

**AMENDED**  
**MAYOR AND COUNCIL**  
**BOROUGH OF DEMAREST**

REGULAR MEETING AGENDA

April 25, 2022 7:30 PM

The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this regular meeting in the annual schedule and notice of regular meetings of this Governing Body. Such annual schedule and notice of regular meetings is posted at Borough Hall, was mailed to the Record and Star Ledger and was filed with the Borough Clerk of Demarest on November 22, 2021.

1. Pledge of Allegiance
2. Roll Call
3. Adoption of Agenda
4. Presentation to Mr. DePietro from the Fire Department
5. PUBLIC HEARING: Municipal Park Improvement Grant
6. PUBLIC HEARING: Historic Preservation Grant
7. INTRODUCTION OF ORDINANCE NO. 1100-22; CALENDAR YEAR 2022 ORDINANCE NOT EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK.
8. INTRODUCTION OF ORDINANCE NO. 1101-22: AN ORDINANCE AMENDING SECTION 84 OF THE DEMAREST BOROUGH CODE BUILDING CONSTRUCTION FEES.
9. INTRODUCTION OR ORDINANCE NO. 1102-22: AN ORDINANCE AUTHORIZING THE USE OF REAL PROPERTY KNOWN AS LOT 15 BLOCK 23 ON THE TAX MAP OF THE BOROUGH OF DEMAREST, MORE COMMONLY KNOWN AS 129 HARDENBURGH AVENUE FOR BOROUGH OFFICES.
10. **Review of Consent Agenda Items:** All items with an asterisk are considered to be non-controversial by the Council and will be approved by one motion. There may be further discussion prior to the vote upon request of a member of the public or a Council member. Also, any item may be removed for further

discussion or for roll call vote in which case the item will be removed and considered in its normal sequence as part of the general order of business.

### **Resolutions**

11. Resolution approving authorizing claims in the amount of \$4,324,172.49\*
12. Resolution authorizing the borough to apply for a county trust fund and historic preservation program grant \*
13. Resolution authorizing Demarest to apply for county trust fund park improvement grant\*
14. Resolution approving hiring a licensed tree expert as a consultant\*
15. Resolution authorizing release of escrow monies\*
16. Resolution accepting the dedication of the plaque and sign in memory of Nancy Woods\*
17. Resolution approving boot drive/coin toss for the fire department\*
18. Motion approving Jewish Federation raffle #RA-22-70\*
  
19. Request to remove items from Consent Agenda
20. Discussion on items removed from Consent Agenda
21. Motion to open the meeting to the Public
22. Motion to close meeting to Public on Consent Agenda items only
23. Motion approving Consent Agenda items 11-18

### **New Business**

24. Motion approving minutes of special meeting of March 14,2022 (JC, BC, DF, MH)
25. Motion approving minutes of Mayor and Council meeting of March 28, 2022 (JC, DF, MH, AS, BC, RL)
26. Resolution approving the introduction of the 2022 Budget

### **Mayor's Report**

### **Council Committee Reports**

27. Police, Fire, and Public Events
28. Ambulance and Recreation
29. Management, Administrative & Communication Committee
30. Finance & Insurance Committee
31. DPW, Public Buildings, Public Utilities & Recycling Committee
32. Real Estate & Ordinance Committee

**Reports of Borough Officials**

- 33. Borough Administrator
- 34. Borough Attorney
- 35. Borough Engineer
- 36. Borough Treasurer
- 37. Police Chief
- 38. Fire Chief
- 39. Ambulance

Meeting Open to the Public

Closed Session

Adjournment

**Bergen County 2022 Municipal Park Improvement Grant Program**  
**Public Hearing – April 25, 2022**  
**Borough of Demarest**

**Hearing Notice**

The Public Hearing was advertised as a display ad and legal ad in The Bergen Record on April 14, 2022.

