



Borough of Midland Park

280 Godwin Avenue ♦ Midland Park, New Jersey 07432
Tel: 201-445-5720 ♦ Fax: 201-652-6348
www.midlandparknj.org

MARCH 15, 2021

PLEASE TAKE NOTE:

ON MONDAY, MARCH 15, 2021, THE PLANNING BOARD OF THE BOROUGH OF MIDLAND PARK WILL HOLD A TELE-CONFERENCED MEETING VIA A GO TO MEETING WHICH IS ACCESSIBLE TO THE PUBLIC BY CALLING 1 866 899 4679 (access code 189-711-869).

THE MEETING WILL BEGIN AT 7:30 PM AND INCLUDE A WORKSHOP SESSION, IF NECESSARY.

READING OF THE OPEN PUBLIC MEETINGS ACT
PLEDGE OF ALLEGIANCE
ROLL CALL

Approval of Minutes- JANUARY 2021

ZONING CERTIFICATES:

B.L. Automotive – 282 Greenwood Ave – BL 50 LT 14 – Auto Repair

Certificates approved by the Zoning Officer or Zoning Board:

Martin Masters Plumbing & Heating - 291 Godwin Ave, BI 21 Lt 12 - Office use (temp)

Kayal Orthopaedic Center, PC - 12 Goffle Rd - BI 20.02 Lt 4 – Medical Office

Time Will Tell – 26 Goffle Rd – BI 20.02 Lt 6 – Retail – Clock repair

RESOLUTION:

Teleconference meeting – for approval

COMMUNICATIONS:

Cornerstone Diversified Properties, LLC – BL 25 Lt 12 – Return of unused escrow - \$4,259.37

Contracts & Resolutions – For 2021 Board Attorney & Board Engineer

LAN letter – John Panariello - 80 West Street; Block 33 Lot 2

ADJOURNMENT

BOROUGH OF MIDLAND PARK - PLANNING BOARD MINUTES
JANUARY 25, 2021

PLEASE TAKE NOTE:

ON MONDAY, JANUARY 25, 2021 THE PLANNING BOARD OF THE BOROUGH OF MIDLAND PARK HELD A TELE-CONFERENCED MEETING VIA A GO TO MEETING WHICH WAS ACCESSIBLE TO THE PUBLIC BY CALLING 1-866-899-4679.

THE MEETING BEGAN AT 7:30 P.M.

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.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Mr. Kent Rigg, Chairman	present	Ms. Stephanie Pantale	present
Councilman Ken Kruis	present	Ms. Ester Vierheilig	present
Mayor Harry Shortway, Jr.	present	Alt. #1 Mr. Robert Mulder	present
Mr. Michael Rau	present	Alt. #2 Ms. Isabel Duffy	present
Mr. David Wostbrock, Vice-chair	present		

D. Siss, board attorney, and E. Boe, board engineer, were present on behalf of the board.

REORGANIZATION:

Meeting turned over to Atty. Siss for reorganization. Mr. Rau, Ms. Pantale, Mr. Mulder and Ms. Duffy were sworn in. Mr. Wostbrock nominated Mr. Rigg for chairperson, seconded by Ms. Pantale; all voted in favor. Meeting turned over to Chairman Rigg. Ms. Ester Vierheilig nominated Mr. Wostbrock for vice-chairperson, seconded by Mr. Kruis; all voted in favor. Mr. Wostbrock nominated Ms. Harmon as secretary, seconded by Ms. Pantale; all voted in favor. Motion by Ms. Pantale to appoint Darryl Siss for board attorney, seconded by Mr. Kruis; all voted in favor. Motion by Ms. Pantale to appoint LAN Assoc. for board engineer, seconded by Mr. Kruis; all voted in favor.

Minutes of 12/21/20 were approved.

ZONING CERTIFICATES:

Green Drop LLC - 102 Godwin Ave- BL 18 LT 17 – Kyle Ruffing and Ron Dee appeared via GOTOMeeting - proposed used - clothing and household item drop off for donation to help American Red Cross, Military Order of the Purple Heart, and the National Federation of the Blind. Donors pull up to building and an employee removes donation item from car and gives tax receipt. Board questioned number of trucks and cars to parked on site; 1-2 employee cars, trucks are not parked at site they only come for pick-ups. Board questioned number of dop-offs; approximately 10 cars per hour and 1 box truck per day that arrives in the morning to pick-up previous days donations. Applicant states there will be less traffic than a gas station. Board questioned if there was a location for after hours donation drop off; there would be roller bins to accept after hour donations but there would be signage discouraging after hour drop off. Board stated this is a change in use and a site plan should be provided. No action is required by board.

Ready Clean Contracting – 268 Greenwood Ave – BL 50 LT 10 – Thomas Kietur appeared via GOTOMeeting – proposed use – commercial cleaning company, store equipment and supplies

employees are on site Monday – Friday 6:30 am - 6:30pm. Board questioned complaints regarding truck parking; applicant stated his company uses three small vans and a trailer; complaints were not about his vehicles. Motion by Mayor Shortway to approve the zoning certificate, seconded by Mr. Wostebrock; all voted in favor.

