

**BOROUGH OF MIDLAND PARK
MIDLAND PARK – SOCIAL HALL
45 WITTE DRIVE
MIDLAND PARK NJ 07432
FEBRUARY 10, 2022**

8:00 P.M. OPEN PUBLIC MEETING MINUTES

On February 10, 2022 at 8:01 P.M., the Mayor and Council of the Borough of Midland Park conducted a meeting at the Midland Park Social Hall located at 45 Witte Drive 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 February 10, 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 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, Borough Administrator/Borough Clerk Wendy Martin

APPROVAL OF MINUTES:

A Motion to approve the Minutes of Work Session, Closed Session, Open Public Meeting, and After Closed Session from the date of December 9, 2021 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: Councilwoman DeLuca Seconded by: Council President Peet

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

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.

No one from the Public came forward.

PRESENTATION:

Life Saving Awards – Police Department

Chief Michael Powderley presented the Life Saving Awards to the Police Department Officers who have performed above and beyond in the year 2021.

Lieutenant Gregory V. Kashbarian

Sergeant Noah Van Vliet

Sergeant Steven T. Vander Pyl

Sergeant Kenneth J. Junta

Officer Joseph Gaeta

Officer Kevin J. Van Dyk

Officer Mark Berninger Jr.

Officer Michael DiVite

Officer Jeremy Kieferle

Officer James Schreck

Officer Kreshnik Mahmudi

Officer Dylan Marshall

Officer Michael Powderley Jr.

Wyckoff Police:

Officer Terrence Murphy

Officer Kevin Oldewurtl

Officer Robert Schlossberg

LIAISON REPORTS:

Mayor Shortway stated on Tuesday, February 8, 2022, the Mayor attended the Bergen County Mayor Association meeting. At this meeting, a presentation was presented by the Department of Environmental Protection, and they reported that the ocean levels are rising.

Councilman DeBlasio

Recreation/Information Technology/Municipal Alliance

On Tuesday, Kathy LaMonte, Recreation Director was approached by Arts Amble who would like to sponsor a three arts event in Midland Park. Softball and Baseball registrations are open. There is an extremely high shortage of bus drivers which may impact athletes after school activities. Indication Day is scheduled for Saturday, May 21, 2022 for the Boy and Girl Scouts. There information will follow. There were no **Board of Recreation** meetings for the month of January. For **Information Technology**, **Councilman DeBlasio** met with Phil Scaglione. Mr. Scaglione stated he would like to attend a Mayor and Council meeting where a presentation can be conducted of the upcoming improvements can be discussed. **Municipal Alliance** reports the next meeting will be in March.

Councilman Damiano

Finance/Public Works/Chamber of Commerce

Finance reports progress. **Councilman Damiano** was informed that all paperwork was submitted to FEMA by Matthew Tauber and Michael Rau. Superintendent Matthew Tauber also stated the **Department of Public Works** equipment is ready for any winter weather that is predicted for the future. County and Borough improvements and projects will begin as soon as there are warmer temperatures. The **Councilman** will attend the next **Chamber of Commerce** meeting. The Economic Development committee is requesting a budget.

Councilman Iannone

Public Safety – Police/Property Maintenance/Personnel

Property Maintenance and Personnel there is progress. The **Police Department** had 606 calls for service which categorized as public service and community assistance. There were 37 motor vehicle summonses given in the month of January: 22 Parking Violations were given and 15 Moving violations. Training session were completed by the Midland Park officers and these included: bias police training, and SWAT training. On February 2, 2022, the funeral for the slain NYC officer, Wilbert Mora, was attended by Officer Michael Powderley, Jr., who represented the Borough of Midland Park. Many tree issues have been resolved by **Property Maintenance**.

Councilman Kruis

Planning Board/Building Dept/Fire Prevention/OEM

The **Planning Board** will have their meeting on February 28, 2022. The Councilman had a meeting with Mark Berninger, Construction and Zoning Official, reported for the **Building Department** and there is progress. Michael Rau, **Fire Prevention/OEM** states the inventory for the PPE is at a satisfactory level. The 2022 commercial and residential inspections are underway. Testing kits for COVID-19 have been distributed to the Borough's staff.

Councilwoman DeLuca

Public Safety – Fire/Ambulance/Library

The **Ambulance Corps** meeting was held on Monday, February 7, 2022. The report for January follows: total calls for January 2022 were 58 and 494 miles were driven. Total calls For Rig #588, there were 36 calls with 316 miles and Rig #589 were 17 calls and 178 miles. The ambulances had 5 refusals, 8 cancellations, and 13 out. The Kentshire had a total of 4 calls. On February 9, 2022, the **Fire Department** held their monthly meeting. The **Library Board's** meeting will be held on Tuesday, February 15, 2022. In response to **Councilman Damiano**, the Library cannot measure exact foot traffic due to a large majority of digital requests and its usage takes many forms and facets. Catherine Dileo submitted statistics in her updates and reports for the programs offered by the Library. The Councilwoman stated the benefits of the Borough having a Library and all the positive feedback from its residents.