**Bergen County Municipal Park Improvement Grant Program**

The program provides matching grants for the development and redevelopment of municipal parkland. This year's application deadline is Friday, May 6, 2022.

The goals of the program include:

- Increasing and improving outdoor active and passive recreational activities

**Project Location**

The project is located at Borough Hall.

- Located at 110 Serpentine Road;
- Identified as Block 32, Lot 21;
- Owned by the Borough of Demarest.

**Project Scope**

The proposed scope includes improvements to open space behind Borough Hall.

The proposed project includes:

- Installing concrete sidewalk;
- Installing open air pavilion;
- Installing benches;
- Installing handrail;
- Landscaping; and,
- Restoring grass and grading.

**Grant Request & Project Cost:**

- Total project cost: **\$93,585.00**
- Grant request (50% of project cost): **\$46,792.50**
- Required matching funds to be provided by the Borough: **\$46,792.50**

**Bergen County 2022 Municipal Park Improvement Grant Program**  
**Public Hearing – April 25, 2022**  
**Borough of Demarest**

**Bergen County Historic Preservation Grant Program**

The program provides matching grants for the preservation and restoration of Bergen County's historic resources. This year's application deadline is Friday, May 6, 2022.

The goals of the program include:

- Preserve the rich heritage of historically and architecturally significant sites within Bergen County.

**Project Location**

The project is located at Sautjes Tave's Begraven Ground Cemetery.

- Located at Everett Road;
- Identified as Block 84.11, Lot 1;
- Owned by the Borough of Demarest.

**Project Scope**

The proposed scope includes restoration of Sautjes Tave's Begraven Ground Cemetery.

The proposed project includes:

- Cleaning stones and plaques;
- Installing security lighting;
- Landscaping;
- Installing a bollard and chain fence;
- Installing interpretive sign; and,
- Conducting ground penetrating radar survey to determine the location of unmarked graves.

**Grant Request & Project Cost:**

- Total project cost: **\$114,750.00**
- Grant request (50% of project cost): **\$57,375.00**
- Required matching funds to be provided by the Borough: **\$57,375.00**

**ORDINANCE 1100-22**  
**BOROUGH OF DEMAREST**  
**BERGEN COUNTY, NEW JERSEY**  
**CALENDAR YEAR 2022 ORDINANCE TO EXCEED**  
**THE MUNICIPAL BUDGET APPROPRIATION LIMITS**  
**AND TO ESTABLISH A CAP BANK**  
**(N.J.S.A. 40A:4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Borough Council of the Borough of Demarest in the County of Bergen finds its advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough Council hereby determines that a 1% increase in the budget for said year, amounting to \$80,603 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW, THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Demarest, in the County of Bergen, a majority of the full authorized membership of this Governing Body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Borough of Demarest shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$282,109, and that the CY 2022 municipal budget for the Borough of Demarest be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduced by \_\_\_\_\_

Approved , \_\_\_\_\_, 2022

Seconded by \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Borough Clerk

\_\_\_\_\_  
Mayor

**ORDINANCE NO. 1101-22**  
**BOROUGH OF DEMAREST**  
**BERGEN COUNTY, NEW JERSEY**  
**ORDINANCE – AMENDING SECTION 84 OF THE DEMAREST BOROUGH CODE**  
**BUILDING CONSTRUCTION FEES**

WHEREAS, the Borough collects fees for permits to perform construction, renovations and building improvements, to defray costs of administration and inspection; and

WHEREAS, due to increased costs of labor and administration, the current fee schedule has been deemed inadequate; and

WHEREAS, the Borough Council now seeks to revise and amend the construction fee schedule as is required from time to time.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Demarest, that Section 84-3 of the Borough of Demarest Code be and hereby is revised and amended as follows:

Section I-§ 84-3. Fees

A. The fee for a construction permit shall be the sum of the subcode fees listed in this subsection, together with the surcharge fees listed in 84-3 G. The minimum fee for any building permit under this subcode shall be \$100.

