

**BOROUGH OF MIDLAND PARK
280 GODWIN AVENUE
MIDLAND PARK NJ 07432
NOVEMBER 9, 2023**

8:00 P.M. OPEN PUBLIC MEETING MINUTES

On November 9, 2023 at 8:01 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 November 9, 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.

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|-------------------|---------------------------------|----------------|
| Roll Call: | Mayor Shortway | Present |
| | Councilman Sansone | Present |
| | Councilman Braunius | Present |
| | Councilman DeBlasio | Present |
| | Councilman Kruis | Present |
| | Councilwoman Peet | Present |
| | Council President DeLuca | Present |

ALSO PRESENT: Borough Attorney Robert Regan, Borough Administrator/Clerk Wendy Martin, and Deputy Clerk Mari J. Margiotta

ABSENT: None

APPROVAL OF MINUTES:

A Motion to approve the Minutes of the Work Session, Open Public Meeting, and After Closed Session from the date of September 28, 2023 as all Governing Body members have previously received copies of the Minutes and copies are available to the Public at the Borough Clerk's Office.

Introduced by: Councilman Braunius **Seconded by: Councilman Kruis**

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| Roll Call: | Councilman Sansone | Aye |
| | Councilman Braunius | Aye |
| | Councilman DeBlasio | Aye |
| | Councilman Kruis | Aye |
| | Councilwoman Peet | Aye |
| | Council President DeLuca | Aye |

OPEN TO THE PUBLIC:

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

Due to the adoption of Daniel's Law, P.L.2021, c.371 the Borough only requires the Public to state their name and if they reside in the Borough of Midland Park for the Record.

Robert Mulder, Midland Park resident, presented a painting that he and Nicole Priestner would like to propose a mural be painted on the outside Snack Stand walls. The existing murals will not be painted over. Any touchups will be administered to the walls. The **Mayor and Council** agreed.

There being no one else wishing to speak from the Public, the Public Portion was closed.

LIAISON REPORTS:

Mayor Shortway

Mayor Shortway attended a meeting on October 30, 2023 which included the Borough Planner and some members from the Planning Board with the subject of the project on Midland Avenue. The **Mayor** stated he will be attending a Mayor's Association on Saturday, November 11, 2023. **Councilmen Braunius and DeBlasio** complimented the progress and improvement the Midland Avenue meeting contained.

Councilwoman Peet Public Safety – Police/Board of Health/Bd of Education/Ridgewood Water
Councilwoman Peet announced the progress of the **Board of Health** in their certification process. Due to the New Jersey League of Municipalities Conference, the **Councilwoman** will not be in attendance for the next **Board of Education** meeting. The agenda for the BOE meeting consists of routine matters. A new Board of Education member, Daniel McCarthy will take the place of James Canellas, who has accepted the position in Glen Rock, NJ as the Business Administrator for their schools. The monthly **Police Department** report is available for the public to review. The **Ridgewood Water** presentation was extremely informative during the Closed Session. More information will be provided once permitted by the legal department.

Council President DeLuca

Public Safety – Fire/Personnel/Library

Council President DeLuca announced the **Personnel Department** reported progress. For the month of October 2023, the **Fire Department** received a total of 22 calls with 1 mutual aid to the Township of Wyckoff. In Chief Matthew Tauber's report, the following activities will be conducted and/or attended by the Department: December 1st - the Borough's Tree Lighting ceremony, December 8th – Toys for Tots event hosted by Parkwood Deli, December 9th – hosting Breakfast with Santa at the Social Hall, and on December 16th through 17th, 2024, Santa will deliver presents to families in Midland Park. The **Council President** would like to have **Mayor** and **Council** approve the transfer of a fireman, William Peterson, from the City of Garfield. A Motion will be made later on in the Open Meeting for a roll call vote. The next **Library Board's** meeting will be on November 21, 2024. Library Director Catherine Dileo reported the HIP Preschool will be visiting on a regular schedule to educate their students of their services. The Library is offering, by appointment only, a drop-in tech assistance for basic computer/tablet help. Please visit the Borough and Library's websites for more upcoming events and activities.

Councilman Braunius Office of Emergency Management/ Recreation/Chambers of Commerce
Councilman Braunius reported the **Office Of Emergency Management** monthly report was sent to all by Michael Rau. There was an attendance of 100% by the members of the Board of Recreation. A newcomers meeting is scheduled for November 19, 2023 at the Barn for new residents. The Director of **Recreation**, Kathy LaMonte is also working on the Tree Lighting event for December 1, 2023.