COMMUNICATIONS:

CVS - 180 Godwin Ave - BL 6 LT 17.02 - Erik Boe – CVS would like to change the location of the monument sign. Proposed new location is the original location that was changed. Board has no preference of sign location but asks that CVS be reminded of reasons sign was originally moved.

Meeting was adjourned at 8:18 pm
Submitted by: Amy Davidson

DRAFT

RECEIVED AT
 BOROUGH OF MIDLAND PARK
 MAR 04 2021
 BUILDING DEPT.

APPLICATION FOR
 ZONING CERTIFICATE
 FOR NON-RESIDENTIAL USE

280 Godwin Avenue
 Borough of Midland Park, NJ 07432

STREET ADDRESS OF PROPERTY: 282 Greenwood Ave, Midland Park NJ 07432 ZONE * I BLOCK 50 LOT 14
 NAME OF OCCUPANT: ** B.L. Automotive AREA OF BLDG - SQ. FT. 10,316 AREA OF OCCUPANT - SQ. FT. 3557 SECTION OF BLDG Northwest
 SOLE PURPOSE OF OCCUPANCY Automotive and truck repair
 PREVIOUS TENANT, IF APPLICABLE vanderplatt Limosine
 NAME OF APPLICANT / IF A CORPORATION NAME AND ADDRESS OF INDIVIDUAL MAKING APPLICATION Barry Luyster Luyster8272@hotmail.com
 APPLICANT'S ADDRESS 613 Briarcliff Ave, Maywood, NJ 07607
 APPLICANT'S PHONE 201-696-1126 SIGNATURE [Signature]
 NAME OF OWNER OF BUILDING: Kenneth Wendelaar ADDRESS OF OWNER 85 Highland Avenue Midland Park NJ 07432
 CERTIFICATION THAT ALL CONDITIONS OF SITE PLAN AND BUILDING PERMIT HAVE BEEN MET [Signature] (Property Owner Signature)

LIST ALL OTHER OCCUPANTS OF BUILDING Name:	Type of Business
<u>Ryan Duffy</u>	<u>Welding</u>

PLANNED USE INCLUDING PRODUCTS OR SERVICES SOLD OR MANUFACTURED
Automotive and Truck Repair

Incoming shipments: Number weekly 4-5 Type Conveyance N/A Product N/A Comments Local parts deliveries from Auto parts dealerships
 Outgoing shipments: Number weekly 0 Type Conveyance N/A Product N/A
 NUMBER OF PEOPLE Start 2 Final 2 NUMBER DAILY CUSTOMERS OR VISITORS 1-3 WILL YOU DEAL WITH GENERAL PUBLIC? YES NO
 HOURS OF OPERATION From 8 To 5 NUMBER OF DAYS OPEN WEEKLY 5
 GALS. WATER USED typical EXTENT OF NOISE _____ FUMES OR ODORS _____ OTHER NUISANCES _____
 ANY FLAMMABLES OR EXPLOSIVES USED OR STORED? NO YES, EXPLAIN _____
 PROPOSED PERIOD OF OCCUPANCY From 3-16-21 or ASAP To 3-16-26+
 COMMENTS: (SPACE BELOW FOR PLANNING BOARD USE)

NOTE: A SIGN PERMIT IS REQUIRED FOR ANY NEW SIGNS OR SIGN CHANGES--FLAGS AND BANNERS ALSO REQUIRE PERMITS. (Neon signs are prohibited)

◆ EACH OCCUPANT MUST HAVE HIS OWN CERTIFICATE OF OCCUPANCY. IF YOU VACATE SUCCESSOR WILL REQUIRE A NEW CERTIFICATE

Zoning Certificate Checklist

1. Is the property located in the I-1 or I-2 Zone? Yes No .
2. If yes, the application must be submitted to the Planning Board pursuant to 34-21.3d.
3. Is the Proposed use permitted? Yes No .
4. If no, application must be made to the Zoning Board of Adjustment.
5. Is there an increase in the parking requirements for the proposed over the previous use? Yes No .
6. If no, skip to question #9.
7. If yes, does the site have enough parking spaces to meet the requirements of the Zoning Ordinance? Yes No .
8. If the answer to question #7 is no, an application must be made to the Zoning Board for a Parking variance.
9. Is there an accurate site plan, existing conditions plan, or an As-Built drawing on file, approved by the Planning Board or Zoning Board? Yes No .

1. If the property is in the I-1 or I-2 zone, the applicant must submit a plan and parking analysis to the Planning Board for approval.
2. If the property is in the B-1, B-2, or B-3 Zone, the zoning officer at his discretion, may approve the plan and parking analysis for the purposes of issuing the Zoning Certificate.