(1) The Building Subcode fees shall be as follows:

- (a) New construction \$0.07 per cubic foot of building or structure volume, provided that the minimum fee shall be \$600. The minimum fee for any accessory building (e.g., a shed) shall be \$100.
- (b) For renovations, alterations, siding, roofing, decks, and repairs: \$32 per \$1,000 of estimated cost of the work, provided that the minimum fee shall be \$100. For purposes of this section, swimming pools and other outdoor uncovered facilities shall be considered renovations and alterations, and the fee for a construction permit will be based on the estimated cost.
- (c) For additions: \$0.07 per cubic foot of building or structure volume for the added portion, provided that the minimum fee shall be \$200.
- (d) For combinations of renovations and additions shall be computed as the sum of the fees computed separately as renovations and additions.
- (e) The fee for the demolition of a principal building or structure shall be \$750, while the fee for the demolition of an accessory building or accessory structure shall be \$300.
- (f) For asbestos hazard abatement permits the fee shall be \$118 in accordance with N.J.A.C. 5:23-8.9(a)1, and \$24 for certificates of occupancy, following successful completion of abatement in accordance with N.J.A.C. 5:23-8.9(a)2.
- (g) For plan review for revisions after issuance of a permit the fee shall be \$50 per hour with a minimum fee of \$100.
- (h) For review of an application for a variation, the fee shall be \$150
- (i) For a change of contractor, the fee shall be \$50.

(2) Fees for retaining walls shall be as follows:

- (a) The fee for a retaining wall with a surface area greater than 550 square feet that is associated with a Class 3 residential structure shall be \$400.
- (b) The fee for a retaining wall with a surface area of 550 square feet or less that is associated with a Class 3 residential structure shall be \$200.
- (c) The fee for a newly constructed wall of any size at other than a Class 3 residential structure shall be based on the cost of construction established in § 84-3A(1)(b).
- (3) The electric subcode fees shall be as follows. The minimum fee shall be residential R-3 & R-5 \$75, all other uses & commercial \$150.
  - (a) Receptacles and fixtures (lighting fixtures, receptacles, switches, detectors, light poles, motors-fractional horsepower, emergency and exit lights, communication points and alarm devised/fire alarm control panel. electrical devices of less than one horsepower or one kilowatt.
    - [1] One to 25 units: \$75
    - [2] Each additional 25 or fraction thereof: \$40
  - (b) Motors and electrical devices one horsepower up to:
    - [1] One horsepower to 10 horsepower: \$75.
    - [2] From 11 horsepower to 50 horsepower: \$150.
    - [3] From 51 horsepower to 100 horsepower: \$300.
    - [4] Greater than 101 horsepower: \$450.
  - (c) Transformers and generators one kilowatt up to (equipment and appliances, including electrical range oven, dishwasher, dryer, water heater, boiler, furnace, baseboard heat, space heaters, transfer switches, or any other fixed or plug in appliance) each:
    - [1] One kilowatt to 10 kilowatts: \$75.
    - [2] Over 11 kilowatts to 45 kilowatts: \$150.
    - [3] Over 46 kilowatts to 112.5 kilowatts: \$300.
    - [4] Over 112.5 kilowatts: \$450.
  - (d) Service panels, entrances and subpanels:
    - [1] Less than or equal to 200 amps: \$100.
    - [2] 201 amps or equal to 400 amps: \$300.
    - [3] 401 amps or equal to 1,200 amps: \$450.
    - [4] Over 1,201 amps: \$1,000.
    - [5] Additional meters included in service: \$75.
  - (e) Air-conditioning units (disconnect, compress/condenser and air handler):
    - [1] Each: \$75.
    - [2] Replacement of any system part: \$50.
  - (f) Burglar alarm system (complete): \$75.
  - (g) Hydromassage tub (interior whirlpool tub/spa) including bonding shall be \$75.
  - (h) Hot tub or spa (exterior): \$150.
  - (i) Swimming pools (includes receptacle, switch, trench, bonding and equip potential bonding matt):
    - [1] Aboveground: \$100.
    - [2] Semi-in-ground: \$150.
    - [3] In-ground: \$300.
    - [4] Light each: \$50
    - [5] Filter/motor/accessory for renovation or replacement of ea:\$50
  - (j) The fee for an annual pool inspection shall be \$100.
- (4) The Plumbing Subcode fees shall be as follows. The minimum fee shall be \$75 Residential, \$150 Commercial.

