

**BOROUGH OF MIDLAND PARK  
280 GODWIN AVENUE  
MIDLAND PARK NJ 07432  
FEBRUARY 23, 2023**

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

**On February 23, 2023 at 8:03 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 February 23, 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.

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

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

**APPROVAL OF MINUTES:**

No Minutes for approval at this time.

**OPEN TO THE PUBLIC:**

**Mayor Shortway** opened the meeting to the public for general questions, concerns, and comments. There being no one from the Public wishing to speak, the Public Portion was closed.

**LIAISON REPORTS:**

**Mayor Shortway**

**Mayor Shortway** stated the North West Bergen Mayors Association meeting was held in Midland Park on Saturday, February 11, 2023. The Mayor thanked Borough Administrator/Clerk Wendy Martin for arranging and hosting the breakfast. Also on February 11, 2023, the **Mayor** attended the Ambulance Corps Dinner awards ceremony. The County Committee meeting occurred on February 14, 2023 in Hackensack, NJ.

**Councilman DeBlasio**                      **Information Technology/Building Department/Municipal Alliance**  
**Councilman DeBlasio** was absent. No report was given at this time.

**Councilman Damiano**

**Finance/Public Safety – Ambulance/Fire Prevention**

**Councilman Damiano** stated there was progress reported for **Finance and Public Safety – Ambulance**. **The Councilman** read the **Fire Prevention** monthly report updating the Governing Body of the fees collected, violations that occurred, penalties, and certificates issued. **The Office of Emergency Management** was offered a Zoom tutorial on SwiftReach Alert program.

**Councilman Kruis**

**Property Maintenance/ Public Works/Planning Board**

**Councilman Kruis** was absent. **Council President DeLuca** read the **Public Works** report from Superintendent Matthew Tauber. All work has been completed on the generator at the Library. The Department of Public Works staff attended a playground safety inspection course on February 21, 2023. The Borough sign inspection list has been fulfilled. New signs have been ordered and will be installed. Potholes have been repaired throughout Midland Park. The fire alarm at the Social Hall is online and functional. The culvert project near the Spruce Street area is scheduled to take approximately 6 months. This project will increase the gas pressure in certain areas.

**Councilwoman Peet**

**Public Safety – Police/Board of Health/Bd of Education/Ridgewood Water**

**Councilwoman Peet** reported on the monthly report statistics from the **Police Department**: they responded to 150 public service calls which included community service, welfare checks, and assisting residents. The meeting for the **Board of Education** was held on February 14, 2023. There were (18) eighteen personnel issues discussed, (6) six financial matters, and the subject matter of the Band trip to Anaheim, CA. **The Councilwoman** attended a Bergen County Joint Insurance Fund meeting in the Borough of Washington. **The Board of Health and Ridgewood Water reported progress**. Their reports will be read at the next **Mayor and Council** meeting.

**Council President DeLuca**

**Public Safety – Fire/Personnel/Library**

**Council President DeLuca** stated the **Fire Department's** report was read at the last Mayor and Council meeting. Chief Matthew Tauber briefly updated the **Council President** that all was well at the Fire House. The next meeting will be on March 8, 2023. The **Library Board's** meeting was conducted on February 21, 2023. In a report, the Library Director Catherine Dileo indicated there was a 4% increase in digital circulation from February 2022. The scanner for the approved yearbook project run by the Boy Scouts has arrived at the Library. The Boy Scouts will begin scanning shortly. The Girl Scouts' Gold Award project has begun receiving donations from the community. Their goal is to raise funds for items that need be purchased. Reading to the Dog is a popular and well received event. Please visit the Library's website for spring and summer sponsored programs.

**Councilman Braunius**

**Office of Emergency Management/ Recreation/Chambers of Commerce**

**Councilman Braunius** reported there is progress for the **Office of Emergency Management**. Chief of Police Michael Powderley, Superintendent of Public Works Matthew Tauber, Information Technology Philip Scaglione, and Kathy LaMonte, Director of the Department of **Recreation** surveyed the field for placement of security cameras. **The Councilman** stated that Open Space money can be used for these purchases.