Council President Peet

Board of Health/ Board of Education/Ridgewood Water

On February 25, 2022, **Council President Peet** attended the **Ridgewood Water** presentation of their budget. The **Council President** recapped the discussion and information that transpired at the **Board of Health's** recent meeting. The **Board of Education** reported most schools will follow the State's and Governor's guidelines. The topic of Special Needs Children was discussed. Within our schools, there are 5 Child Study Teams, 24 Special Needs teachers and 189 classified Special Needs students. The pandemic has brought several issues including reports of students struggling. On March 8, 2022, a Special Election will be conducted to vote on turfing the school's two fields.

ADMINISTRATOR'S REPORT:

Borough Administrator/Clerk Martin submitted the 4th Quarter of 2021 reports to JIF. Ms. Martin continues to advertise the March 8, 2022 Special School Election via eblast, posts on the Borough's website and posting on the Borough's bulletin board. On April 9, 2022, the New Jersey Motor Vehicle Commission will have an "Agency On Wheels" at the Borough's parking lot. Registration is required prior to the event.

ORDINANCE ON FINAL:

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. At this time, **Mayor Shortway** opened the meeting to the public for any questions, comment, or concerns regarding Ordinance #01-2022.

Caller 11: No response.

Caller 12: No response.

There being no response, the **Mayor** closed the meeting to the public and called for a Roll Call Vote of Council.

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

Introduced by: Councilman Damiano Seconded by: Councilwoman DeLuca

Roll Call: **Councilman De Blasio** **Aye**
 Councilman Damiano **Aye**
 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:

Resolution #042-2022 Authorizing Use of State Contract T0790 Firefighter One For Firematic Safety Equipment and Accessories

WHEREAS, as per N.J.S.A. 40A:11-11 and N.J.A.C 5:34-7.29, the Borough of Midland Park may by resolution, and without advertising for bids, or obtaining quotations, purchase any goods or services under the New Jersey Division of Purchase and Property cooperative contract; and

WHEREAS, the State of New Jersey has authorized cooperative contract with Firefighter One, 34 Wilson Drive, Sparta, New Jersey 07871, extended to local units through state contract T0790 Firefighter Protective Clothing and Equipment; and

WHEREAS, Firefighter One has provided for quote of airpaks for firefighting response under state contract for \$169,999.95; and

WHEREAS the proposal encompasses the trade in of 24 firefighter airpaks authorized by the governing body under the authority of N.J.S.A 40A:11-36, in the amount of \$27,000.00 credit; and

WHEREAS the Chief Financial Officer certifies the amount of \$169,999.95 from:

Line item: #X-10- -390-107 Fire Dept equipment

NOW THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Midland Park authorizes the procurement of firefighting equipment through Firefighter One, 34 Wilson Drive, Sparta, New Jersey 07871, through New Jersey Division of Purchase and Property State Contract T0790 for airpaks in the amount of \$169,999.95; and

BE IT FURTHER RESOLVED that the Borough Council of the Borough of Midland Park, authorizes the trade in of 24 airpaks under the authority if N.J.S.A. 40A:11-36 to trade in obsolete airpaks for an amount of \$27,000.00 as part of the quote under T0790.

Resolution #043-2022 Claimant Certification Policy

WHEREAS, N.J.A.C. 5:30-9A.6 and 5:31-4.1 allows greater flexibility for local units in implementing the claimant certification requirement set forth in N.J.S.A. 40A:5-16(a). Claimant or vendor certification is a certification from the party claiming payment that the bill or demand is correct; and

WHEREAS, N.J.A.C. 5:30-9A.6(c) and 5:31-4.1 contain an even more significant change that gives local units discretion to not require claimant certification under certain circumstances; and

WHEREAS, the Certified Finance Officer, is instituting a standard policy through this resolution to not require claimant certification for the following transactions:

- Purchases on-line from vendors the borough has a line of credit with
- Purchases paid for via the vendors' "store credit card"
- Purchases of \$250 or less from a vendor
- Utilities companies and/or all government agencies

Claimant certification cannot be waived for the reimbursement of employee expenses, or for services

provided exclusively and entirely by an individual (e.g., sole proprietors); and
WHEREAS, N.J.A.C. 5:30-9A.6(c)(1) and 5:31-4.1 now expressly permit payments to vendors in advance of delivery of materials or services for the following purposes in addition to those specifically referenced in N.J.S.A. 40A:5-16.1 (advance of employee travel expenses); 40A:5-16.2 (advance payment to non-profit agency under certain circumstances); and 40A:5-16.3 (advancing estimated administrative or direct service costs of a statutorily authorized joint, interlocal, or cooperative activity [e.g. shared services agreement]):

- Payment obligations to the State or to federal governments;
- Membership in a non-profit organization;
- Educational courses, including, but not limited to, those where continuing education credits are awarded;
- Registration for a conference or convention sponsored by a nonprofit organization; and
- Website hosting, including registration and maintenance of a domain name.

