

**BOROUGH OF MIDLAND PARK  
280 GODWIN AVENUE  
MIDLAND PARK, NJ 07432  
MARCH 31, 2022**

**7:00 P.M. WORK SESSION MINUTES**

**On March 31, 2022 at 7:00 P.M., the Mayor and Council of the Borough of Midland Park conducted a meeting at Borough Hall located at 280 Godwin Avenue as previously advertised. Agenda items for the meeting were listed on the Borough website. 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: 335-352-949.**

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

**The Mayor reads the Sunshine Law Statement:** This meeting is being 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 Iannone</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 (via GoTo Meeting)</b>

**Also Present:** Borough Attorney Robert Regan, Borough Administrator/Clerk Wendy Martin,

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

Superintendent of the Department of Public Works Matthew Tauber, Recreation Director Kathy LaMonte, and Michael Kenney Vice President of Midland Park Soccer Association were in attendance. No one from the public was currently on the line.

**DISCUSSION ITEM:**

**1. 2022 Open Space Grant**

**Attending Superintendent of the Department of Public Works, Recreation Director, and Soccer Association.**

Wendy Martin, Borough Administrator/Clerk recapped the previous meetings subject matters and suggestions for the 2022 Open Space Grant. Many ideas were discussed with one being the Woodside Avenue property. **Council President Peet** proposed the area would be an advantageous place for practice fields and **Councilwoman DeLuca** suggested having a walking path and a gazebo. Superintendent of Public Works Matthew Tauber distributed a map of the Woodside Avenue property. Mr. Tauber went over the map and the idea of a passive park. Michael Kenney, Vice President of the Midland Park Soccer Association, expressed his opinions for the

Woodside Avenue property for practice fields. Mr. Kenney and Mr. Tauber agreed an additional field would allow other fields to rest and the grass to regrow. **Councilman Damiano** asked how many practices would be scheduled if Woodside Avenue became a practice field and would this help the soccer scheduling dilemma? Mr. Kenney replied that this proposed field would not just alleviate the lack of fields for soccer, but all sports would benefit from this plan.

At 7:16 P.M., **Mayor Shortway** exited the meeting.

**William Guarini , 105 Colonial Road** – Vice President of Baseball Association and President of Soccer Association agreed with Mr. Kenney that any additional fields would benefit the soccer and baseball team. Kathy LaMonte, Director of Recreation also stated that the Woodside Avenue property is not large enough to be a game field. Other problems that may arise are parking, lighting, and the effect on neighbors. Matthew Tauber, Superintendent of the Department of Public Works, had received a quote of \$8K to \$12K for the irrigation of the field along with an additional amount of \$10k for soil and seeding. Mr. Tauber also stated solar panels can be installed for lights by the walking asphalt. **Councilman Kruis** does not envision the property as a usable field. **Mr. Kruis** would like to see it as a walking path with exercising stations. His concerns are the complaints from neighbors regarding balls going into their yards. The Letter of Intent must be sent to the State in order for Midland Park to be considered for the grant. The majority of the **Council** agreed upon the Woodside Avenue should be for a passive park and/or a practice field.

**2. Public Records Law Compliance - ArchiveSocial** (see attached)

Borough Administrator/Clerk Wendy Martin stated in order to be in compliance with Open Public Records Act (OPRA), the Borough's social media accounts must be archived. These accounts included: the Police Department's Facebook page and Twitter account, and the Borough's website. ArchiveSocial conducted a presentation with Ms. Martin and Phil Scaglione, Information Technology Officer. ArchiveSocial's current clients in the area include Ridgewood, Wyckoff, and Waldwick. Their monthly services are \$499.00 a month with a discount if the Borough signs up immediately. Mayor and Council were all in agreement.

**3. Sample Resolution - NJSLM proposed resolution for flooding** (see attached)

Borough Administrator/Clerk summarized the resolution that was recommended by the New Jersey State League of Municipalities and Borough Attorney Robert Regan. The **Council** were all in agreement. Ms. Martin will construct a resolution for the next meeting for adoption.

**4. Sample Resolution - S-330/A3804: support for restore Energy Tax Receipts to Municipalities** (see attached)

Borough Administrator/Clerk briefly discussed the sample resolution that urges municipalities to support the passage of S-330/A3804, which shall restore the energy tax receipt to municipalities. Mayor and Council were all in agreement. Ms. Martin will construct a resolution for the next meeting for adoption.

**PUBLIC COMMENTS:**

Members of the Public were asked to speak individually.

No one from the Public was present in person or on the line.

**ATTORNEY REGAN READ THE RESOLUTION**

**Resolution #056-2022 Closed Session 03-31-2022**

**WHEREAS**, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

**WHEREAS**, the Governing Body of Midland Park has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

**WHEREAS**, the regular meeting of this Governing Body will reconvene;

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of Midland Park will go into closed session for the following reason (s) as outlined in N.J.S.A. 10:4-12:

\_\_\_\_\_ Any matter which, by express provision of Federal Law, State Statute or Rule of Court shall be rendered confidential or excluded from discussion in public (Provision relied upon):

\_\_\_\_\_ Any matter in which the release of information would impair a right to receive funds from the federal government;

\_\_\_\_\_ Any matter the disclosure of which constitutes an unwarranted invasion of individual privacy;

\_\_\_\_\_ Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body (Specify contract): \_\_\_\_\_.

\_\_\_\_\_ Any matter involving the purpose, lease, or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;

X \_\_\_\_\_ Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

\_\_\_\_\_ Any investigations of violations or possible violations of the law;

\_\_\_\_\_ Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer (If pending or anticipated litigation, the matter is: \_\_\_\_\_, contract negotiations the nature of the contract and interested party is Nouvelle, LLC in circumstances, if public disclosure of the matter would have a potentially negative impact on the Borough's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded, or the circumstances no longer present a potential impact);

\_\_\_\_\_ Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at public meeting (Subject to the balancing of the public's interest and the employee's privacy rights under South Jersey Publishing, 124 N.J. 478, the employee(s) and nature of discussions is: \_\_\_\_\_).

\_\_\_\_\_ Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility;

**IT FURTHER RESOLVED**, that the Borough Council hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Borough Attorney advises the

Borough Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough, or any other entity, with respect to said discussion. That time is currently estimated as the time of said matter.

**BE IT FURTHER RESOLVED** that the Borough Council, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place, and hereby directs the Borough Clerk to take the appropriate action to effectuate the terms of this resolution.

<b>Introduced by:</b>	<b>Councilwoman DeLuca</b>	<b>Seconded by:</b>	<b>Councilman Iannone</b>
<b>Roll Call:</b>	<b>Councilman De Blasio</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 (via GoTo Meeting)</b>	

**At this time the public was notified Council will be going into Closed Session. They were invited to attend the 8:00 P.M. Open Public Meeting in person or by dialing the Toll-Free number: 1-866-899-4679, Access Code: 766-030-917.**

There being no further business to discuss on a Motion made by **Councilman DeBlasio**, Seconded by **Councilman Damiano**, and carried, the **Mayor** adjourned the Work Session meeting and Council convened into the Closed Session at 7:48 P.M.

Respectfully submitted by,

Wendy Martin, RMC  
Borough Administrator/Clerk