**ADMINISTRATOR'S REPORT:**

Borough Administrator/Clerk Wendy Martin recapped the information on solar roofs since **Councilman Braunius** inquired about this subject. Ms. Martin reported the following information on solar panels that they cause damage to roofs, added weight can cause structural damage to the building, the return back to the Borough is not as large as advertised, and the cleaning is costly. **Councilman Damiano**

stated he has knowledge in this matter. The **Councilman** said the federal government was giving out incentives to use solar panels. When the grants were no longer available, the return amount is minimal. Ms. Martin attended the Elections meeting at the County in Hackensack today. There are 670,336 registered voters in Bergen County. In the last week, 1,100 people registered to vote. A reminder regarding the next Mayor and Council meeting will be on March 30, 2023. Ms. Martin decided to post on the Borough's website, information concerning Daniel's Law even though it is not required. OPRA has been quite active in the past month and has been increasing steadily each year. The Ramadan Lighting will be on March 22, 2023 and the Clerk's Conference is that week, Ms. Martin asked the Mayor and Council to have a representative for the event in their absence. The Construction Official Mark Berninger and Fire Prevention Official Michael Rau participated in an online course for visual lead paint inspections for rental homes. The Borough needs to adopt an Ordinance to establish fees for inspections. Ms. Martin has compiled a range of fee amounts from neighboring municipalities.

**ORDINANCES ON FINAL:**

**1. ORDINANCE #02-2023**

**AN ORDINANCE TO AMEND CHAPTER X OF THE CODE OF THE BOROUGH OF MIDLAND PARK ENTITLED, "BUILDING AND HOUSING"**

**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 X of the Code of the Borough of Midland Park, Building and Housing, §10-4, Property Maintenance, Subsection §10-4.8, Enforcement, be and is hereby amended to read as follows:

- a. Enforcement Officer. The Property Maintenance Official, appointed annually by the Mayor and Council, is hereby designated as the officer charged with enforcement of this Code and is hereinafter referred to as the Property Maintenance Official. The Property Maintenance Official will also be responsible for the enforcement of the following codes: Chapter 14-2 titled; "Removal of Impediments", and Zoning Ordinance §34-13.5, titled; "Trailers, Mobile Homes, Boats, Campers, and Wheel Based Vehicles", and §15-3.3 "Yard Waste Collection", and §15-3.4 "Enforcement".
- b. No change

**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.

At this time **Mayor Shortway** opened the meeting to the public for any questions, comments, or concerns regarding Ordinance #02-2023.

There being no response, the **Mayor** closed the meeting to the public regarding Ordinance #02-2023.

**Introduced by: Councilman Damiano**

**Seconded by: Councilwoman Peet**

**Roll Call: Councilman Braunius**

**Aye**

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

## 2. ORDINANCE #03-2023

### “AN ORDINANCE TO AMEND CHAPTER XV OF THE CODE OF THE BOROUGH OF MIDLAND PARK ENTITLED, “SOLID WASTE MANAGEMENT”

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 XV of the Code of the Borough of Midland Park, Solid Waste Management, §15-3.3 Yard Waste Collection, §15-3.4, Enforcement, be and is hereby amended to read as follows:

- a. The provisions of this section shall be enforced by the Property Maintenance Official, appointed annually by the Mayor and Council, and/or by the Police Department of the Borough of Midland Park.

#### 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. At this time Mayor Shortway opened the meeting to the public for any questions, comments, or concerns regarding Ordinance #03-2023.

There being no response, the Mayor closed the meeting to the public regarding Ordinance #03-2023.

Introduced by: Councilwoman Peet

Seconded by: Councilman Braunius

Roll Call:

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

## 3. ORDINANCE #04-2023

### AN ORDINANCE TO AMEND CHAPTER 2 OF THE CODE OF THE BOROUGH OF MIDLAND PARK ENTITLED “ADMINISTRATION” (LOSAP)

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 2 of the Code of the Borough of Midland Park, Administration, §2-13, Emergency Services Volunteer Length of Service Award Program (LOSAP), paragraph c, subparagraph 1, pertaining to LOSAP eligibility for annual contributions shall read as follows:

1. One hundred (100) points are required to be met for a member of the Volunteer Fire Department and one hundred (100) points are required to be met for a member of the Volunteer Ambulance Corps to be eligible for annual contribution.