NAME OF APPLICANT B.L. AUTOMOTIVE

ADDRESS 282 GREENWOOD AVE BLOCK 50 LOT 14 ZONE I-2

PREVIOUS TENANT VANDER PLATT LIMOSINE PREVIOUS USE LIMOSINE SERVICE

UNIT# CORNER AREA Sq. Ft. 3557 PROPOSED USE AUTO REPAIR

CHANGES _____

RELOCATION? — PHONE 201-696-1124 EMAIL _____

DATE 3/8/21 ZONING OFFICIAL Mal Bundy APPROVED-Yes No PB

UCC USE GROUP: PREVIOUS USE M PROPOSED USE M CCO REQUIRED? No!



Borough of Midland Park

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ZONING CERTIFICATE

BLOCK 21 LOT 12
LOCATION- 291 Godwin Ave

ZONING DISTRICT B-2

OWNER OF PROPERTY- 291 Godwin LLC c/o SBG
ADDRESS- 307 W 38TH St, Suite 1414, NY, NY 10018

NAME OF OCCUPANT- MARTIN MASTERS PLUMBING & HEATING
EMERGENCY CONTACT- Martin Masters
PREVIOUS TENANT - None

201-447-5711
201-481-0346

This is to certify that the above described premises together with any building thereon, are used or proposed to be used as or for-

OFFICE USE

which is a:

- Use permitted by Ordinance
- Use permitted by variance approved on _____ subject to any special conditions attached to the grant thereof.
- Valid nonconforming use as established by finding of the Zoning Board of Adjustment, or by the undersigned Zoning Officer on the basis of evidence supplied by applicant as specified on the reverse hereof. Also specified on the reverse hereof is a detailed statement of all aspects of the nonconforming use.
- There is a nonconforming structure on the premises by reason of insufficient setback, side yards, rear yard, other (specify).

300 sf – unit #3

****Conditional Approval - Temporary Use Only Due to Covid-19 – Expires March 2022**

*Location survey dated 7/28/93 approved in lieu of site plan by PB on 1/25/10.

PARKING- _____ ADEQUATE ___X*___ INADEQUATE

PLAN ON FILE- _____ APPROVED SITE PLAN ___X___ SURVEY/ PARKING SCHEMATIC


Zoning Officer

3/3/21
Date

cc: Police Dept, Fire Prevention, Fire Dept., Construction Official, Bd of Health, if appl.

Zoning Certificate Checklist

1. Is the property located in the I-1 or I-2 Zone? Yes ___ No .
2. If yes, the application must be submitted to the Planning Board pursuant to 34-21.3d.
3. Is the Proposed use permitted? Yes ___ No .
4. If no, application must be made to the Zoning Board of Adjustment.
5. Is there an increase in the parking requirements for the proposed over the previous use? Yes ___ No .
6. If no, skip to question #9.
7. If yes, does the site have enough parking spaces to meet the requirements of the Zoning Ordinance? Yes ___ No ___.
8. If the answer to question #7 is no, an application must be made to the Zoning Board for a Parking variance.
9. Is there an accurate site plan, existing conditions plan, or an As-Built drawing on file, approved by the Planning Board or Zoning Board? Yes ___ No ___.

1. If the property is in the I-1 or I-2 zone, the applicant must submit a plan and parking analysis to the Planning Board for approval.
2. If the property is in the B-1, B-2, or B-3 Zone, the zoning officer at his discretion, may approve the plan and parking analysis for the purposes of issuing the Zoning Certificate.

NAME OF APPLICANT MARTIN MASTERS PLUMBING & HEATING -
ADDRESS 291 GOWAN AVE BLOCK 21 LOT 12 ZONE B-2
PREVIOUS TENANT --- PREVIOUS USE ---
UNIT# 3 AREA Sq. Ft. 300 PROPOSED USE OFFICE USE - TEMP DUE TO COVID-19
CHANGES ---
RELOCATION? - PHONE --- EMAIL MASTERS PHC@aol.com
DATE 3/3/21 ZONING OFFICIAL Mal Bunting APPROVED-Yes No ___
UCC USE GROUP: PREVIOUS USE B PROPOSED USE B CCO REQUIRED? No

See attachment.

Applicant is installing a separate office for one person to answer the phone and do clerical work since COVID-19 has required the office staff across the street to socially distance.

This is not possible at his main location due to area constraints and I am only permitting this for not more than one year as he indicated that once the entire office staff is vaccinated, he will be bringing everyone back to the main office. Therefore I am approving this use on a temporary basis due to the Corona virus.



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ZONING CERTIFICATE

BLOCK 20.02 LOT 4
LOCATION- 12 Goffle Rd

ZONING DISTRICT B-1

OWNER OF PROPERTY- L.J. Enterprise L.L.C.
ADDRESS- 12 Goffle Rd., Midland Park, NJ 07432

NAME OF OCCUPANT- Kayal Orthopaedic Center, PC
EMERGENCY CONTACT- Kim Kayal
PREVIOUS TENANT- Nuzzi Chiropractic

844-877-0910
201-220-1492

This is to certify that the above described premises together with any building thereon, are used or proposed to be used as or for-

MEDICAL OFFICE

which is a:

- Use permitted by Ordinance
- Use permitted by variance approved on _____ subject to any special conditions attached to the grant thereof.
- Valid nonconforming use as established by () finding of the Zoning Board of Adjustment, or () by the undersigned Zoning Officer on the basis of evidence supplied by applicant as specified on the reverse hereof. Also specified on the reverse hereof is a detailed statement of all aspects of the nonconforming use.
- There is a nonconforming structure on the premises by reason of insufficient () setback, () side yards, () rear yard, () other (specify).

