

**BOROUGH OF MIDLAND PARK  
280 GODWIN AVENUE  
MIDLAND PARK NJ 07432  
JUNE 23, 2022**

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

On June 23, 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 June 23, 2022, and that there will be a 3-minute limit to each individual addressing the Governing Body during the Open Public portions of the meeting.

**SUNSHINE LAW STATEMENT:** This meeting was held in accordance with the Sunshine Law, notice having been published according to law with a copy on file in the Borough Clerk's Office and a copy posted on the bulletin board in the Municipal Building.

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

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

**PROCLAMATION:**

Peter A. Jeffer – Acknowledgement for Years of Service

Mayor Shortway presented, and Councilwoman DeLuca read the proclamation.

**APPROVAL OF MINUTES:**

A Motion to approve the Minutes of Work Session, Closed Session, and Open Public Meeting from the date of April 28, 2022 as all **Governing Body** members have previously received copies of the Minutes and copies are available to the Public at the Borough Clerk's Office.

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

<b>Roll Call:</b>	<b>Councilman DeBlasio</b>	<b>Aye</b>
	<b>Councilman Damiano</b>	<b>Absent</b>
	<b>Councilman Iannone</b>	<b>Absent</b>
	<b>Councilman Kruis</b>	<b>Aye but Abstain to Open Public Meeting Minutes</b>
	<b>Councilwoman DeLuca</b>	<b>Aye</b>
	<b>Council President Peet</b>	<b>Aye</b>

**OPEN TO THE PUBLIC:**

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

**Caller 01: No comment.**

**Raymond Chapman, 225 Vreeland Avenue** – Mr. Chapman congratulated and thanked Peter A. Jeffer for his years of service to the Borough of Midland Park.

There being no one else from the Public and/or no callers were on the telephone, the Public Hearing was closed.

**LIAISON REPORTS:**

**Mayor Shortway** stated the previous Mayors' Meeting was cancelled. The **Mayor** called Fair Lawn's Mayor Kurt Peluso and spoke with his assistant. **Mayor Shortway** declared that the Borough of Midland Park is always there to help its neighboring towns but expressed his concerns about the volume of calls being directed to the Borough's Ambulance Corp. The Board of Education's meeting on June 14, 2022 was cancelled. Assemblyman Auth extended an invitation to the Mayor and Council to attend an informal gathering to get acquainted with one another. The Mayor would arrange some dates with the Assemblyman.

**Councilman Kruis**

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

**Councilman Kruis** stated the **Planning Board** met on June 20, 2022. They discussed the proposed Ordinance 14-2022 "An Ordinance to Amend Chapter 34 of the Code of the Borough of Midland Park Entitled, "Zoning" – Soil Movement and Ordinance 17-2022 "An Ordinance Amending Chapter 34 Zoning, Section 16, Off-Street Parking and Loading to Add 34-16.7 Installation of Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready Parking Spaces". The Board decided the verbiage was not in the correct order and needed to be changing. These Ordinances will need to be revised. The **Building Department** continues to have high volumes of inspections and applications. The position of Plumbing Inspector and Subcode Official is vacant due to a retirement. Building Official Mark Berninger recommends hiring Brian Drewes for the two positions. **Fire Prevention** Official Michael Rau is revising the PPE inventory amounts since many of the supplies and equipment are expiring. For **OEM**, progress has been reported.

**Councilwoman DeLuca**

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

The **Ambulance Corps** conducted a drill at their last meeting which was also a barbeque. There will be no formal meetings in July and August 2022. The **Fire Department** answered 18 calls for the month of May. Wyckoff (2) and Oakland (1) requested mutual aid. The **Library Board** conducted their meeting on June 21, 2022. Data collected shows a 21% increase in circulation and foot traffic in the building has risen by 59% since 2021. A grant was awarded to the Library and must be spent by August 31, 2022. The purchase of students' digital books that are required for summer reading will be purchased with these monies. The private study room at the Library, has been popular with tutors and students alike since its opening. Activities such as yoga, the scavenger hunt, reading bingo boards, and several others are all available at the Library. Please see their website for more information.

**Council President Peet**

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

**Council President Peet** stated on the June 15, 2022, the **Mayor** and **Ms. Peet** attended the Northwest Regional Community Development teleconference. Also, the Mayor, Ms. Peet and Superintendent of Department of Public Works Matthew Tauber joined the **Ridgewood Water** Roundtable. At this

meeting, the Stage 2 Water Restriction was discussed. The residents of Midland Park must adhere to the rules during the draught and conserve water. Another topic that was discussed was the lead and galvanized water pipes replacement project. The **Board of Education's** next meeting is on June 28, 2022 and progress has been reported. The **Board of Health** commission meeting will commence on June 27, 2022. The position for Health Officer, to replace Gina Behre, as she retires, continues.

