

**BOROUGH OF MIDLAND PARK
280 GODWIN AVENUE
MIDLAND PARK, NJ 07432
February 25, 2021**

8:00 PM Open Public Meeting Minutes

On February 25, 2021 at 8:00 p.m., the Mayor and Council of Midland Park conducted an Electronic Public Meeting in lieu of its in-person Public Meeting previously advertised. Members of the public accessed the meeting by dialing this Toll Free Dial in number (United States): United States (Toll Free): [1 866 899 4679](tel:18668994679) Access Code: 305-281-981

Questions, Comments or Concerns were emailed in advance to the Borough Clerk at wmartin@midlandparknj.org no later than February 25, 2021 4:00 pm.

Agenda items for the meeting were listed on the Borough website. The foregoing Electronic Public Meeting was recommended due to the current situation involving the COVID-19 Virus and directives of State and County governments.

The **Mayor** called upon **Councilwoman DeLuca** to give this evening's Invocation, and then the **Mayor** led all present in the Pledge of Allegiance.

Mayor Shortway called the meeting to order, noting the date as February 25, 2021, 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 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.

Roll Call:	Mayor Shortway	Present
	Councilman Damiano	Present
	Councilman Kruis	Present
	Councilman Sansone	Present
	Councilwoman DeLuca	Present
	Councilwoman Peet	Present
	Council President Iannone	Present

ALSO PRESENT: Borough Attorney Regan and Acting Borough Administrator/Borough Clerk Martin

PUBLIC ROLL CALL:

Acting Administrator Martin took a roll call of the public in attendance.

**Anthony Sikora – 41 Chestnut Street
Liliana Occhipinti - 26 Hiawatha Court**

APPROVAL OF MINUTES:

No minutes available for approval at this time

OPEN TO THE PUBLIC:

The **Mayor** opened the meeting to the public for general questions, concerns and comments. Acting Administrator Martin asked individual members of the Public to speak at this time.

Anthony Sikora – no comment

Liliana Occhipinti – emailed her question prior to the meeting:

Has the BOE shared with the town that our kids’ education depends on Midland Park staying in a certain colored zone provided by the Center for Disease Control? If so, how will the Mayor and Council help communicate this as community awareness may be helpful?

Acting Administrator Martin stated that the school and the Borough have not discussed this, however, the **Mayor** and the Borough has and will continue to put out statements that all social distancing guidelines must be adhered to. Mrs. Occhipinti noted that the Centers for Disease Control issued a color-coded guideline for reopening schools, which depends on community adherence to the social distancing guidelines. Acting Administrator Martin noted the school deals directly with the Midland Park Board of Health and bases decisions regarding re-opening on the information received from them. **Councilwoman Peet** stated the Northwest Bergen Regional Health Commission puts out a weekly posting for the community to keep the residents aware of the safety guidelines. She reported the Board of Education addressed a notice that came out from the C.D.C. that needed some clarification and that took a week to get back to the officials involved, which delayed the implementation of Phase 2 of re-opening for the schools. She reiterated the Health Department is being diligent with keeping the community aware of safety issues during this crisis.

At this time questions, concerns or comments emailed in advance to the Borough Clerk were addressed. There were no other questions, comments or concerns emailed to the Borough Clerk.

LIAISON REPORTS:

Mayor Shortway

Mayor Shortway reported on February 13th, he attended the Northwest Bergen Mayors meeting: the main topic for discussion was the COVID-19 vaccines and how difficult it has been for the elderly to schedule a time slot to receive a vaccine. All the Mayors agreed to contact the County for any help they can give.

Councilman Kruis

Planning Board/Building Dept/Fire Prevention/OEM/Property Maintenance

Councilman Kruis reported the **Planning Board** meeting was canceled.

The **Councilman** reported the **Office of Emergency Management** Coordinator/**Fire Prevention** Official submitted his report: everything has remained status quo.

Councilman Kruis reported he did not talk to the **Building Department or Property Maintenance** Officials.

Councilman Sansone

Public Works/Chamber of Commerce/Economic Development Committee

Councilman Sansone reported the **Department of Public Works** has been busy with the winter weather and has gone over and above making sure the roads and residents are safe; there is a road salt shortage in New Jersey, however, Midland Park’s supplies are good for the rest of this season; all pertinent storm information has been sent to the Office of Emergency Management Coordinator for possible reimbursement from the Federal Emergency Management Agency; one of the garage doors at

Roll Call: **Councilman Damiano** **Aye**
 Councilman Kruis **Aye**
 Councilman Sansone **Aye**
 Councilwoman DeLuca **Aye**
 Councilwoman Peet **Aye**
 Council President Iannone **Aye**

OLD BUSINESS/NEW BUSINESS:

There was no Old Business to discuss

Councilwoman DeLuca announced the Veterans of Foreign Wars would like to have their plant sale and are wondering if the Borough will be imposing any restrictions? She stated they will be following social distancing guidelines and will adhere to the outdoor gathering limits. The consensus of the Governing Body is yes, they can hold the sale and no further restrictions will be imposed.

PUBLIC COMMENT:

Once again, the **Mayor** opened the meeting to the public and the Council for any comments, questions, or concerns.

Anthony Sikora-no comment

Liliana Occhipinti-no comment

There being no further response and no further business to address, at 8:37 P.M., the following resolution was read by the Borough Attorney and adopted by the Council. The Borough Clerk stated if there is any action to be taken, the Governing Body will reconvene in an Open Public Session. The Council then convened into a Second Closed Session.

MOTION:

A Motion to Go into a Second Closed Session

Introduced by: Councilman Sansone

Seconded by: Councilwoman DeLuca

Roll Call: **Councilman Damiano** **Aye**
 Councilman Kruis **Aye**
 Councilman Sansone **Aye**
 Councilwoman DeLuca **Aye**
 Councilwoman Peet **Aye**
 Council President Iannone **Aye**

Resolution #060-21 - 2ND CLOSED SESSION – AFTER FEBRUARY 25, 2021

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;

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: _____). If contract negotiations the nature of the contract and interested party is _____

Under certain 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 a 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 discussion is: Police Personnel).

_____ 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;

BE 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.

Introduced by: Councilwoman DeLuca

Seconded by: Councilwoman Peet

Roll Call:	Councilman Damiano	Aye
	Councilman Kruis	Aye
	Councilman Sansone	Aye
	Councilwoman DeLuca	Aye
	Councilwoman Peet	Aye
	Council President Iannone	Aye

At 9:20 P.M., the Governing Body reconvened into the Open Public Meeting.

PUBLIC ROLL CALL:

Anthony Sikora-no comment

Liliana Occhipinti-no comment

There being no response and no further business to address, at 9:22 P.M., on a Motion by **Councilman Kruis**, Seconded by **Councilman Sansone** and carried, **Mayor Shortway** adjourned the meeting.

Respectfully submitted,

Wendy Martin, R.M.C.
Borough Clerk