1900 SQ FT – 2ND FLOOR SHALL ONLY BE USED BY OFFICE STAFF FROM THE BUSINESS ON THE FIRST FLOOR (SEE RESOLUTION DATED 12/12/2012)

PARKING- _____ ADEQUATE ___X___ INADEQUATE

PLAN ON FILE- ___X___ APPROVED SITE PLAN _____ PARKING SCHEMATIC

Maal Bandy 2/24/21
Zoning Officer Date

cc: Police Department, Fire Prevention, Fire Dept., Const. Official, Bd. of Health(if applicable)

Zoning Certificate Checklist

1. Is the property located in the I-1 or I-2 Zone? Yes ___ No .
 2. If yes, the application must be submitted to the Planning Board pursuant to 34-21.3d.
 3. Is the Proposed use permitted? Yes No ___.
 4. If no, application must be made to the Zoning Board of Adjustment.
 5. Is there an increase in the parking requirements for the proposed over the previous use? Yes ___ No .
 6. If no, skip to question #9.
 7. If yes, does the site have enough parking spaces to meet the requirements of the Zoning Ordinance? Yes ___ No ___.
 8. If the answer to question #7 is no, an application must be made to the Zoning Board for a Parking variance.
 9. Is there an accurate site plan, existing conditions plan, or an As-Built drawing on file, approved by the Planning Board or Zoning Board? Yes ___ No ___.
-

1. If the property is in the I-1 or I-2 zone, the applicant must submit a plan and parking analysis to the Planning Board for approval.
2. If the property is in the B-1, B-2, or B-3 Zone, the zoning officer at his discretion, may approve the plan and parking analysis for the purposes of issuing the Zoning Certificate.

NAME OF APPLICANT KAYAL ORTHOPAEDIC CENTER, P.C

ADDRESS 12 COFFLE ROAD BLOCK 22-02 LOT 4 ZONE B-1

PREVIOUS TENANT NUZZI CHIROPRACTIC PREVIOUS USE MEDICAL

UNIT# AREA Sq. Ft. 1900 PROPOSED USE MEDICAL

CHANGES

RELOCATION? — PHONE 844-777-0910 EMAIL

DATE 2/17/21 ZONING OFFICIAL Mal Bunting APPROVED-Yes No ___

UCC USE GROUP: PREVIOUS USE B PROPOSED USE B CCO REQUIRED? No

2ND FLOOR SHALL ONLY BE USED BY OFFICE STAFF FROM THE BUSINESS ON THE FIRST FLOOR.

SEE ATTACHED RESOLUTION, DATED 12/12/2012



Borough of Midland Park

280 Godwin Avenue • Midland Park, New Jersey 07432
Tel: 201-445-5720 • Fax: 201-652-6348
www.midlandparknj.org

ZONING CERTIFICATE

BLOCK 20.02 LOT 6
LOCATION- 26 Goffle Rd

ZONING DISTRICT B-1

OWNER OF PROPERTY- Goffle Realty LLC
ADDRESS- PO Box 126, Upper Saddle River, NJ 07458

NAME OF OCCUPANT- TIME WILL TELL
EMERGENCY CONTACT- Roger Sanford

201-652-1025
201-447-4323 or
201-414-3832

PREVIOUS TENANT- Federal Merchant

This is to certify that the above described premises together with any building thereon, are used or proposed to be used as or for-

RETAIL – CLOCK REPAIR

which is a:

- Use permitted by Ordinance
- Use permitted by variance approved on _____ subject to any special conditions attached to the grant thereof.
- Valid nonconforming use as established by () finding of the Zoning Board of Adjustment, or () by the undersigned Zoning Officer on the basis of evidence supplied by applicant as specified on the reverse hereof. Also specified on the reverse hereof is a detailed statement of all aspects of the nonconforming use.
- There is a nonconforming structure on the premises by reason of insufficient () setback, () side yards, () rear yard, () other (specify).

400 SF – cottage

*PB approved site plan drawing dated 9/22/89 for purposes of zoning certificate approval.

PARKING- _____ ADEQUATE ___ X ___ INADEQUATE

PLAN ON FILE- _____ APPROVED SITE PLAN ___ * ___ PARKING SCHEMATIC


Zoning Officer


Date

cc: Police Dept, Fire Prevention, Fire Dept., Const. Official, Bd. of Health(if applicable)

Zoning Certificate Checklist

1. Is the property located in the I-1 or I-2 Zone? Yes ___ No B-1
 2. If yes, the application must be submitted to the Planning Board pursuant to 34-21.3d.
 3. Is the Proposed use permitted? Yes No ___
 4. If no, application must be made to the Zoning Board of Adjustment.
 5. Is there an increase in the parking requirements for the proposed over the previous use? Yes ___ No .
 6. If no, skip to question #9.
 7. If yes, does the site have enough parking spaces to meet the requirements of the Zoning Ordinance? Yes ___ No ___.
 8. If the answer to question #7 is no, an application must be made to the Zoning Board for a Parking variance.
 9. Is there an accurate site plan, existing conditions plan, or an As-Built drawing on file, approved by the Planning Board or Zoning Board? Yes No ___.
-

1. If the property is in the I-1 or I-2 zone, the applicant must submit a plan and parking analysis to the Planning Board for approval.
2. If the property is in the B-1, B-2, or B-3 Zone, the zoning officer at his discretion, may approve the plan and parking analysis for the purposes of issuing the Zoning Certificate.