BE IT FURTHER RESOLVED that the Borough of Midland Park is adopting a claimant certification policy that was described in Local Finance Notice #2018-13 dated March 29, 2018.

Resolution #045-2022 2021 LOSAP Approved Eligible Members of the Fire Department and Ambulance Corps

WHEREAS, the Mayor and Council of the Borough of Midland Park, Bergen County, New Jersey, has adopted Ordinance #9-00 establishing and implementing Length of Service Awards Program (LOSAP) pursuant to P.L. 1997, c. 388, and

WHEREAS, in accordance with the LOSAP program, a list of eligible members has been presented to the Borough Clerk; and

WHEREAS, a list of 38 eligible members and proposed award has been reviewed and approved by the Borough Clerk; and

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk of the Borough of Midland Park approves the annexed list of 2021 eligible Fire Department and Ambulance Corps members.

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 #041-2022 – Bills List

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

Current Fund ('21)	\$ 29,662.29
Current Fund	\$1,201,751.71
Dog Fund ('21)	\$ 1.20
Dog Fund	\$ 4.20
Capital Fund	\$ 38,616.75
Trust Fund	\$ 7,434.84
TOTAL:	\$1,277,470.99

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 28th Payroll	\$ 205,273.26
Current	Zuidema Port-A-Potty (mnl)	\$ 200.00
Current	NJEIT loan payment (wired 1/18)	\$ 5,347.76

NOW, THEREFORE, BE IT RESOLVED, by the Council President and Council of the Borough of Midland Park that the claims totaling **\$1,488,292.01** approved and ratified respectively.

Introduced by: Councilwoman Damiano **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 #044-2022 Appoint Certified Recycling Professional – Matthew Tauber

WHEREAS, the Borough of Midland Park finds it necessary to fill the position of a Certified Recycling Professional; and

WHEREAS, Matthew Tauber has attended and passed all required courses to qualify to take the examination, to obtain the certification of a Certified Recycling Professional, and successfully passed said exam; and

WHEREAS, it is the recommendation of the Borough Administrator, Wendy Martin, that Matthew Tauber is qualified to fill this position, at the salary of \$4,458.33.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park that Matthew Tauber be confirmed, effective January 1, 2022, as the Certified Recycling Professional.

Introduced by: Councilman Iannone **Seconded by: Councilman Kruis**

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

ORDINANCES ON INTRODUCTION:

1. ORDINANCE #02-2022

AN ORDINANCE TO AMEND CHAPTER 9 OF THE CODE OF THE BOROUGH OF MIDLAND PARK ENTITLED, "RECREATIONAL FACILITIES". - TENNIS

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 9 of the Code of the Borough of Midland Park, Recreational Facilities, §9-2, Tennis Courts, be and is hereby amended to read as follows:

§9-2.1 Classes of Courts Designated.

The Borough hereby establishes two (2) classes of tennis courts known as "A"- College Road, and "B" – Dairy Street The A tennis courts, which were constructed by municipal funds, shall be located at the Dairy

Street Recreation Area (College Road site); and the B tennis courts, which were constructed by municipal, Federal, or State funds, shall be located at the Dairy Street Recreation Area (site B). If additional courts are constructed in the Borough, they shall receive the appropriate designation.

§9-2.2 Card Required; Daily Passes.

RESERVED

§9-2.3 Schedule of Fees.

RESERVED

§9-2.4 Use of Courts by Residents and Nonresidents.

The tennis courts, categorized as A in §9-2.1, are solely for the use of residents of the Borough. A resident of the Borough, when playing, may invite one (1) non-resident guest. The officers of the Police Department of the Borough and other authorized personnel of the Borough may demand at any time proof of such residency as condition precedent to the use of the aforesaid tennis courts by any person or persons. The tennis courts, categorized as B in §9-2.1, may be used by residents and nonresidents. A first-come, first-served basis is a service policy whereby the requests of residents and/or non-residents are attended to in the order that they arrived, without other considerations or preferences. All of the rules and regulations provided herein shall apply to a nonresident as well as a resident.

§9-2.5 Rules for Use of Courts.