THESE FEES SHALL BE IN ADDITION TO THE FEES WHICH ARE SET FORTH IN THE SUBSECTIONS OF THIS SECTION FOR THE SPECIFIC WORK PROPOSED  
FIXTURES WHICH INCLUDE THE FOLLOWING (THIS IS NOT AN ALL-INCLUSIVE LIST)

- (a) Water closet: \$25.
- (b) Urinal/bidet: \$25.
- (c) Bathtub: \$25
- (d) Lavatory: \$25
- (e) Shower: \$25
- (f) Floor Drain: \$25
- (g) Sink: \$25
- (h) Dishwasher: \$25
- (i) Drinking Fountain: \$25
- (j) Washing Machine: \$25
- (k) Hose Bib: \$25
- (l) Garbage Disposal: \$25
- (m) Ice Maker (Residential): \$25
- (n) Ice Maker (Commercial): \$100
- (o) Water Heater (Residential) All fuels new install otherwise Mechanical: \$100
- (p) Water Heater (Commercial) All fuels new and replacement.: \$150
- (q) Fuel oil piping: \$100
- (r) Gas piping residential:
  - [1] First Appliance: \$75
  - [2] Every Appliance after that: \$30
- (s) Gas piping commercial
  - [1] First Appliance: \$150
  - [2] Every Appliance after that: \$40
- (t) LP Tank: \$50
- (u) Sewer pump/ Fixture pump: \$75
- (v) Grease Trap Interceptor/Separator: \$75
- (w) Hot water boiler/steam boiler (Residential)-  
New install otherwise Mechanical: \$100
- (x) Sewer or Water service connection: \$100
- (y) Backflow Preventer (Residential): \$75
- (z) Backflow Preventer (Commercial): \$100
- (aa) Hot water boiler/Steam boiler (Commercial)  
New and replacement: \$175.
- (bb) Stacks: \$40/ea.
- (cc) Refrigeration Systems: \$75
- (dd) AC Condensate Drains, Condenser and Air Handler  
New System Only (New House) Otherwise Mechanical: \$75
- (ee) Commercial HVACR Systems Including RTU Systems: \$150
- (ff) Heating & cooling equipment such as ground source, heat pump systems, heat pumps, solar thermal systems but not limited to these systems: \$125.
- (gg) Water softener and filtering equipment: \$75.
- (hh) Sump pump and pits (New Only): \$75.
- (ii) Inground Pool/Main drains: \$100
- (jj) Above ground pool: \$75
- (5) The Mechanical Subcode fees for R-3/R-5 ONLY shall be as follows: The minimum fee shall be: \$100.
  - (a) Replacement of heating & cooling equipment such as ground source, heat pump systems, heat pumps solar: \$150.

