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| Roll Call: | Mayor Shortway | Present |
| | Councilman Sansone | Present |
| | 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

Borough Administrator/Clerk Wendy Martin took a roll call of the Public.

Roll Call of the Public: Director of Ridgewood Water Richard Calbi; Village of Ridgewood Manager Keith Kazmark; Legal Counsel of Sher Edling LLP, Stephanie Biehl; Village of Ridgewood Attorney Matthew Rogers; and Steven Engle resident of Midland Park.

DISCUSSION ITEM:

1. Best Practices Inventory

Borough Administrator/Clerk Wendy Martin advised the Governing Body, she reviewed the Best Practices and it was submitted to the State by the Certified Finance Officer Laurie O'Hanlon. Midland Park has qualified and will receive full State aid.

OPEN TO THE PUBLIC:

Members of the Public were asked to speak individually.

Due to the adoption of Daniel's Law, P.L.2021, c371, the Borough only requires the Public to state their name and if they reside in Midland Park for the Record.

Steven Engle, a resident of Midland Park, had questions about the leaf pickup schedule. Mr. Engle stated he does not want to revert back to bagging his leaves, however his concern is in front of Midland Park schools. Mr. Engle feels that there are piles in areas where people park when picking up children. **Council President DeLuca** and Administrator/Clerk Wendy Martin did advise that the Borough's Department of Public Works monitors the streets and services areas that have excessive leaf piles even if they are not on

the designated schedule. The public must also be mindful of placing leaves on streets too early to avoid any hazards.

Since no one else from the Public wished to speak, the Public Portion was closed.

ATTORNEY REGAN READ THE RESOLUTION

Resolution #175-2023 Closed Session 11-9-2023

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): Police Department.

_____ 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 Ridgewood Water and Solid Water & Recycling Contract – Advisement the nature of the contract and interested party is Ridgewood Water Representatives 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, Appointments, and Mayor & Council By Laws .

_____ 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.

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

At this time, the public was notified that the Mayor and Council will be going into Closed Session. They were invited to attend the 8:00 P.M. Open Public Meeting in person.

There being no further business to discuss on a Motion made by **Councilman Braunius**, Seconded by **Council President DeLuca**, and carried, **Mayor Shortway** adjourned the Work Session meeting and Council convened into the Closed Session at 7:06 P.M.

Respectfully submitted,



**Wendy Martin, RMC
Borough Administrator/Clerk**