Councilman DeBlasio

Information Technology/Building Department/Municipal Alliance

Councilman DeBlasio reported the **Building Department** conducted 136 inspections, issued 87 permits, and collected \$19,966.00 for the month of October 2023. The Mini Mart on Godwin Avenue has reopened. The Director of **Information Technology**, Philip Scaglione, recommends moving forward with the recreation cameras before the cold weather comes to the area. The issues with the fire sirens are being researched and addressed. The Borough's telephone system will need a different vendor since Mitel has been purchased by a different company that cannot meet the requirements of the Borough. At the upcoming New Jersey League of Municipalities Convention (NJLM), the **Councilman** and Mr. Scaglione are looking forward to investigating different software to protect against penetration into the municipality's computer system. There has been progress reported for the **Municipal Alliance**.

Councilman Sansone

Finance/Public Safety – Ambulance/Fire Prevention

Councilman Sansone stated there has been progress for the Borough's **Finance Department**. The **Councilman** is waiting for the new Officers listing for the **Ambulance Corps**. In the **Fire Prevention** report from Official Michael Rau, a list of seminars and classes required for the position were noted. The monthly report was distributed to the Governing Body.

Councilman Kruis

Property Maintenance/ Public Works/Planning Board

Councilman Kruis announced for **Property Maintenance**, Official Michael Thimme has been resolving matters on Ridgewood Water properties in the Borough. Mr. Thimme has noticed Midland Park does not have an ordinance addressing snow removal around fire hydrants. A discussion ensued concerning the disregard of the law not to place leaves in the roadway. Borough Administrator/Clerk Wendy will verify Mr. Thimme has the authority to enforce this ruling. **Councilman Kruis** stated the Department of Public Works has completed and/or is working on the following projects: the fall leaf pickup has collected 700 yards, the Department of Transportation project on Franklin Avenue is finishing the curbing and ADA ramps, PSE&G contractor has repaved the roads according to the main replacement plan, the 2023 Road Resurfacing Project on Chamberlain Avenue will begin on November 15, 2023, and Bank Street will be resurfaced. On November 1, 2023, Superintendent of the Department of Public Works, Matthew Tauber met with Eagle Scout Benjamin to finalize his volunteer work at the Veterans Memorial Park.

ADMINISTRATOR'S REPORT:

Borough Administrator/Clerk Wendy Martin reported the 2023 General Election was a challenging event.

ORDINANCE ON FINAL:

1. ORDINANCE #22-2023 - TABLE

AN ORDINANCE CLARIFYING RETIREE HEALTH BENEFITS FOR EMPLOYEES HIRED PRIOR TO JANUARY 1, 2024 AND ELIMINATING RETIREE HEALTH BENEFITS AND MEDICARE PREMIUM REIMBURSEMENT FOR EMPLOYEES HIRED FROM AND AFTER JANUARY 1, 2024

Introduced by: Council President DeLuca

Seconded by: Councilman Braunius

Roll Call: Councilman Braunius

Aye

Councilman DeBlasio

Aye

Councilman Damiano

Aye

Councilman Kruis

Aye

Councilwoman Peet

Aye

Council President DeLuca

Aye

2. ORDINANCE #23-2023

AN ORDINANCE TO AUTHORIZE THE EXPENDITURE OF \$141,410.00: \$100,834.00 FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT ALLOCATION AND \$40,576.00 FROM THE BERGEN COUNTY DIVISION OF COMMUNITY DEVELOPMENT UNPROGRAMMED FUND ALLOCATION, FOR THE BANK STREET ROAD IMPROVEMENTS PROJECT

BE IT ORDAINED, by the Borough Council of the Borough of Midland Park, in the County of Bergen, New Jersey, as follows:

Section 1.

The Borough of Midland Park has received 2023 Bergen County Community Development Block Grant Funding for the Bank Street Road Improvement Project.

Section 2.

The sum of \$141,410.00 is appropriated to the payment of the cost of such improvements authorized and described in Section 1 hereof.

Section 3.

Said improvements are lawful capital improvements of the Borough having a period of usefulness of at least five (5) years. Said improvements shall be made as a general improvement, and no part of the cost has been nor shall be assessed against property specially benefited.

Section 4.

The capital budget is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 5.

This ordinance hereby incorporates the provisions of N.J.S.A. 40A:2-20.

Section 6.

This ordinance shall take effect at the time and in the manner provided by law.

At this time **Mayor Shortway** opens the meeting to the public for any questions, comments, or concerns regarding Ordinance #23-2023.

Due to the Adoption of Daniel's Law, P.L.2021, c.371, the Borough only requires the Public to state their name for the Record.

There being no one wishing to speak from the Public, the **Mayor** closed the meeting to the public regarding Ordinance #23-2023.