NAME OF APPLICANT TIME WILL TELL

ADDRESS 26 GOFFLE ROAD BLOCK 20.02 LOT 6 ZONE B-1

PREVIOUS TENANT FEDERAL MERCHANT PREVIOUS USE N/A

UNIT# COTTAGE AREA Sq. Ft. 400 PROPOSED USE RETAIL CLOCK REPAIR

CHANGES Relocated from Fire @ Current location on Franklin Ave.

RELOCATION? PHONE 201-414-3832 EMAIL _____

DATE 3/3/21 ZONING OFFICIAL Mal Brumby APPROVED-Yes No ___

UCC USE GROUP: PREVIOUS USE B PROPOSED USE B CCO REQUIRED? No!

RESOLUTION

RESOLUTION OF THE PLANNING BOARD OF THE BOROUGH OF MIDLAND PARK ADOPTING EMERGENCY REMOTE MEETING PROTOCOLS, PROCEDURES AND REQUIREMENTS FOR PUBLIC PARTICIPATION AT REMOTE AND RESTRICTED CAPACITY MEETINGS

WHEREAS, the purpose of N.J.A.C. 5:39-1 et seq., Emergency Remote Meeting Protocol for Local Public Bodies, is to ensure that local public bodies can continue to conduct official business in an open and transparent manner whenever a declared emergency exists that prohibits physical attendance by members of the public body or members of the public; and

WHEREAS, a “declared emergency” means a public health emergency pursuant to the Health Powers Act, N.J.S.A. 26:13-1 et seq., or a state of emergency, pursuant to P.L. 1942, c. 251 or both, or a state of local disaster emergency which has been declared by the Governor and is in effect; and

WHEREAS, N.J.A.C. 5:39-1.3 permits a local public body to hold a remote public meeting to conduct public business during a declared emergency if the emergency reasonably prevents a local public body from safely conducting public business at a physical location with members of the public present; and

WHEREAS, N.J.A.C. 5:39-1 et. seq. also sets forth protocols to be followed if during a declared emergency a public body holds a physical meeting where, pursuant to State or Federal guidelines meant to mitigate risk, capacity restrictions are required to reduce the number of individuals that can be present in a meeting; and

WHEREAS, N.J.A.C. 5:39-1.4(h) requires a public body to adopt resolutions setting forth protocols for the conduct of a remote meeting or a meeting held in-person where attendance by members of the public is limited due to public health guidelines, including specifically protocols for the making of public comment during such meeting;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Midland Park that the following standards and procedures for emergency remote and limited capacity meetings, as set forth in this resolution and as codified in N.J.A.C. 5:39-1 et seq., are hereby established and adopted:

1. Adequate notice of a remote public meeting shall include, in addition to the Open Public Meeting Act requirements of N.J.S.A. 10:4-8, clear and concise instructions for accessing the remote public meeting.

2. The content of the notice shall be posted on the main access door of the building where the public would routinely attend public meetings of the local public body in person, viewable from the outside.

3. Prior to the commencement of a remote public meeting, the Board or Body shall make a copy of the agenda available to the public for download on the Borough's website and shall post a copy of same at the building where the meeting would otherwise be held, including posting of same at any designated and clearly delineated handicap accessible entrance to the building, by no later than 3:00 PM on the date of the meeting.

4. Instructions shall be posted on the Borough's website setting forth the means for making public comment and how to access any public documents on the Borough's website in the manner set forth at N.J.A.C. 5:39-1.5.

5. At the commencement of a remote public meeting the Chair or the Chair's designee shall announce publicly and shall cause to be entered into the minutes an accurate statement regarding adequate and electronic notice as set forth in N.J.A.C. 5:39-1.5(g).

6. The electronic communications used for a remote public meeting shall have a function that allows the Board or Body to mute the audio of all members of the public, as well as allow members of the public to mute themselves, and the same shall be announced at the beginning of every remote public meeting. If the Board or Body holds a remote meeting to conduct public business, it shall use electronic communication technology routinely used in business settings that can be accessed by the public at no cost and with participant capacity consistent with the reasonable expectations of the Board or Body for the type of public meeting being held, and such participant capacity shall, at minimum, not be limited to fewer than 50 public participants, not including persons required to be present to conduct business at the meeting, including members of the Board or Body and professional staff.