**Councilman DeBlasio**

**Recreation/Information Technology/Municipal Alliance**

**Councilman DeBlasio** stated the **Municipal Alliance** did not meet and are not scheduled to meet until the fall. Councilman DeBlasio met with Phil Scaglione, Information Technology Director, and discussed the happenings for **Information Technology**. The new SCLS software for the Building Department has gone through some pricing discrepancies. The Police Department's updates are almost completed. Mr. Scaglione only has two officers, that work the night shift, that need reconfigurations of their laptops. Kathy LaMonte, Director of the **Recreation Department** had a 62-point inspection from the State of New Jersey Health Department. All noncompliant issues were resolved. Summer Camp will begin on Monday. Athletic fields are beginning to be received and scheduled. Out of town teams were allowed to use Midland Park fields due to their towns overscheduling. There were no conflicts with the Borough's usage of the fields.

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

In the absence of **Councilman Damiano**, **Councilman Kruis** reported progress for **Finance, Chamber of Commerce, and Economic Development**. In a monthly report, Matthew Tauber, Superintendent of **Department of Public Works** updated the **Councilman** on the Borough's projects. The Godwin Avenue ADA ramp construction project has almost been completed. Mr. Tauber has been in contact with the County and the contractor concerning scheduling for the milling and paving of Godwin Avenue. Two of three of the roofs at Borough Hall have been completed. In the next week, the third roof will be finished. Delays for roofing materials have been the cause for delays in the firehouse re-roofing.

**Councilman Iannone**

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

Due to **Councilman Iannone** absence, no reports were given.

**ADMINISTRATOR'S REPORT:**

Borough Administrator/Clerk Wendy Martin informed the Mayor, Council, and public of the (2) two change orders that will be presented at the next meeting for approval. On August 2, 2022, the Borough will have the Division of Motor Commission mobile event. Registration has been closed due to maximum capacity of enrollment. The Borough has begun summer hours as of this Monday. The doors will be open on Monday through Thursday 8:00 A.M. to 4:30 P.M. and Friday 8:00 A.M. to 1:30 P.M. Ms. Martin announced that she will not be attending the July 28, 2022 Mayor and Council meeting. A vacation is scheduled with her family. Borough Deputy Clerk Mari J. Margiotta will substitute for the meeting. The Division of Alcoholic Beverage Control, Ms. Martin and the Chief of Police Michael Powderley are reviewing an application made by the Midland Park Junior Football and Cheer Association for a Social Affair Permit.

**ORDINANCES ON FINAL: TABLED**

**1. ORDINANCE #14-2022**

**"AN ORDINANCE TO AMEND CHAPTER 34 OF THE CODE OF THE BOROUGH OF MIDLAND PARK ENTITLED, 'ZONING'". (Soil Movement, Patios, Walkways and Retaining Walls & Paving of Commercial Parking Lots)**

**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 34 of the Code of the Borough of Midland Park, Zoning, §34-13.7, Soil Movement, paragraph c, Application Requirements, subparagraph 1(g), is hereby amended to read as follows:

(g) Such fee as may be established by Chapter 40, Fees and Charges: Land Development Regulations, of the Borough Code.

Section 2.

Chapter 34 of the Code of the Borough of Midland Park, Zoning, §34-13.7, Soil Movement, paragraph c, Application Requirements, subparagraph 1, is hereby amended to add the following:

(h) An application for a soil movement permit shall be made on the application form attached to this Ordinance as Exhibit A.

Section 3.

Chapter 34 of the Code of the Borough of Midland Park, Zoning, §34-4.5, Required Conditions, is hereby amended to add the following new paragraph:

(j) Patios, Walkways and Retaining Walls.

1. A Zoning Permit shall be required for the construction of any patio, walkway or retaining wall. An application for such permit shall be made to the Borough Code Official.

2. The fee for the issuance of a Zoning Permit for such uses shall be as set forth in Chapter 40, Fees and Charges: Land Development Regulations.

Section 4.

Chapter 34 of the Code of the Borough of Midland Park, Zoning, Section 34-5.1, Use Regulations, is hereby amended to add the following new paragraph:

(e) Patios, Walkways and Retaining Walls.

1. A Zoning Permit shall be required for the construction of any patio, walkway or retaining wall. An application for such permit shall be made to the Borough Code Official.

2. The fee for the issuance of a Zoning Permit for such uses shall be as set forth in Chapter 40, Fees and Charges: Land Development Regulations.

Section 5.

Chapter 34 of the Code of the Borough of Midland Park, Zoning, is hereby amended to add the following new Section:

§34-13.14 Paving of Commercial Parking Lots.

a. A permit shall be required for the paving or repaving of a commercial parking lot. An application for such permit shall be made to the Borough Code Official on the application form attached to this Ordinance as Exhibit B.

b. The fee for the issuance of a Zoning Permit for such uses shall be as set forth in Chapter 40, Fees and Charges: Land Development Regulations.

Section 6. 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 7. 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 8. Effective Date.

This Ordinance shall take effect immediately upon final passage and publication as provided by law. Borough Administrator/Clerk Wendy Martin updated the **Mayor** and **Council** on the status of the

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

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

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:

**WHEREAS**, the CFO issued a stop payment on the following payment issued on September 9, 2021 to:

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Midland Park that the above item be voided, and a new check will be issued on the June 23<sup>rd</sup> Bills List.