Introduced by: Councilman Kruis

Seconded by: Council President DeLuca

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|-------------------|---------------------------------|------------|
| Roll Call: | Councilman Sansone | Aye |
| | Councilman Braunius | Aye |
| | Councilman DeBlasio | Aye |
| | Councilman Kruis | Aye |
| | Councilwoman Peet | Aye |
| | 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 #186-2023 Authorize the Award of a Required Disclosure Contract with Reiner Group Inc. for Improvements to Municipal Offices – Pulled from Consent Agenda for discussions at a later date (Councilman Kruis)

WHEREAS, the Borough of Midland Park has a need for various improvements to municipal offices through Reiner Group Inc. 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 Reiner Group Inc. is the most advantageous price and other factors considered, with a quote for \$18,900.00; and

WHEREAS, Reiner Group Inc. 11-07 River Road, Fair Lawn, N.J. 07410, has completed and submitted a Business Entity Disclosure Certification and a Personal Contribution Disclosure form which certifies that Reiner Group Inc. 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 Reiner Group Inc. from making any reportable contributions through the term of the contract, and

WHEREAS the Chief Financial Officer hereby certifies that funds NOT TO EXCEED \$18,900.00 are available as follows.

ORD #13-21 VARIOUS BUILDING IMPROVEMENTS (X-10- -390-101) \$18,900.00

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 Reiner Group Inc. not to exceed \$18,900.00 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 #187-2023 Award Professional Insurance Associates Inc., as Health Benefits Insurance Consultant as an Extra Unspecifiable Service in a Required Disclosure Manner

WHEREAS, the Borough of Midland Park has a need for Health Benefits Insurance Consultant Services for its medical, prescription, dental and related benefits service plans; and

WHEREAS, the Borough has obtained an extraordinary services proposal in accord with N.J.S.A.40A:11-5(1)(m), and N.J.S.A. 40A:11-5(1)(ii) in a required disclosure manner consistent with N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough received a proposal from:

WHEREAS, Professional Insurance Associates, 429 Hackensack Street, Carlstadt, NJ 07072 has provided for a Business Entity Disclosure Contribution form as well as a Political Contribution Disclosure form, indicating no reportable donations have occurred in the past contract year; and

WHEREAS, the award of the contract aforesaid shall be conditioned upon the certification of the availability of funds from the Current Fund Appropriations, by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Midland Park, County of Bergen, State of New Jersey, that Professional Insurance Associates, 429 Hackensack Street, Carlstadt, NJ 07072 is appointed for a one (1) year term in accord with N.J.S.A.40A:11-5(1)(m), and N.J.S.A. 40A:11-5(1)(ii) in a required disclosure manner consistent with N.J.S.A. 19:44A-20.5 as Health Benefits Insurance Consultant.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute all agreements and documents in furtherance of award; and

Resolution #188-2023 Blood Borne Pathogens

WHEREAS, there exists a need for the Borough of Midland Park to provide state mandated health services of a technical and professional nature for the Blood Borne Pathogens Compliance Program as per N.J.S.A. 40A:60-1; and

WHEREAS, the Bergen County Department of Health can assure compliance with P.E.O.S.H.A. as follows: Exposure Control Plan Development, Training Programs, Policies and Procedures, Record/Reports Generation and Retention and billing support documentation; and

WHEREAS, the Bergen County Department of Health Services will be able to provide such public health services to the Borough of Midland Park for calendar year 2023-2024 at a fee of \$15.00 per person for training and \$10.00 per person for administrative fees.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Midland Park that the Mayor and Borough Clerk are hereby authorized to execute an agreement with the Bergen County Department of Health Services to perform public health services for the Blood Borne Pathogens Program for the year 2023-2024, at the above noted cost; and

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5(2).

Resolution #189-2023 Budget Transfers 2023

WHEREAS, transfers are permitted between budget appropriations during the last two months of the

fiscal year; except for out-of-cap expenses;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Midland Park, in the County of Bergen, New Jersey, that transfers between 2023 Budget Appropriations be made as follows:

| <u>Department</u> | <u>Account Name</u> | <u>Account #</u> | <u>To</u> | <u>From</u> |
|-------------------|---------------------|------------------|-------------|-------------|
| Building Dept | Govt Software | 3-01--029-217 | \$ 9,225.00 | |
| Utilities | Gasoline | 3-01--031-201 | | \$ 9,225.00 |
| Well Child | Miscellaneous | 3-01--211-217 | \$ 200.00 | |
| Sewer System | Line Maint/Repair | 3-01--022-281 | \$ 525.00 | |
| Awards Adjustment | Salary & Wages | 3-01--030-105 | | \$ 725.00 |
| Utilities | Water | 3-01--031-208 | \$ 2,300.00 | |
| Tax Assessment | Professional Svcs | 3-01--003-225 | | \$ 2,300.00 |
| Municipal Audit | Mun Audit Costs | 3-01--053-219 | \$ 3,500.00 | |
| Master Plan/COAH | COAH compliance | 3-01--010-218 | | \$ 3,500.00 |
| Vehicle Maint | DPW vehicle maint | 3-01- -054-205 | \$ 5,000.00 | |
| I.T. Support | I.T. Other Expenses | 3-01- -057-203 | | \$ 5,000.00 |
| Statutory Expense | DCRP | 3-01- -041-445 | \$ 1,200.00 | |
| Fire Dept. | Fire Hydrant Svcs | 3-01- -013-301 | | \$ 1,200.00 |
| Mayor & Council | Conference Expense | 3-01- -051-207 | \$ 500.00 | |
| Mun Clerk | Advertising | 3-01- -052-205 | | \$ 500.00 |