7. Remote public meetings may be held by the Board or Body in a format as selected by the Board or Body, by means including, but not limited to, electronic communications platforms with video and audio or live streaming via the internet and shall, additionally, provide a telephonic conference line to allow members of the public to dial in by telephone to listen and to provide public comment.

8. Whenever the Board or Body holds a remote public meeting, it shall allow members of the public to make public comment by audio, or by audio and video if the meeting is being held over both, at such times during the course of the meeting where public comment may be made. Members of the public wishing to make comment shall indicate a desire to make such comment by the raising of a hand, if participating by way of video, by signifying a desire to speak by use of the "chat feature," if enabled, or by making oral request where no other means of communicating is available. Any person wishing to speak shall wait to be recognized by the Chair. All members of the public shall remain muted until called upon by the Chair. Any person speaking shall identify himself or herself by name and address prior to making any comment. Persons wishing to speak shall be limited to five (5) minutes which shall be cumulative during each public portion of the meeting. Comments may also be made by electronic means by way of email to the Board Secretary

during the time frame established for public comment. The chat feature, where enabled, shall not be deemed part of the record of the meeting but solely a means by which a speaker indicates a desire to speak. Notwithstanding the same, the Chair may, in his or her discretion, permit use of the chat feature as a means of communicating where verbal or email communication is not possible.

9. In addition to making public comments at any remote public meeting, the Board or Body, in advance of the remote meeting, shall allow public comments to be submitted to the Secretary by electronic mail and in written letter form to be read aloud and addressed during the remote public meeting, except that such written public comments shall not be treated as testimony where testimony is to be given. Public comments shall be submitted in accordance with the following requirements:

- a. Written public comments may be submitted by email to jharmon@midlandparknj.org with the subject line "Written Public Comment", or by regular mail to Jessica Harmon, Planning Board Secretary, Midland Park Municipal Building, 280 Godwin Ave., Midland Park, New Jersey, 07432.
- b. All written public comments must be received at least twenty-four (24) hours prior to the beginning of the meeting to be read aloud.
- c. A time limit of five (5) minutes shall be allotted to the reading of each written public comment to ensure that all public comments have a fair opportunity to be heard.
- d. Written public comments that are duplicative may be summarized by the Presiding Officer, in his or her discretion, rather than read in full. In such event, all of the duplicative comments, and not just some of the comments, shall be summarized.

10. Where sworn testimony is being taken, any individual giving sworn testimony, including members of the public making comments that constitute sworn testimony, shall appear by video. Any presentation or documents that would otherwise be viewed by, or made available to, members of the public physically attending an in-person public meeting shall be made available on the internet website of the Borough or made visible during the video broadcast of the remote public meeting.

11. The Board recognizes that civil, respectful and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision making. In an effort to preserve the intent of open government and maintain a positive environment for citizen input, policies and rules shall be established to promote civility and maintain decorum at in-person public meetings and remote public meetings in accordance with N.J.A.C. 5:39-1.4 (f)-(h). These include at a minimum conduct at remote meetings consistent with that which would be permitted at an in-person meeting. As such, if a member of the public becomes disruptive during a remote public meeting, including during any period for public comment, the Chair or the Chair's designee shall mute or continue muting, or direct appropriate staff to mute or continue muting, the disruptive member of the public and warn that continued disruption may result in the member of the public

being prevented from speaking during the remote public meeting or removed from the remote public meeting. Where such disruptive conduct at an in-person public meeting or remote public meeting includes sustained inappropriate behaviors including, but not necessarily limited to, shouting, interruption, inappropriate dress or physical gestures, and use of profanity, the member of the public may be removed from the meeting.

The undersigned, Chairman of the Planning Board of the Borough of Midland Park, hereby certifies that the above is a true copy of a resolution adopted by said Board on _____, 2021.

KENT RIGG, Chairman

ESCROW FEES

BLOCK 25 LOT 12

TRUST# T-20-300-251

AGENCY: PLANNING BOARD

NAME OF APPLICANT: Cornerstone Diversified Properties, LLC
PROPERTY LOCATION: 25 Baldin ~~Avenue~~ DE.

APPLICATION FEE AMOUNT: \$400. DATE: 1/13/2005

FIDELITY BOND RECEIVED: AMOUNT:
CASH BOND LETTER OF CREDIT

DATE	LEGAL	ENGINEER	PLANNER	OTHER
FEE RECEIVED: 1/19/2005	7,500.			25. Prop. List 10. Tax cert.

FEES EXPENDED

2/28/05 #21616 \$338. *Ass*
 2/28/05 #30507 \$975. *Jan*
 3/30/05 #21813 \$78. *Siss*
 3/31/05 #30849 \$130. *Jan*
 3/30/05 #31214 \$260. *Jan*
 5/2/05 #21934 \$117. *Siss*
 5/31/05 #31454 \$260. *Jan*
 6/30/05 #22121 \$117. *Ass*
 7/28/05 #22338 \$117. *Ass*
 8/2/05 \$33.63 *ad*

9/6/05 #5971 \$865. *Doyle*
3240.63

Application: Denied
Appealed - PB Decision
affirmed
3/17/2006

CERTIFIED COMPLETE DATE _____

FEES RETURNED: AMOUNT 4259.37 DATE _____

3/2021 - Sent to Franice (Laurie O.)
to send to state fund.