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the Borough of Midland Park hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget of the Year 2022 in the sum of \$14,518.39, which is now available as a revenue for:

## Clean Communities Grants

## Clean Communities Grants

**BE IT FURTHER RESOLVED**, that the CFO did an electronic filing of this revenue to the



Director of the Division of Local Government Services along with attachment.

**Resolution #116-2022 Authorizing a Change Order to the Contract for Generators at Firehouse & Recreation Center**

**WHEREAS**, the Borough awarded through resolution Cooper Power Systems, 42 Cindy Lane, Ocean, NJ 07712 through the Sourcewell National Cooperative as Midland Park ID#2788 in the amount of \$60,794.00 (Firehouse) and \$44,096.00 (Recreation Center), and

**WHEREAS**, Cooper Power Systems, 42 Cindy Lane, Ocean, NJ 07712 had to change electrical vendors to complete the installation which caused an increase in the original cost quoted of \$1,880.00 (Firehouse) and \$1,152.00 (Recreation Center); and

**WHEREAS**, in accordance with N.J.A.C. 5:30-11.3, the change order has not caused the originally awarded contract value to be exceeded by more than 20 percent; and,

**WHEREAS**, in accordance with N.J.A.C. 5:30-11.8, the need for this change order is due to an unforeseeable problem which could not be foreseen at the time the specifications were written and the contract awarded through cooperative resolution; and

**WHEREAS**, in accordance with N.J.A.C. 5:30-11.8, this change order constitutes a minor modification to resolve a minor problem.

**NOW THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Midland Park, Bergen County, that the recommendation of the Borough Administrator is hereby accepted, Cooper Power Systems, 42 Cindy Lane, Ocean, NJ 07712 through Sourcewell National Cooperative as Midland Park ID#2788 is authorized to rectify the unforeseen problem in total amount of \$3,032.00 for a new total contract amount of \$62,674.00 (Firehouse) and \$45,248.00 (Recreation Center.)

**Resolution #117-2022 Authorizing Appointment of Municipal Representatives to Bergen County Community Development**

**WHEREAS**, the Municipality of Midland Park has entered into a three-year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:65-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

**WHEREAS**, said Agreement requires that the Municipal Council to appoint a representative and alternate and that the Mayor appoint a representative and alternate for the FY 2022-2023 term starting July 1, 2022 and ending on June 30, 2023.

**NOW, THEREFORE, BE IT RESOLVED** that the Municipal Council hereby appoints Councilman Lorenzo Damiano as its representative and Councilman Keith DeBlasio as its alternate and the Mayor hereby appoints Councilwoman Nancy Peet as his alternate and Councilman Kenneth Kruis as his alternate to serve on the Community Development Regional Committee for FY 2022-2023; and

**BE IT FURTHER RESOLVED** that an original, certified copy of this resolution be immediately emailed and sent via postage to Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, Fourth Floor; Hackensack, New Jersey 07601 | [resposito@co.bergen.nj.us](mailto:resposito@co.bergen.nj.us) as soon as possible and no later than Friday, July 29, 2022.

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

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

**RESOLUTIONS:**

**1. Resolution #113-2022 Bills List**

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

Current Fund	\$ 45,104.31
Private Duty ('21)	\$ 40.00
Private Duty	\$ 712.88
Capital Fund	\$ 235,257.57
Trust Fund	\$ 1,100.00
<b>TOTAL:</b>	<b>\$ 282,214.76</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	June 15th Payroll	\$ 239,153.99
Current	June Health Payments	\$ 89,580.77
Current	US Postmaster – manual check	\$ 1,281.54
Current	PSEG – manual check	\$ 3,336.83

**NOW, THEREFORE, BE IT RESOLVED**, by the Council President and Council of the Borough of Midland Park that the claims totaling **\$615,567.89** approved and ratified respectively.

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

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

**OLD BUSINESS:**

**Councilman DeBlasio** asked Borough Administrator/Clerk Wendy Martin for updates on the parking concerns with the El-Zahra Islamic Center. Ms. Martin stated the meeting with Imam Shaykh Moutaz Charaf was extremely productive. The Imam is working with the Borough to improve the parking conditions on the roads near the Mosque.

**Councilman Kruis** inquired for Kenneth Haner, 133 Payne Avenue, who attended the March 31, 2022 Mayor and Council meeting, any updates concerning his request for a fund raiser to benefit Ukraine. Borough Administrator/Clerk Wendy Martin, Councilwoman DeLuca, and Councilman DeBlasio recalled at the March 31, 2022 meeting, it was said, the Borough is at capacity with organizing events (Memorial and Community Day) but would welcome Mr. Haner to set up a table at these events. Ms. Martin suggested Mr. Haner contact Recreation Director Kathy LaMonte for details.

**NEW BUSINESS:**

No New Business at this time.

**PUBLIC COMMENT:**

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.

**ADJOURNMENT:**

There being no further response nor any further business to address, at 8:56 P.M., on a Motion by **Councilwoman DeLuca**, Seconded by **Council President Peet** and carried, **Mayor Shortway** adjourned the meeting.

Respectfully submitted,

*Wendy Martin*

Wendy Martin, RMC  
Borough Administrator/Clerk