- (b) Furnace Central: Direct Replacement/New installation, Existing dwelling R-3, R-5: \$125
- (c) Boiler Central All Fuels: Direct replacement/New installation, Existing dwelling R-3, R-5: \$150
- (d) Gas Piping: Direct Replacement/New installation, existing dwelling R-3, R-5.  
 [1] First Appliance: \$75  
 [2] Every Appliance after that: \$30
- (e) Condensing unit, AC units and mini splits, direct replacement/new installation, existing dwelling R-3, R-5  
 [1] First Unit: \$150  
 [2] Every Unit After that: \$75
- (f) Water Heater- All fuels direct replacement/New installation, Existing dwelling R-3, R-5.  
 [1] First Heater: \$100  
 [2] Every Heater after that: \$50
- (g) Oil Piping- Direct Replacement, New installation, Existing Dwelling R-3, R-5: \$100
- (h) Heating Venting System, Chimney Liners, Direct Replacement/New installation, existing dwelling R-3, R-5: \$125.
- (i) Duct System- New installation/existing dwelling R-3, R-5: \$100
- (j) Fireplace logs- Direct Replacement/New installation, existing dwelling R-3, R 5: \$100.
- (k) Generator- Direct replacement/New installation, existing dwelling R-3, R 5: \$125.
- (l) Pool heaters- Direct replacement/New installation, existing dwelling R-3, R-5: \$75.
- (m) Refrigeration Systems- Direct replacement/New installation, existing dwelling R-3, R-5: \$75.
- (n) LP Tank direct replacement/New installation, existing dwelling R-3, R-5: \$75.
- (6) The Fire Protection Subcode fees shall be as follows: The minimum fee shall be: \$100
- (a) For each gas or oil fuel fired appliance: \$75.
- (b) For installation/removal of a fuel storage tank for a residential building: \$100.
- (c) For installation/removal of fuel, oil or gasoline storage tanks in connection with a commercial or business building, the fee shall be:  
 [1] For each tank 1,000-gallon capacity: \$100.  
 [2] For each tank 1,001 gallon to 3,000 gallons' capacity: \$275  
 [3] For each tank over 3000-gallon capacity: \$300.
- (d) For fireplace/woodstoves: \$75 each.
- (e) For installation of sprinkler systems, the fees shall be as follows:  
 [1] For one to 25 heads: \$125.  
 [2] For 26 to 75 heads: \$200.  
 [3] For 76 to 100 heads: \$300.  
 [4] For over 100 heads: \$400.
- (f) Alarm/supervisory/signaling devices (smoke, heat, carbon monoxide, pull stations, water flow, tampers, low/high air, horn/strobes and bells):  
 [1] For installation of one to five devices: \$100.  
 [2] For each addition device over five: \$10.
- (g) Special fire suppression systems, including cooking suppressions systems, CO2, halon, etc.: \$150 (sprinkler systems not included).
- (h) Automatic fire detection and alarm system: \$200.
- (i) Each kitchen exhaust system: \$150.
- (j) Each standpipe: \$100.

(k) Each Fire pump: \$100.

B. Plan review.

(1) The fee for plan review shall be 20% of the amount to be charged for the construction permit. The amount paid for this fee shall be credited toward the amount of the fee to be charged for the construction permit. In addition, the following sums shall be paid in escrow in connection with all new construction of or additions to one- and two-family residences:

(a) New construction: the sum of \$2,000 for site inspections by the Borough Engineer. The sum posted hereunder shall remain on deposit with the Borough until the Borough Engineer certifies that all site inspections have been completed and all vouchers for services rendered in connection with such services have been paid in full, after which time any balance remaining shall be refunded. This subsection is solely applicable to new construction on a vacant lot.

(b) Additions. The following sums shall be paid in connection with construction of any addition that disturbs the soil: \$1500 The sum posted hereunder shall remain on deposit with the Borough until the Borough Engineer certifies that all site inspections have been completed and all vouchers for services rendered in connection with such services have been paid in full, after which time any balance remaining shall be refunded upon issuance of a certificate of occupancy.

(2) Should the escrow funds initially deposited hereunder be exhausted prior to completion of all site inspections, the Borough Engineer shall submit an estimate of additional funds required to complete such inspections, whereupon the applicant shall forthwith deposit with the Borough such additional escrow funds.

C. The fee for a permit for the removal of a building or structure from one lot to another or to a new location on the same lot shall be \$150.

