

**BOROUGH OF MIDLAND PARK  
280 GODWIN AVENUE  
MIDLAND PARK NJ 07432  
APRIL 14, 2022**

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

On April 14, 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 April 14, 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>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, Borough Administrator/Borough Clerk Wendy Martin

**APPROVAL OF MINUTES:**

No minutes for approval at this time.

**RESOLUTION #071-2022 - Budget by Title**

**WHEREAS,** the provisions of N.J.S.A. 40A:4-8 and N.J.S.A. 40A:4-9 have been followed.

**NOW, THEREFORE, BE IT RESOLVED,** that a majority of the full authorized membership of Borough Council of the Borough of Midland Park, affirmatively concurs that the 2022 Municipal Budget on Introduction may be read by title only.

**Introduced by: Councilman DeBlasio**      **Seconded by: Councilman Iannone**

<b>Roll Call:</b>	<b>Councilman DeBlasio</b>	<b>Aye</b>
	<b>Councilman Damiano</b>	<b>Aye</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>

### **INTRODUCTION OF THE 2022 BUDGET**

**Introduced by: Councilman Damiano      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**

### **OPEN TO THE PUBLIC:**

**Mayor Shortway** opened the meeting to the public for general questions, concerns, and comments. Since no one from the Public came forward and/or no callers were on the telephone, the Public Hearing was closed.

### **LIAISON REPORTS:**

**Mayor Shortway** reported on April 11, 2022, the Mayor and Borough Administrator/Clerk Wendy Martin attended a meeting in Hackensack, NJ on the subject of OPRA. The **Mayor** was present at the Board of Education meeting on April 13, 2022 and was joined by **Council President Peet** and **Councilwoman DeLuca**.

#### **Councilwoman DeLuca**

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

**Councilwoman DeLuca** announced the **Ambulance Corps** meeting was held on Monday, April 4, 2022. The **Councilwoman** reported from the Captain's report for the month of March 2022, a total of 69 calls with 540 miles were completed by the Borough's two rigs. The annual Coin Toss will commence on May 14, 2022. Congratulations to the Ambulance Corps for their 80<sup>th</sup> Anniversary in Midland Park. The **Fire Department's** meeting occurred on April 13, 2022. There were 10 calls and 1 assist to Waldwick in the month of March 2022. A wetdown celebrating the new Engine 532 will commence on June 4, 2022. All are invited. The **Library Board's** meeting will be held on Tuesday, April 19, 2022. Please check their website for the listing of activities. The Friends of the Library announced their new slate of officers. The annual Summer Lawn Series will take place on the Borough lawn in the month of July, weather permitting. The **Councilwoman** attended Ramadan service on Wednesday, April 13, 2022. The Mosque generously donated \$1,000.00 to each the Fire Department and the Ambulance Corps.

#### **Council President Peet**

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

**Council President Peet** attended the Ramadan celebration with the **Mayor** and **Councilwoman DeLuca** this past week. The **Council President** also attended the JIF recognition meeting with Borough Administrator Wendy Martin to receive \$750.00 and an award for Midland Park's excellent safety status. Ms. Peet also had the opportunity to meet with the Superintendent, Business Administrator, and the **Board of Education** to discuss the District's usage of the fields in Midland Park. It was decided that the Borough uses the Sunset fields the most. The referendum that was voted down in March 2022 concerning the school's fields will not be ready for a new vote for at least a year. A discussion ensued regarding the Borough purchasing the Upper and Lower Sunset fields. The Board of Education will discuss this idea at their next meeting. The **Ridgewood Water** reports progress. The **Board of Health's** Commission's meeting is scheduled for the next quarter. The Borough will hold the Rabies Clinic in May and Borough Administrator/Clerk Wendy Martin has reconfigured the path for cars since last year.

**Councilman DeBlasio**

**Recreation/Information Technology/Municipal Alliance**

The **Municipal Alliance** had a scheduled meeting on April 6, 2022. The **Councilman** was unable to attend virtually. The Board of **Recreation**'s meeting could not occur due to an inability to form a quorum. Kathy Lamonte told **Councilman DeBlasio** that softball, yoga, and camp registration is going well. Ms. LaMonte also sent a Letter of Intent for the Open Space Grant on April 8, 2022. For **Information Technology**, **Councilman DeBlasio** had a meeting with Phil Scaglione. Even though Mr. Scaglione was on vacation for the past week, he was always available to the Borough staff. The **Councilman** also reported the criminals are attacking search engines. The more usage of different engines Midland Park uses, the more chances there are for attacks.