**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. At this time **Mayor Shortway** opened the meeting to the public for any questions, comments, or concerns regarding Ordinance #04-2023.

There being no response, the **Mayor** closed the meeting to the public regarding Ordinance #04-2023.

**Introduced by: Council President DeLuca**

**Seconded by: Councilwoman Peet**

**Roll Call: Councilman Braunius**

**Aye**

**Councilman DeBlasio**

**Absent**

**Councilman Damiano**

**Aye**

**Councilman Kruis**

**Absent**

**Councilwoman Peet**

**Aye**

**Council President DeLuca**

**Aye**

**4. ORDINANCE #05-2023**

**"AN ORDINANCE FOR THE VACATION OF HOMER AVENUE SITUATE IN THE  
BOROUGH OF MIDLAND PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY"**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Midland Park, County of Bergen, and State of New Jersey, as follows:

**WHEREAS**, by a certain map bearing date April 1871, entitled "Property of Edward H. Babcock, Wortendyke, Bergen County, New Jersey, scale 100 feet per inch. F. Watlington, Surveyor, dated April 1874 and filed in the Bergen County Clerk's Office on August 27, 1902, filed map #876, there appears a certain street thereon known as Homer Avenue; and

**WHEREAS**, it appears to the Borough Council of the Borough of Midland Park that said street is not needed for public use; that the public interest will be better served by releasing said lands as hereinafter more particularly described from the effect of any such dedication which many have been made by the aforesaid map, and in order to avoid any future question respecting the dedication of said street;

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Midland Park in the County of Bergen as follows:

**Section 1.** That the following described land and premises situate lying and being in the Borough of Midland Park, County of Bergen and State of New Jersey, be and the same are hereby vacated, viz:

**BEGINNING** at the point of intersection of the northeasterly line of Meda Place with the northwesterly line of Homer Avenue, said point being also the southeasterly corner of Lot 1 in Block 44-B on the current Tax Map of the Borough of Midland Park: thence from said point of beginning running:

- (1) Northeasterly along the north westerly line of Homer Avenue and along the line of said Lot 1 in Block 44-B on said map, a distance of 20.00 feet, more or less, to a point in the municipal boundary line between the o of Midland Park on the south and the Township of Wyckoff on the north; thence
- (2) In an easterly direction along said municipal boundary line, a distance of 62.00 feet, more or

(4) In a direct extension westerly of the northeasterly line of Meda Place a distance of 50.00 feet to a point in the northwesterly line of Homer Avenue and the point or place of BEGINNING

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

At this time **Mayor Shortway** opened the meeting to the public for any questions, comments, or concerns regarding Ordinance #06-2023.

There being no response, the Mayor closed the meeting to the public regarding Ordinance #06-2023.

**Introduced by: Councilman Damiano**

**Seconded by: Councilman Braunius**

**Roll Call:**

**Councilman Braunius**

**Aye**

**Councilman DeBlasio**

**Absent**

**Councilman Damiano**

**Aye**

**Councilman Kruis**

**Absent**

**Councilwoman Peet**

**Aye**

**Council President DeLuca**

**Aye**

## **6. ORDINANCE #07-2023**

### **“AN ORDINANCE TO AMEND TO CHAPTER XC OF THE CODE OF THE BOROUGH OF MIDLAND PARK ENTITLED, “FEES AND CHARGES” (Electrical Fees)**

**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:

#### **§90-10 FEES FOR CHAPTER 20, Building and Housing**

##### **§10-1.3. Fees for Construction Permit**

c. The electrical subcode fees shall be as follows:

2. For the purposes of calculating the following electrical fees, all motors except those in plug-in appliances shall be counted, including control equipment, generators, transformers and all heating, cooking or other devices consuming or generating electrical current:

(a) Motors/electrical devices to one to five horsepower: \$25.

(b) Motors/electrical devices to six to nine horsepower: \$50.

(c) Motors/electrical devices to 10 to 15 horsepower: \$75.

(d) Motors/electrical devices above 26 horsepower: \$100.

(e) Transformer/generator to 10 kilowatt: \$75.