Resolution #190-2023 Void/Reissue AP Check

WHEREAS, the North Jersey Chorus Inc. May 25, 2023, social hall deposit refund was lost in transit;
WHEREAS, the CFO did a stop payment and voided check #20631 in the amount of \$200.00 and will be issuing a replacement check on the November 9, 2023 bills list to;

North Jersey Chorus Inc c/o Van Riper Baptist Church
7-01 River Rd., Fair Lawn, NJ 07410-1423

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Midland Park, that North Jersey Chorus Inc will be reissued a new check in the amount of \$200.00.

Resolution #193-2023 Community Development Grant Application Road Resurfacing of Cross Avenue and Post Street (Addendum)

WHEREAS, a Bergen County Community Development grant of \$169,110.00 has been proposed by the Borough of Midland Park for Resurfacing of Cross Avenue & Post Street in the municipality of Midland Park, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

WHEREAS, the aforesaid project is in the best interest of the people of the Borough of Midland Park, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Midland Park hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Introduced by: Councilman DeBlasio

Seconded by: Councilman Braunius

Roll Call: Councilman Sansone Aye
Councilman Braunius Aye
Councilman DeBlasio Aye
Councilman Kruis Aye
Councilwoman Peet Aye
Council President DeLuca Aye

RESOLUTIONS:

1. Resolution #185-2023 Bills List

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

| | |
|--------------------|----------------------|
| Current Fund ('22) | \$ 35.10 |
| Current Fund | \$ 385,999.66 |
| Dog Fund | \$ 629.21 |
| Capital Fund | \$ 6,016.71 |
| Trust Fund | \$ 5,402.50 |
| TOTAL: | \$ 398,083.18 |

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 | October 30 th Payroll | \$ 228,305.42 |
| Current | December Health Payments | \$ 106,178.38 |
| Current | December School Taxes | \$1,782,403.20 |

NOW, THEREFORE, BE IT RESOLVED, by the Council President and Council of the Borough of Midland Park that the claims totaling \$2,514,970.18 approved and ratified respectively.

Introduced by: Councilman Sansone

Seconded by: Councilman Braunius

Roll Call: Councilman Sansone Aye
Councilman Braunius Aye
Councilman DeBlasio Aye
Councilman Kruis Aye
Councilwoman Peet Aye
Council President DeLuca Aye

OLD BUSINESS:

No Old Business to report.

MOTION:

Council President DeLuca made a Motion to approve a transfer fireman from the City of Garfield, William K. Peterson to the Borough Midland Park Volunteer Fire Department.

Introduced by: Council President DeLuca

Seconded by: Councilman Sansone

Roll Call: Councilman Sansone Aye
Councilman Braunius Aye
Councilman DeBlasio Aye
Councilman Kruis Aye
Councilwoman Peet Aye
Council President DeLuca Aye

NEW BUSINESS:

Council President DeLuca invited everyone to the November 11, 2023 Veterans Day services at the Social Hall. Borough Administrator/Clerk Wendy Martin received an email request from a resident of Midland Park asking for the tennis courts nets to remain longer on the courts. Ms. Martin spoke with Superintendent of the Department of Public Works, Matthew Tauber, who stated the tennis courts are winterized at a certain time each year to avoid the nets deteriorating and most of all keep the public safe on the courts due to leaves, acorns, and slippery conditions when they are wet and/or icy. The Governing Body were invited to the Faith Reformed Church to their community Thanksgiving celebration. The Church asked if their event could be posted on the electronic sign. Unfortunately, the Borough abides by the rule of no religious events will be advertised.

PUBLIC COMMENT:

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

Due to the adoption of Daniel's Law, P.L.2021, c.371, the Borough only requires the Public to state their name and if they reside in the Borough of Midland Park for the Record.

There being no one from the Public wishing to speak, the Public Session was closed.

ADJOURNMENT:

There being no further business to discuss, on a Motion by **Councilman Braunius**, Seconded by **Council President DeLuca** and carried, **Mayor Shortway** adjourned the Open Public meeting at 8:42 P.M.

Respectfully submitted,



Wendy Martin, RMC

Borough Administrator/Clerk