CONTRACT

This agreement is entered into this 15 day of March, 2021, by and between **LAN Engineering, Planning, Architecture, Surveying, Inc.** (“Engineer”) and the **Borough of Midland Park Planning Board** (“Board”).

RECITALS

WHEREAS, there exists a need for the retention of professional engineering and planning services to advise to the Board; and

WHEREAS, the Board is authorized pursuant to N.J.S.A. 40:55D-24 et seq. to employ such experts as are required to perform statutory functions; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. allows for the rewarding of such contracts without competitive bids; and

WHEREAS, the Board desires to retain Engineer for such purposes.

NOW, THEREFORE, in consideration of the terms and covenants contained herein, the parties agree as follows:

1. The Board hereby retains Engineer for the purposes set forth herein for the period effective January 1, 2021 until December 31, 2021.
2. Engineer shall be required to attend all Planning Board meetings and to render expert advice as required by the Board and to perform such other functions as may be required by the Board.
3. Engineer shall be paid in accordance with the following:
 - a. For attendance at all Board meetings - the sum of \$250.00 per meeting.
 - b. For any additional work requested or required by the Board - the sum of \$200.00 per hour for such work.

Engineer shall submit vouchers on a monthly basis for above services.

4. This contract may be terminated by either party upon 30 days' notice.

Political Contribution Disclosure. This contract has been awarded to **Engineer** based on the merits and abilities of **Engineer** to provide the goods or services as described herein. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 *et seq.* As such, the undersigned does hereby attest that **Engineer**, its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.I. 2004, c.19, affect his eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the Borough of Midland Park if a member of that political party is serving in an elective public office of the Borough of Midland Park when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Borough of Midland Park when the contract is awarded.

IN WITNESS WHEREOF, the parties have entered into this agreement on the date and year first written above.

ATTEST:

MIDLAND PARK PLANNING BOARD

By: _____
Kent Rigg, *Chairman*

LAN Engineering, Planning, Architecture,
Surveying, Inc.

By: _____

**RESOLUTION OF THE MIDLAND PARK PLANNING BOARD
AUTHORIZING CONTRACT FOR PROFESSIONAL SERVICES
WITH LAN ENGINEERING, PLANNING, ARCHITECTURE, SURVEYING, INC. AS
ENGINEER**

WHEREAS, there exists a need for the retention of LAN Engineering, Planning, Architecture, Surveying, Inc. (“LAN”) to render professional engineering advice to the Midland Park Planning Board; and

WHEREAS, the Midland Park Planning Board is authorized pursuant to N.J.S. 40:55D-24, et seq., to employ such experts as are required to perform its statutory functions; and

WHEREAS, the contract provides for a lump sum retainer in the sum of \$250.00 for each meeting of the Midland Park Planning Board, with provision for reimbursement for additional work as required by the Midland Park Planning Board at the rate allowed by law of five percent (5%) of site development costs at an hourly rate of \$200.00 per hour; and

WHEREAS, funds are available in the appropriation to the Midland Park Planning Board, and have been certified by the Local Finance Officer; and

WHEREAS, the Local Public Contracts Law (N.J.S. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for “professional services” without competitive bids on the contract itself must be available for public inspection;

NOW THEREFORE, BE IT RESOLVED by the Midland Park Planning Board as follows:

1. The Chairman and Secretary of the Midland Park Planning Board are hereby authorized and directed to execute the attached agreement with LAN.
2. The contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S. 40A:11-5(1)(a) of the Local Public Contracts Law because Erik Boe of

LAN has represented that LAN is qualified to serve as planning board engineer; has previously served in the position of Planning Board Engineer since January 1996; and for other good and sufficient cause shown.

3. A notice of this action shall be printed once in the official newspaper recognized by the Midland Park Planning Board.

ATTEST:

MIDLAND PARK PLANNING BOARD

By: _____
Kent Rigg, *Chairman*

Dated: March 15, 2021

CONTRACT

This agreement is entered into this 15 day of March, 2021 by and between **Darryl W. Siss, Esq. of the firm of Teschon, Riccobene & Siss, PA** (“Attorney”) and the **Borough of Midland Park Planning Board** (“Board”).

RECITALS

WHEREAS, there exists a need for the retention of legal counsel to render professional advice to the Board; and

WHEREAS, the Board is authorized pursuant to N.J.S.A. 40:55D-24 et seq. to employ such experts as are required to perform statutory functions; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. allows for the rewarding of such contracts without competitive bids; and

WHEREAS, the Board desires to retain Attorney for such purposes.

NOW, THEREFORE, in consideration of the terms and covenants contained herein, the parties agree as follows:

1. The Board hereby retains Attorney for the purposes set forth herein for the period effective January 1, 2021 until December 31, 2021.
2. Attorney shall be required to attend all Planning Board meetings and to render expert advice as required by the Board and to perform such other functions as may be required by the Board.
3. Attorney shall be paid in accordance with the following:
 - a. For attendance at all Board meetings - the sum of \$250.00 per meeting.
 - b. For any additional work requested or required by the Board - the sum of \$200.00 per hour for such work.