(f) Transformer/generator to 45 kilowatt: \$125.

(g) Transformer/generator to 112.5 kilowatt: \$175.

(h) Transformer/generator above 112.5 kilowatt: \$225.

(i) Service/panels/subpanels to 100 ampere: \$75.

(j) Service/panels/subpanels to 200 ampere: \$125.

(k) Service/panels/subpanels to 300 ampere: \$200.

(l) Service/panels/subpanels to 400 ampere: \$250.

(m) Service/panels/subpanels to 800 ampere: \$300.

(n) Service/panels/subpanels to 1,000 ampere and higher: \$450.

(o) ~~HVAC and central AC, per unit: \$75.~~

(o) **Solar Batteries to 10 kilowatts: \$75.**

(p) **Solar Batteries to 45 kilowatts: \$125.**

(q) **Solar Batteries to 112.5 kilowatts: \$175.00**

(r) **Solar Batteries above 112.5 kilowatts: \$225.**

### **Section 3. Severability.**

If any section, sentence, or any other part of this Ordinance is adjudged unconstitutional or **Ordinance #07-2023** 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 #07-2023.

There being no response, the **Mayor** closed the meeting to the public regarding Ordinance #07-2023.

**Introduced by: Council President DeLuca**

**Seconded by: Councilwoman Peet**

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

## **7. ORDINANCE #08-2023**

### **AN ORDINANCE TO AMEND CHAPTER II OF THE CODE OF THE BOROUGH OF MIDLAND PARK ENTITLED "ADMINISTRATION" (Recreation By Laws)**

**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 II of the Code of the Borough of Midland Park, Administration, §2-19, Recreation Advisory Council, Subsection 2-19.2, Composition; Terms of Office, be and is hereby amended to read as follows:

**"2-19.2 Composition; Terms of Office.** The Recreation Advisory Council shall consist of seven (7) members and one (1) alternate member, all of whom shall be required to be residents and duly registered voters in the Borough of Midland Park. Appointments to the Council shall be made by the Mayor with the advice and consent of the Borough Council. The term of the members shall be three (3) years and alternates shall be (1) year. In the event a vacancy occurs on the Council, the term shall be filled for the unexpired term in the same manner as the original appointment.

#### **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. At this time **Mayor Shortway** opened the meeting to the public for any questions, comments, or concerns regarding Ordinance #08-2023.

There being no response, the **Mayor** closed the meeting to the public regarding Ordinance #08-2023.

**Introduced by: Councilman Braunius**

**Seconded by: Council President DeLuca**

<b>Roll Call:</b>	<b>Councilman Braunius</b>	<b>Aye</b>
	<b>Councilman DeBlasio</b>	<b>Absent</b>
	<b>Councilman Damiano</b>	<b>Aye</b>
	<b>Councilman Kruis</b>	<b>Absent</b>
	<b>Councilwoman Peet</b>	<b>Aye</b>



Council President DeLuca      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 #052-2023 Authorize the Award of a Required Disclosure Contract with Haas Construction Management LLC for Improvements to Municipal Offices**

**WHEREAS**, the Borough of Midland Park has a need for various improvements to municipal offices through Haas Construction Management LLC as a required disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

**WHEREAS**, the Borough has obtained quotes in accord with N.J.S.A. 40A:11-6.1 and determined that Haas Construction management LLC is the most advantageous price and other factors considered; and

**WHEREAS** Haas Construction Management LLC has provided quotes for Municipal Building Office and Council Chamber/Court Room Improvements totaling \$38,478.42; and

**WHEREAS**, Haas Construction management LLC 51 Cannonball Rd. Pompton Lakes, NJ 07442 has completed and submitted a Business Entity Disclosure Certification and a Personal Contribution Disclosure form which certifies that Haas Construction management LLC has not made any reportable contributions to a political or candidate committee in the *Borough of Midland Park* in the previous one year, and that the contract will prohibit W Haas Construction management LLC from making any reportable contributions through the term of the contract; and

**WHEREAS** the Chief Financial Officer hereby certifies that funds NOT TO EXCEED \$38,478.42 are available as follows.

*JIF PAYMENT HURRICANE IDA DAMAGES 2021 (G-01—041-777) \$7,490.80*

*ORD #13-21 VARIOUS BUILDING IMPROVEMENTS (X-10- -390-101) \$30,987.62*

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Midland Park authorizes the Business Administrator to enter into a contract with Haas Construction management LLC not to exceed \$38,478.42 for improvements to Municipal Offices; and

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and Personal Contribution Disclosure form, Determination of Value be placed on file with this resolution.