D. The fee for a permit to construct a sign shall be \$100.

E. Fences.

(1) The fee to erect a brick, masonry or wrought iron fence or any fence requiring poured footings shall be \$15 per \$1,000 estimated cost with a minimum fee of \$50.

(2) The fee to erect any fence not requiring footings shall be \$10 per \$1,000 estimated cost with a minimum fee of \$30.

F. The fee for installation of an elevator shall be pursuant to the Uniform Construction Code, N.J.A.C. 5:23-4.20. Permits shall be obtained directly from the Department of Community Affairs for the State of New Jersey.

G. Surcharge fee. In order to provide for the training, certification and technical support programs required by the Uniform Construction Code Act and the regulations, in addition to the fees specified above, a surcharge shall be calculated upon current state fees pursuant to N.J.A.C. 5:23-4.19 (b), as amended.

H. Certificates. The fees for certificates shall be as follows:

(1) For a certificate of occupancy for all new construction: \$150.

(2) The fee for the first issuance and the renewal of temporary certificate of occupancy shall not exceed \$30.

Exception: There shall be no fee for the first issuance of the temporary certificate of occupancy provided the certificate of occupancy fee is paid at that time.

(3) For a certificate of continued certificate of occupancy for inspection upon change of occupancy of a structure used or intended for residential purposes by not more than two households: \$115

I. For the re-inspection in case of change of occupancy of a structure used or intended for use for residential purposes by not more than two households: \$50.

J. Zoning review fee (requires a current survey ten years or less depicts as exists):

(1) Habitable space: \$75

- (2) Non habitable space: \$50.
- K. Trailers used for construction offices and storage: \$150 each trailer for 6 months.
- L. The Construction Official shall, with the advice of the subcode officials, prepare and submit to the Mayor and Council of the Borough of Demarest biannually a report recommending a fee schedule based on the operating expenses of the agency and any other expenses of the municipality fairly attributable to the enforcement of the State Uniform Construction Code Act.

All other provisions of the foregoing section not revised hereby shall remain in full force and effect in the absence of additional action by the Council.

Section II-Severability

The provisions of this Ordinance are hereby declared to be severable. If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person, establishment or circumstances shall be held invalid, unconstitutional, void, or ineffective for any cause or reason, such invalidity shall not affect the other provisions or application of this Ordinance.

Section III-Repealer

All ordinances or parts of ordinances inconsistent with any of the provisions of the Ordinance hereof are hereby repealed.

Section IV-Effective Date

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Introduced on first reading at a meeting of the Mayor and Council of the Borough of Demarest, County of Bergen, State of New Jersey on April 25, 2022. Adopted on second and final reading after hearing on \_\_\_\_\_.

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

	Aye	Nay	Abstain
Carroll	_____	_____	_____
Fox	_____	_____	_____
Hamilton	_____	_____	_____
Connelly	_____	_____	_____
Slowikowski	_____	_____	_____
LaPira	_____	_____	_____
Mayor Iannuzzi	_____	_____	_____

By: \_\_\_\_\_  
MELINDA J. IANNUZZI, Mayor

ATTEST:

\_\_\_\_\_  
Susan Crosman-R.M.C.-Borough Clerk

**BOROUGH OF DEMAREST  
COUNTY OF BERGEN**

**ORDINANCE #: 1102-22**

**An Ordinance of the Borough of Demarest, County of Bergen, State of New  
Jersey**

Ordinance # 1102-22 – Authorizing the use of Real Property known as Lot 15 in Block 23 on the tax map of the Borough of Dumont, more commonly known as 129 Hardenburgh Avenue for borough offices.