Attorney shall submit vouchers on a monthly basis for above services.

4. This contract may be terminated by either party upon 30 days notice.

Political Contribution Disclosure. This contract has been awarded to **Attorney** based on the merits and abilities of **Attorney** to provide the goods or services as described herein. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 *et seq.* As such, the undersigned does hereby attest that **Attorney**, its' subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.I. 2004, c.19, affect his eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the Borough of Midland Park if a member of that political party is serving in an elective public office of the Borough of Midland Park when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Borough of Midland Park when the contract is awarded.

IN WITNESS WHEREOF, the parties have entered into this agreement on the date and year first written above.

WITNESS/ATTEST:

MIDLAND PARK PLANNING BOARD

By: _____
Kent Rigg, Chairman

Darryl W. Siss, Esq.

**RESOLUTION AUTHORIZING CONTRACT WITH
DARRYL W. SISS, ESQ. FOR
PROFESSIONAL SERVICES**

WHEREAS, there exists a need for the retention of Darryl W. Siss, Esq., a member of the law firm of Teschon, Riccobene & Siss, P.A., to render professional advice to the Planning Board; and

WHEREAS, the Planning Board is authorized pursuant to N.J.S.A. 40:55D-24, et seq., to employ such experts as are required to perform its statutory functions; and

WHEREAS, the contract provides for a per meeting fee of \$250.00 as compensation for attending the Planning Board's regular and special meetings, with provision for reimbursement for additional work as required by the Planning Board at the rate of \$200.00 per hour; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A-11-1, et seq.) requires that the resolution authorizing the award of the contracts for "professional services" without competitive bids on the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Midland Park Planning Board as follows:

1. The chairman and secretary of the Planning Board are hereby authorized and directed to execute the attached contract with Darryl W. Siss, Esq.
2. The contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because Darryl W. Siss, Esq. has represented that he is an attorney-at-law of the State of New Jersey in good standing; and for other good and sufficient cause shown.

3. A notice of this action shall be printed once in the official newspaper recognized by the Planning Board.

ATTEST:

MIDLAND PARK PLANNING BOARD

Kent Rigg, Chairman

Dated: March 15, 2021



LAN ASSOCIATES

SINCE 1965

ENGINEERING ■ PLANNING ■ ARCHITECTURE ■ SURVEYING, INC.

445 GODWIN AVENUE, MIDLAND PARK, NEW JERSEY 07432

P. 201-447-6400 ■ F. 201-447-1233 ■ WWW.LAN-NJ.COM

January 25, 2021

Sent Via Email: JGiardino@midlandparknj.org

Borough of Midland Park
Planning Board
280 Godwin Ave
Midland Park, NJ 07432

Attn: Ms. Janet Giardino, Secretary

Subject: Midland Park Planning Board/
John Panariello
Site Plan Application for
Approval of Existing Use
Resolution Compliance Review
80 West Street
Block 33, Lot 2
LAN Job #2.2428.255

Dear Ms. Giardino:

LAN Associates, Engineering, Planning, Architecture, Surveying, Inc. (LAN) is in receipt of a site plan, revised 11/16/20, and has reviewed said plan set for resolution compliance. Following are the resolution conditions of approval, and our assessment of their status.

1. *That the granting of the application is subject to the approval of the Bergen County Planning Board, if necessary.*

Informational.

2. *To the extent not set forth above, the applicant shall comply with any and all applicable requirements of the Federal Americans with Disabilities Act.*

Informational.

3. *This approval is subject to all of the representations made by the applicant and its' experts.*

Informational.

4. *The applicant shall revise the Plans to indicate the storage trailer and the distance from the lot line to the trailer.*

The revised plans show the existing storage trailer along with the distance from the lot line to the trailer.

5. *The Plans shall be revised to indicate the location of all access doors to the buildings.*

The revised plans show the access doors to the building.

6. *The Plans shall be revised to show the location of all security lighting.*

The revised plans show the location of the security lighting.

7. *The applicant shall install a Knox Box on the building at a location acceptable to the fire official.*

The applicant should coordinate with the fire official regarding the knox box requirements.

8. *In the event that the lease for the parking spaces on the adjoining property terminates and applicant no longer has the right to use the spaces for parking, the applicant must stripe the spaces on the Property as shown on the Plans.*

Informational.

It is our opinion that the revised site plan has met relevant conditions of the Planning Board resolution.

Respectfully submitted,

LAN Associates, Engineering, Planning,
Architecture, Surveying, Inc. (LAN)
Planning Board Engineer



Erik E. Boe, PE

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cc: File #2.2428.255

Amy Davidson (Via Email: adavidson@midlandparknj.org)

Darryl W. Siss, Esq. (Via Email: dsiss@trslawfirm.com)

Joseph A. Russo, Esq. (Via Email: jrusso@uqur.com)

Robert J. Weissman (Via Email: weismanengineering@yahoo.com)