**Councilman Damiano**

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

**Councilman Damiano** reported progress for **Finance**. Matthew Tauber, Superintendent of **Department of Public Works** informed the **Councilman** of the 2021 Road Resurfing Project streets and areas that are currently being conducted. The spring cleanup on all Borough properties have been completed. The DPW has replaced the water line to the snack bar since it has experienced numerous leaks and other issues. The **Chamber of Commerce** will notice the **Councilman** of their next meeting. The **Economic Development** committee postponed their scheduled meeting.

**Councilman Iannone**

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

**Councilman Iannone** reported the **Police Department** had a total of 212 calls, the majority of them were public service. The total number of motor vehicle summons were 71 for the month of March 2022. The **Councilman** noted **Property Maintenance** had 2 issues at a gas station and another on Spruce Street. Progress was reported for **Personnel**.

**Councilman Kruis**

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

Councilman Kruis reported the **Planning Board** has a scheduled meeting on Monday, April 20, 2022. The **Building Department** reports a volume of building permits and other applications are extremely high. The **Councilman** also met with Michael Rau, **Fire Prevention/OEM** stating he will continue with fire inspections for residential homes and commercial businesses. The Borough received \$5,707.54 reimbursement from FEMA with a total of \$67,010.65 submitted. Also, through the CARES Act, \$158,968.00 was submitted and \$141,532.00 has been received by Midland Park.

**ADMINISTRATOR'S REPORT:**

Borough Administrator/Clerk Martin updated the **Mayor** and **Council** that Zoning Board Secretary Jessica Harmon stated applicant City View Residences, where the Sharp Shop is located, has withdrawn their application. Ms. Martin reminded the Mayor and Council to complete their annual Financial Disclosure Statements. They are available online. Sue Hartman from the Municipal Alliance will be applying for a grant and needs the Borough to fill out the necessary paperwork required by the State. Ms. Martin also stated the progress on the upcoming 5G and the electric charging station ordinances. In the next couple of months, these two ordinances will be introduced.

**ORDINANCE ON FINAL:**

**1. ORDINANCE #10-2022**

**AN ORDINANCE TO AMEND CHAPTER XC OF THE CODE OF THE BOROUGH OF MIDLAND PARK ENTITLED, "FEES AND CHARGES" – SOCIAL HALL MONITOR**

FEE

**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:

Miscellaneous Services. The fees and charges for the temporary use of Borough facilities and for services of Borough employees shall be as follows:

Use of Municipal Social Hall at Firehouse Complex

Monitor Fee..... \$125.00

**Section 3. Severability.**

If any section, sentence, or any other part of this Ordinance is adjudged unconstitutional or **Ordinance #10-2022** 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.

At this time, **Mayor Shortway** opened the meeting to the public for any questions, comments, or concerns regarding Ordinance #10-2022.

There being no response, the **Mayor** closed the meeting to the public regarding Ordinance #10-2022.

**Introduced by: Council President Peet      Seconded by: Councilwoman DeLuca**

**Roll Call:**

<b>Councilman DeBlasio</b>	<b>Aye</b>
<b>Councilman Damiano</b>	<b>Aye</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. ORDINANCE #11-2022**

**“AN ORDINANCE TO AMEND CHAPTER VII OF THE CODE OF THE BOROUGH OF MIDLAND PARK ENTITLED “TRAFFIC” – GREENWOOD AVENUE**

**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, §7-3.5, Parking Prohibited During Certain Hours On Certain Streets, be and is hereby amended to read as follows:

Name of Street	Side	Hours	Location
All Borough Streets	Both	2:00 a.m. to 6:00 a.m.	
Busteed Drive [Ord. No. 12-14]	Both	7:30 a.m. to 9:30 a.m. 2:30 p.m. to 4:30 p.m. when school is in session	From a point 160 feet in an easterly direction from the eastern curb of Maltbie Avenue
Busteed Drive	Both	7:30 a.m. to 9:30 a.m.	From a point 70 feet in a westerly

[Ord. No. 12-14]		2:30 p.m. to 4:30 p.m. when school is in session	direction from the western curb of Maltbie Avenue
East Center Street	South	8:00 a.m. to 4:00 p.m. Mon.-Fri. when school is in session	Entire length
Greenwood Avenue	South	6:00 a.m. to 6:00 p.m.	Birch St. to a point 97 feet south of Newtown Rd.
Maltbie Avenue [Ord. No. 12-14]	Both	7:30 a.m. to 9:30 a.m. 2:30 p.m. to 4:30 p.m. when school is in session	North of Franklin Avenue to Busteed Drive
Orchard Street	East	7:30 a.m. to 5:00 p.m. Mon.-Fri. when school is in session	From a point 50 feet south of, to 50 feet north of, the center of the driveway at 50 Orchard Street

### **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 #11-2022.

There being no response, the **Mayor** closes the meeting to the public regarding Ordinance #11-2022.