**WHEREAS**, the Borough of Demarest previously acquired certain property situate within the borough, to wit, Lot 15 in Block 23 of the Demarest Tax Map, otherwise known as 129 Hardenburgh Avenue for the purpose of constructing affordable housing in furtherance of the Borough's Mount Laurel obligations; and

**WHEREAS**, it appears that the Borough can make better use of the property as municipal offices and can use other borough owned property for the affordable housing previously intended for the subject parcel and;

**WHEREAS**, no additional court review or approval is required, as a judgment of compliance was issued in 2020 that did not specify affordable units on the subject parcel, and;

**WHEREAS**, the parcel was acquired, in part, using Affordable Housing Trust Funds, which will be reimbursed to the Trust Fund as a provision hereof.

**NOW THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Demarest, that Lot 15 of Block 23 of the Demarest Tax Map, otherwise known as 129 Hardenburgh Avenue, shall hereafter be used for Borough administrative offices, until further notice, upon final adoption and publication hereof pursuant to statute; and

**BE IT FURTHER RESOLVED**, that as a material provision hereof, the Borough will reimburse the Affordable Housing Trust Fund in the amount of One Million Ten Thousand (\$1,010,000.00) Dollars based upon the Certification of the Chief Financial Officer of available funds from the Capital Fund or such other account as may be proper for such purpose; and

**BE IT FURTHER ORDAINED**, that if the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance, and

**BE IT FURTHER ORDAINED**, all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency, and

**BE IT FURTHER ORDAINED**, this Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

BOROUGH OF DEMAREST

\_\_\_\_\_  
MELINDA J. IANNUZZI-MAYOR

ATTEST:

\_\_\_\_\_  
Susan Crosman, RMC Borough Clerk

Introduced: April 25, 2022

Adopted: \_\_\_\_\_, 2022

I certify that funds are available to effectuate the intent and purpose hereof in the \_\_\_\_\_ Account, or through Bond Ordinance 1086

\_\_\_\_\_  
Francis Elenio-Chief Financial Officer

Dated:

**BOROUGH OF DEMAREST  
COUNTY OF BERGEN**

**ORDINANCE #: 1102-22**

**An Ordinance of the Borough of Demarest, County of Bergen, State of New  
Jersey**

Ordinance # 1102-22 – Authorizing the use of Real Property known as Lot 15 in Block 23 on the tax map of the Borough of Dumont, more commonly known as 129 Hardenburgh Avenue for borough offices.

**WHEREAS**, the Borough of Demarest previously acquired certain property situate within the borough, to wit, Lot 15 in Block 23 of the Demarest Tax Map, otherwise known as 129 Hardenburgh Avenue for the purpose of constructing affordable housing in furtherance of the Borough's Mount Laurel obligations; and

**WHEREAS**, it appears that the Borough can make better use of the property as municipal offices and can use other borough owned property for the affordable housing previously intended for the subject parcel and;

**WHEREAS**, no additional court review or approval is required, as a judgment of compliance was issued in 2020 that did not specify affordable units on the subject parcel, and;

**WHEREAS**, the parcel was acquired, in part, using Affordable Housing Trust Funds, which will be reimbursed to the Trust Fund as a provision hereof.

**NOW THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Demarest, that Lot 15 of Block 23 of the Demarest Tax Map, otherwise known as 129 Hardenburgh Avenue, shall hereafter be used for Borough administrative offices, until further notice, upon final adoption and publication hereof pursuant to statute; and

**BE IT FURTHER RESOLVED**, that as a material provision hereof, the Borough will reimburse the Affordable Housing Trust Fund in the amount of One Million Ten Thousand (\$1,010,000.00) Dollars based upon the Certification of the Chief Financial Officer of available funds from the Capital Fund or such other account as may be proper for such purpose; and

**BE IT FURTHER ORDAINED**, that if the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance, and

**BE IT FURTHER ORDAINED**, all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency, and

**BE IT FURTHER ORDAINED**, this Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

BOROUGH OF DEMAREST

\_\_\_\_\_  
MELINDA J. IANNUZZI-MAYOR

ATTEST:

\_\_\_\_\_  
Susan Crosman, RMC Borough Clerk

Introduced: April 25, 2022

Adopted: \_\_\_\_\_, 2022

I certify that funds are available to effectuate the intent and purpose hereof in the \_\_\_\_\_ Account, or through Bond Ordinance \_\_\_\_\_.