1. All persons and guests using the tennis courts in the Borough shall adhere to the rules and regulations set forth hereafter and such additional rules and regulations adopted by the Mayor and Council, which shall govern the use of such facilities. A copy of such rules and regulations shall be posted on a fence at each tennis court location.
2. A first come, first served basis is a service policy whereby the request of resident and/or non-residents, are attended to in the order that they arrived, without other considerations or preferences. All of the rules and regulations provided herein shall apply to a non-resident as well as a resident.
3. Privately paid instructed lessons are prohibited on Borough tennis courts at all times.
4. No person shall use any of the tennis courts unless such person complies in full with the rules and regulations pertaining to the same, as hereinafter set forth.
5. All players must be properly attired, including shirts and tennis shoes or sneakers.
6. Playing time on any court for any player or players is limited to one (1) hour of play, whether playing singles or doubles. However, if, at the termination of such hour, there are no other players waiting to have the court, the players may continue to play past the one-hour time limit and until such time as other players are ready to use the court.
7. At the discretion of the Recreation Board and Department, certain periods on specified courts may be reserved for particular groups or activities based upon rules and regulations developed by the Recreation Board and Department and approved by the Mayor and Council.
8. There may be no litter, undue noise, or use of profanity while on the tennis courts.
9. Courts are for tennis only. Any other use of tennis courts will not be permitted.
10. Defacing or damaging the courts in any way is prohibited.

§9-2.6 Fines and Penalties.

Any person convicted of violating this section shall be subject to such fines or penalties as established in the General Penalty provision of the Borough Code, Section 1-5.

Section 2. 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 3. 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 4. Effective Date.

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

Introduced by: Councilman DeBlasio

Seconded by: Councilman Kruis

Roll Call:

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

2. ORDINANCE 03-2022

“AN ORDINANCE TO AMEND TO CHAPTER XC OF THE CODE OF THE BOROUGH OF MIDLAND PARK ENTITLED, “FEES AND CHARGES”. – SUMMER CAMP

BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Midland Park, in the County of Bergen, State New Jersey that Chapter XC of the Code of the Borough of Midland Park entitled Fees and Charges be amended to read as follows:

Section 1.

§90-2, “FEES FOR CHAPTER II, ADMINISTRATION”, Section 2-33.1 is hereby amended to add and read as follows:

Recreational Programs:

Summer Recreation Camp

First child.....	\$ 90.00 per week
Second child.....	\$ 75.00 per week
Third child.....	\$ 65.00 per week
Maximum per week per family.....	\$225.00
Extended day.....	\$ 50.00 per week

Section 3. Severability.

If any section, sentence, or any other part of this Ordinance is adjudged unconstitutional or **Ordinance #03-2022** 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.

Introduced by: Council President Peet

Seconded by: Councilwoman DeLuca

Roll Call:

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

3. ORDINANCE 04-2022

“AN ORDINANCE TO AUTHORIZE THE EXPENDITURE OF \$234,006.50: \$193,000.00 FROM THE 2022 NJ DOT MUNICIPAL AID PROGRAM GRANT, FOR ROADWAY RESURFACING OF FRANKLIN AVENUE, AS WELL AS APPROPRIATE THE SUM OF \$41,006.50 FROM THE 2020 CAPITAL ROAD RESURFACING BUDGET”

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 2022 NJ DOT Municipal Aid Program Grants for Road Resurfacing of Franklin Avenue Section 1.

Section 2.

The sum of \$193,000.00 is appropriated to the payment of the cost of such improvements authorized and described in Section 1 hereof. Said sum so appropriated shall be met from the 2020 Capital Road Resurfacing Budget in the amount of \$41,006.50.

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.

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Laurie O'Hanlon, Chief Financial Officer of the Borough of Midland Park, do hereby certify that adequate funds have been appropriated in the Capital Improvement Fund Account.

Introduced by: Councilman Kruis

Seconded by: Council President Peet

Roll Call:	Councilman DeBlasio	Aye
	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 reported a request was made by Boy Scouts Troop 157 asking if they can use the Borough's parking lot from 4:30pm to 7:30pm on April 6, 2022 for a pickup location for their Fish 'n Chips sale. Mr. Regan and Councilwoman DeLuca stated they must have their insurance forms and Temporary Health Permit. All Council members were in favor.

PUBLIC COMMENT:

Ray Chapman, 225 Vreeland Avenue – stated the freedom of residents from the Borough and our Country is under assault. Mr. Chapman praised the town's government for representing the people.

James Capalbo, 89 Millington Street – asked the Mayor and Councils' input on the Special Elections. Mr. Capalbo questioned if the cell towers are taxable. Wendy Martin would confirm if cell towers were taxable and answer Mr. Capalbo.

Caller 11 – No response.

Caller 12 – No response.

ADJOURNMENT:

There being no response and no further business to address, at 9:19 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