**Resolution #053-2023 2022 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 2022 eligible Fire Department and Ambulance Corps members.

**Resolution #054-2023 Extend Agreement with BCUA – Solid Waste Disposal – 1 year**

**WHEREAS**, N.J.S.A. 40:8A-1, *et seq.* authorizes any local governmental unit to enter into a contract with any other local governmental unit for providing of any service which any party to such agreement is empowered to render within its own jurisdiction; and

**WHEREAS**, the Bergen County Utility Authority entered into an agreement to provide a disposal site for solid waste to the Borough of Midland Park and its designated solid waste removal contractor in 2021 which expires May 31, 2023; and

**WHEREAS**, it is the desire of the Mayor and Council of the Borough of Midland Park to authorize a one year extension to the executed contract of the Interlocal Service Agreement whereby the Bergen County Utility Authority will provide such service to the Borough of Midland Park for the year 2024.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Borough Clerk to hereby approve and authorize the one year extension to the Interlocal Agreement whereby the Bergen County Utility Authority will provide such service to the Borough of Midland Park for an additional 1 year term – June 1, 2023 through May 31, 2024 at a price of \$84.45 per ton.

**Resolution #055-2023 Zoning Board Escrow Refund- 142 Irving Street**

**WHEREAS**, at the Zoning Board of Adjustment meeting of February 8, 2023 it was approved by Motion and recommended by the Zoning Board, to return the unused escrow to the following party:

Payee	Address	Block	Lot	Amount
Law Offices of Eric David Becker	253 Madison Avenue Wyckoff NJ 07481	25	11.02	\$36.85

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Midland Park that the Chief Financial Officer issue checks for the funds in the above stated amounts, to Law Offices of Eric David Becker at 253 Madison Avenue, Wyckoff NJ 07481 for the Escrow refund of Joseph P. Mulligan, or 142 Irving Street, Midland Park, NJ 07432.

**Resolution #056-2023 Various Zoning Board Escrow Refund**

**WHEREAS**, at the Zoning Board of Adjustment meeting of December 14, 2022 it was approved by Motion and recommended by the Zoning Board, to return the unused escrow to the following party:

Payee	Address	Block	Lot	Amount
Kapur, Sunita	60 Rea Av	5	7	\$36.75
Wensing, Bernard	57 W Summit Ave	25	16.02	\$275.00
Klein, Eric	76 Highland Ave	14	5	\$25.00
Ten Eyck, Paul	145 Greenwood Ave	35	6	\$50.00
PJ Sullivan Construction	192 Greenwood Ave	39	2	\$338.52
Jordan, Richard	9 W Summit Ave	25.01	35.01	\$303.48
Marino, Kenneth	15 Franklin Ave	4	18.01	\$40.90
Bommer, Stephen	180 Chamberlain Pl	11	8.08	\$31.84

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Midland Park that the Chief Financial Officer issue checks to the above payees for the amounts listed.

**Introduced by: Councilman Damiano**

**Seconded by: Councilwoman Peet**

**Roll Call: Councilman Braunius**

**Aye**

**Councilman DeBlasio**

**Absent**

**Councilman Damiano**

**Aye**

**Councilman Kruis**

**Absent**

**Councilwoman Peet**

**Aye**

**Council President DeLuca**

**Aye**

**RESOLUTIONS:**

**1. Resolution #051-2023 Bills List**

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

Current Fund ('22)	\$ 8,787.62
Unemployment Fund ('22)	\$ 1,796.49
Current Fund	\$ 41,445.91
Capital Fund	\$ 17,797.87
Trust Fund	\$ 2,183.29
<b>TOTAL:</b>	<b>\$ 72,011.18</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	February 15 <sup>th</sup> Payroll	\$ 214,107.18
Current	February School Taxes	\$1,907,290.08
Current	February Health Payments	\$ 104,196.78
Current	NJ MVC – manual ck	\$ 150.00
Trust	P-Card payment	\$ 28.25

**NOW, THEREFORE, BE IT RESOLVED**, by the Council President and Council of the Borough of Midland Park that the claims totaling \$2,297,783.47 approved and ratified respectively.