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

**Roll Call:**        **Councilman DeBlasio                      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 #070-2022 Emergency Temporary Budget - 2022**

**WHEREAS**, N.J.S.A. 40A:4-20 provides that where contracts, commitments, or payments are to be

made prior to the final adoption of the 2022 budget, an emergency temporary appropriation can be made for the purpose and amount required in the manner and time therein provided; and,

**WHEREAS**, said emergency temporary appropriations in the amount of \$1,594,207.22 are included in the 2022 budget to be introduced.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Midland Park, County of Bergen, State of New Jersey, that the following emergency temporary appropriations are made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his or her records:

<b>Administrative &amp; Executive</b>	Other Expenses	15,000.00
<b>Financial Administration</b>	Salaries and Wages	\$ 4,000.00
<b>Assessment of Taxes</b>	Salaries and Wages	\$ 3,000.00
	Other Expenses	500.00
<b>Collection of Taxes</b>	Salaries and Wages	\$ 3,510.00
	Other Expenses	500.00
<b>Legal Services</b>	Other Expenses	\$ 5,000.00
<b>Public Building and Grounds</b>	Salaries and Wages	\$ 6,425.00
	Other Expenses	5,000.00
<b>Board of Adjustment</b>	Other Expenses	500.00
<b>Planning Board</b>	Other Expenses	750.00
<b>COAH</b>	Other Expenses	600.00
<b>Insurance</b>	Other Expenses	\$ 35,000.00
<b>Other Insurance</b>	Other Expenses	\$ 74,058.00
<b>Fire Department</b>	Other Expenses	\$ 2,500.00
<b>Police Department</b>	Salaries and Wages	\$200,000.00
	Dispatch	34,425.00
<b>Uniform Fire</b>	Salaries and Wages	\$ 5,200.00
<b>Emergency Mgt Svc</b>	Salaries and Wages	\$ 1,645.00
	Other Expenses	1,000.00
<b>Department of Public Works</b>	Salaries and Wages	\$ 3,500.00
<b>Department of Public Works</b>	Snow Storms	\$ 25,000.00
<b>Recycling</b>	Salaries and Wages	\$ 3,050.00
<b>NW Regional Health Commission</b>	Other Expenses	\$ 5,021.00
<b>Recreation</b>	Salaries and Wages	\$ 4,050.00
	Other Expenses	\$ 5,000.00
<b>Property Maint</b>	Salaries and Wages	\$ 300.00
	Other Expenses	500.00
<b>Uniform Construction Code</b>	Salaries and Wages	\$ 13,000.00
	Other Expenses	22,000.00
<b>Statutory Expenditures</b>	Other Expenses	\$ 715,000.00
<b>Mayor and Council</b>	Other Expenses	\$ 750.00
<b>Municipal Clerk</b>	Salaries and Wages	\$ 31,250.00
	Other Expenses	1,000.00
<b>Vehicle Maintenance</b>	Other Expenses	\$ 1,000.00
<b>I.T. Services</b>	Salaries and Wages	\$ 10,000.00
	Other Expenses	\$ 2,500.00
<b>Fire Prevention</b>	Other Expenses	\$ 775.00
<b>Municipal Court</b>	Salaries and Wages	\$ 6,500.00
	Other Expenses	500.00

Memorial Public Library	Salaries and Wages	\$ 15,000.00
	Other Expenses	\$ 26,825.22
Well Child	Other Expenses	\$ 125.00
NW Bergen Utilities Authority	Other Expenses	\$ 286,056.00
Waldwick Pistol Range	Other Expenses	\$ 92.00
Ho-Ho-Kus Interlocal	Salaries	\$ 16,800.00
<b>TOTAL</b>		<b>\$ 1,594,207.22</b>

**Resolution #072-2022 Recycling Enhancement**

**WHEREAS**, The Recycling Enhancement Act, P.L. 2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

**WHEREAS**, a municipality operates a municipal service system for solid waste collection or provides for regular solid waste collection service under a contract awarded pursuant to the “Local Public Contracts Law”, the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality, except that all grant moneys received by the municipality shall be expended only for its recycling program.