**Introduced by: Councilman Braunius**

**Seconded by: Council President DeLuca**

**Roll Call:**

<b>Councilman Braunius</b>	<b>Aye</b>
<b>Councilman DeBlasio</b>	<b>Absent</b>
<b>Councilman Damiano</b>	<b>Aye</b>
<b>Councilman Kruis</b>	<b>Absent</b>
<b>Councilwoman Peet</b>	<b>Aye</b>
<b>Council President DeLuca</b>	<b>Aye</b>

**2. Resolution #057-2023 Appointment Daniels Law Redactor – Wendy Martin**

**WHEREAS**, there exists a need for the appointment of a redactor for the Borough of Midland Park to carry out the redaction protection mandated by Daniels Law; and

**WHEREAS**, Daniel's Law works with the state, county and local government agencies to shield the protected information of Covered Persons as the law defines them from disclosure on those agencies' websites, so that consistent and effective privacy protections are provided to these Persons, who serve the people of the State of New Jersey; and

**WHEREAS**, the redactor will be registered with the Department of Community Affairs;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Midland Park, County of Bergen, State of New Jersey that Wendy Martin is hereby appointed Redactor for matters pertaining to Daniel's Law.

**Introduced by: Council President DeLuca**

**Seconded by: Councilwoman Peet**

**Roll Call:**

<b>Councilman Braunius</b>	<b>Aye</b>
<b>Councilman DeBlasio</b>	<b>Absent</b>
<b>Councilman Damiano</b>	<b>Aye</b>
<b>Councilman Kruis</b>	<b>Absent</b>
<b>Councilwoman Peet</b>	<b>Aye</b>

Council President DeLuca      Aye

**3. Resolution #058-2023 Appointment Daniels Law Redactor – Neil Rubenstein**

**WHEREAS**, there exists a need for the appointment of a redactor for the Borough of Midland Park to carry out the redaction protection mandated by Daniels Law; and

**WHEREAS**, Daniel's Law works with the state, county and local government agencies to shield the protected information of Covered Persons as the law defines them from disclosure on those agencies' websites, so that consistent and effective privacy protections are provided to these Persons, who serve the people of the State of New Jersey; and

**WHEREAS**, the redactor will be registered with the Department of Community Affairs;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Midland Park, County of Bergen, State of New Jersey that Neil Rubenstein is hereby appointed Redactor for matters pertaining to Daniel's Law.

**Introduced by: Councilwoman Peet**

**Seconded by: Councilman Braunius**

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

**OLD BUSINESS:**

No Old Business at this time.

**NEW BUSINESS:**

Borough Administrator/Clerk Wendy Martin polled the **Governing Body** to give permission to the Midland Park High School Class of 2024 to use the Municipal Lot for their annual clothing drive fund raiser on May 6, 2023 from 9:00 A.M. to 1:00 P.M. The **Governing Body** granted permission. The **Mayor** received an email from the St. Stephen's Orthodox Church in Midland Park requesting his presence on Sunday, March 12, 2023. The Church raised money for the family that went through the tragic fire and invited the Governing Body to present the check to the family. A ribbon cutting ceremony is scheduled for Sola Salons on March 19, 2023. The Mayor and Council are invited. Ms. Martin will be sending a required letter to the County's Mosquito Commission requesting the agency to spray against mosquitos in the Borough.

**PUBLIC COMMENT:**

**Mayor Shortway** opened the meeting to the public for general questions, concerns, and comments. There being no one from the Public present. The Public Session was closed.

**ADJOURNMENT:**

There being no further business to discuss, on a Motion by **Council President DeLuca**, Seconded by **Councilman Braunius** and carried, **Mayor Shortway** adjourned the Open Public meeting at 8:45 P.M. and convened immediately into the After Closed Session.

Respectfully submitted,



Wendy Martin, RMC  
Borough Administrator/Clerk