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the Borough of Midland Park hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, chapter 311, in 2021 in the amount of \$8,468.07. Documentation supporting this submission is attached and available at the Borough Hall, 280 Godwin Avenue, Midland Park, N. J. 07432, and shall be maintained for no less than five years from this date.

**Resolution #073-2022 Tonnage Grant**

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulations impose on municipalities certain requirements as a condition to applying for tonnage grants, including but not limited to, making, and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a resolution authorizing this municipality to apply for such tonnage grants for the year 2022 will memorialize the commitment of this municipality to recycling and to indicate the assent of The Mayor and Council of the Borough of Midland Park to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW THEREFORE BE IT RESOLVED** by the Council of the Borough of Midland Park that the Borough of Midland Park hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Bergen County Utilities Authority, Recycling Coordinator, to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

**Resolution #074-2022 Purchase of Dairy Street Playground Equipment**

**WHEREAS**, the Borough of Midland Park wishes to replace the Dairy St. playground with new equipment from an authorized vendor using Bid #ESCNJ 20-21/22; Co-Op #65MCESCCPS; and **WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

**WHEREAS**, the DPW Superintendent has recommended the utilization of this bid on the grounds that represents the best price available; and

**WHEREAS**, the actual cost for the purchase of various new playground equipment is **\$157,612.64** from Ben Shaffer Recreation Inc., P.O. Box 844, Lake Hopatcong, NJ 07849;

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this purchase, **NOW THEREFORE, BE IT FURTHER RESOLVED**, by the Council of the Borough of Midland Park that a purchase of various playground equipment is authorized from the above mentioned dealership.

**Resolution #075-2022 Urging Swift Passage of S-330/A3804 Restore Energy Tax Receipts to Municipalities**

**WHEREAS**, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

**WHEREAS**, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties, and other entities, the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

**WHEREAS**, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

**WHEREAS**, the diversion of dedicated energy tax receipts to the State's General Fund further jeopardizes this critical property tax relief funding in future years; and

**WHEREAS**, by reducing Consolidated Municipal Property Tax Relief Act (CMPTRA), which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

**WHEREAS**, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

**WHEREAS**, local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services; and

**WHEREAS**, Senator Singleton and Senate President Scutari have introduced legislation (S-330) that will restore, over a five-year period, Energy Tax Receipts to municipalities;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Midland Park in the County of Bergen urges the Legislature to swiftly pass this legislation and Governor Murphy sign the legislation prior to passage of the FY2023 State budget; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution is forwarded to Senate President Scutari, Assembly Speaker Coughlin, Governor Murphy, and the League of Municipalities.

**Resolution #076-2022 Support of the Ability of Municipalities to Adopt Regulations to Protect Public Health, Safety and Welfare from Threats of Flooding**

**WHEREAS**, in recent years, residents have experienced more frequent and severe storms, which have caused increased flooding and flood damage in the municipality; and

**WHEREAS**, the increase of flooding events and flood damage threatens the public health, safety, and welfare, imposes economic damages to residents, and taxes municipal services that are forced to respond to increased flooding; and

**WHEREAS**, pursuant to N.J.A.C. 7:8-1.5(a), municipalities are permitted to impose additional or more stringent stormwater management requirements than the model ordinance promulgated by the New Jersey Department of Environmental Protection (“NJDEP”); and

**WHEREAS**, each municipality has unique situations that may require additional or more stringent regulations in order to be in full compliance with the controlling state and federal statutes, regulations, and permits, and in order to protect their residents from threats of flooding and flooding related damage; and

**WHEREAS**, the New Jersey Department of Community Affairs (“NJDECA”) is considering proposed regulations amending Residential Site Improvement Standards that would further curtail a municipality’s ability to protect its residents from the threat of flooding and flood related damage; and

**NOW THEREFORE, BE IT RESOLVED** by the governing body of Borough of Midland Park that it supports regulations that provide flexibility to municipalities to adopt additional and/or more stringent stormwater regulations, in order to allow municipalities to protect its residents from threats of flooding and flood damage; and

**BE IT FURTHER RESOLVED**, that the governing body of Borough of Midland Park opposes the continuation of any Residential Site Improvement Standard regulations that would limit a municipality’s ability to establish more protective flood prevention and stormwater management regulations than the model ordinances promulgated by the NJDEP; and

**BE IT FURTHER RESOLVED**, that the governing body of Borough of Midland Park requests the Governor and the state legislature take action to ensure that the Residential Site Improvement Standards do not limit a municipality’s ability to protect its residents from the threat of flooding; and

**BE IT FURTHER RESOLVED**, that the governing body of Borough of Midland Park requests the NJDEP take whatever legal action available to ensure that a municipality’s ability to protect its residents from flooding is not in any way impeded or restricted; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to Senate President Nicholas Scutari, Assembly Speaker Craig Coughlin, Borough of Midland Park’s Senator Kristin M. Corrado, Assemblyman Christopher P. DePhillips, Assemblyman Kevin T. Rooney, Governor Phil Murphy, Lt. Governor Sheila Oliver, New Jersey Department of Environmental Protection Commissioner Shawn LaTourette, and the New Jersey State League of Municipalities.

**Resolution #077-2022 Return of Performance Bond Escrow – 206 Hill Street**

**WHEREAS**, it is the recommendation of the Construction Official and Borough Engineer, as the project has been confirmed completed, to return the performance bond escrow and the Engineering escrow posted by check to the following party:

Joseph Bottigliere	(T-20-300-527)	Engineering Escrow \$300.00
206 Hill Street	(T-20-300-528)	Performance Bond Escrow \$1060.00
(Blk. 15, Lt. 9.01)		

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Midland Park that the Chief Financial Officer issue a check for the funds in the above stated amount, for said property owner at the above address.

Introduced by: Councilwoman DeLuca      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

**RESOLUTIONS:**

**1. Resolution #069-2022 - Bills List**

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

Current Fund ('21)	\$ 1,982.02
Current Fund	\$ 215,491.63
Dog Fund	\$ 123.99
Capital Fund	\$ 61,424.66
Trust Fund	\$ 6,632.39
<b>TOTAL:</b>	<b>\$ 285,654.69</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	PERS Annual payment	\$ 215,772.00
Current	PFRS Annual payment	\$ 700,544.00
Current	April School Taxes	\$1,871,330.75
Current	April Health Payments	\$ 89,580.77
Current	JP Morgan Chase Bank	\$ 19,381.00
	Bond interest payment	

**NOW, THEREFORE, BE IT RESOLVED**, by the Council President and Council of the Borough of Midland Park that the claims totaling **\$3,182,263.21** approved and ratified respectively.

Introduced by: Councilman Damiano      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. Resolution #078-2022 Reappointment of Tax Assessor – Neil Rubenstein**

**WHEREAS**, the Borough of Midland Park finds it necessary to reappoint the Part Time position of Tax Assessor; and

**WHEREAS**, Neil Rubenstein will continue to hold his position in accordance with provisions, N.J.S.A. 54:1-35.1; and

**WHEREAS**, upon the recommendation of the Borough Attorney and Borough Administrator, the following is approved with a 2022 annual salary of \$44,583.26; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Midland Park, that

Neil Rubenstein, 47 Runnymede Road, Berkeley Heights, New Jersey, 07922 be reconfirmed and tenured as Part Time Tax Assessor, effective July 1, 2022.

**Introduced by: Councilman Iannone      Seconded by: Councilwoman DeLuca**

<b>Roll Call:</b>	<b>Councilman DeBlasio</b>	<b>Aye</b>
	<b>Councilman Damiano</b>	<b>Aye</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 Kruis**, Borough Administrator/Clerk Wendy Martin, and Robert Mulder – 108 Glen Avenue led a discussion regarding the sign created by Mr. Mulder. Several locations were conversed. The Mayor and Council decided the most visible area would be inside the Borough's entrance hallway.

**NEW BUSINESS:**

**Councilman DeBlasio** overheard that the Township of Wyckoff was having an issue with people sleeping in the park. The **Councilman** asked if Midland Park had an ordinance addressing this. Borough Administrator/Clerk Wendy Martin will look into the matter.

Ms. Martin stated the Class of 2023 has asked permission for the use of the Borough's parking lot for their clothing drive fundraiser on May 7, 2022. **Mayor** and **Council** gave their permission.

**PUBLIC COMMENT:**

No one was present or no callers on the telephone.

**ADJOURNMENT:**

There being no response and no further business to address, at 8:55 P.M., on a Motion by **Councilman Kruis**, Seconded by **Councilman Damiano** and carried, **Mayor Shortway** adjourned the meeting.

Respectfully submitted by,

Wendy Martin, RMC  
Borough Administrator/Clerk