\_\_\_\_\_  
Francis Elenio-Chief Financial Officer

Dated:

INTRODUCED:

SECONDED:

RESOLUTION  
BOROUGH OF DEMAREST  
COUNTY OF BERGEN

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the preservation of historic buildings, districts and sites; and,

WHEREAS, the Borough of Demarest desires to further the public interest by obtaining a matching grant of **\$57,375.00** from the County Trust Fund to fund the following project: **Cemetery Restoration Project**; and,

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement, and the Historic Preservation Trust Fund Program application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body/board received held the required Public Hearing to receive public comments on the proposed park improvements in the application on **April 25th, 2022**; and,

WHEREAS, the proposed project is needed to preserve and protect Sautjes Tave's Begraven Ground Cemetery in Demarest; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Demarest:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of May 6th, 2022, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Borough of Demarest has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,

3. That the Borough Demarest is committed to providing a dollar for dollar cash match for the project; and,
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the Borough of Demarest agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
6. That this resolution shall take effect immediately.

	YES	NO	ABSTAIN/ABSENT
Carroll:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Connelly:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fox:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hamilton:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LaPira:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Slowikowski:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I, Susan Crosman, Borough Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Mayor and council at a meeting held on April 25, 2022.

---

Susan Crosman, RMC  
Borough Clerk

INTRODUCED:

SECONDED:

RESOLUTION  
BOROUGH OF DEMAREST  
COUNTY OF BERGEN

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and,

WHEREAS, the Borough of Demarest desires to further the public interest by obtaining a matching grant of **\$46,792.50** from the County Trust Fund to fund the following project: **Passive Recreation Project**; and,

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body/board received held the required Public Hearing to receive public comments on the proposed park improvements in the application on **May 6th, 2022**; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Demarest:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of May 6th, 2022, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Borough of Demarest has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the Borough Demarest is committed to providing a dollar for dollar cash match for the project; and,

4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the Borough of Demarest agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
6. That this resolution shall take effect immediately.

	YES	NO	ABSTAIN/ABSENT
Carroll:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Connelly:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fox:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hamilton:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LaPira:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Slowikowski:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I, Susan Crosman, Borough Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Mayor and council at a meeting held on April 25, 2022.

---

Susan Crosman, RMC  
Borough Clerk

RESOLUTION OF THE BOROUGH OF DEMAREST  
COUNTY OF BERGEN, STATE OF NEW JERSEY  
AUTHORIZING ARBORIST CONTRACT  
DEMAREST SHADE TREE COMMISSION

**WHEREAS**, the Borough of Demarest Shade Tree Commission (DTSC) requires the services of an arborist to inspect and evaluate borough shade trees within the municipality; and

**WHEREAS**, DTSC is in the process of obtaining quotes from qualified arborists to perform the required services; and

**WHEREAS**, the DTSC has expressed its intention to engage an arborist as an independent contractor using its existing budget as appropriated; and

**WHEREAS**, the Council of Demarest now seeks to authorize the award of a contract for arborist services by the DTSC.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Demarest, County of Bergen, State of New Jersey, that the DTSC be and hereby is authorized to award a contract to a qualified arborist on terms and conditions to be negotiated by DTSC, subject to the provisions of the New Jersey Local Public Contract Law, in an amount not to exceed Five Thousand (\$5,000.00) dollars, without further authorization by the Council in the form of a duly adopted resolution to that effect; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk is hereby authorized and directed to transmit a certified copy of this resolution to the Demarest Shade Tree Commission.

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough of Demarest Council at a meeting held on April 25, 2022.

BOROUGH OF DEMAREST

BY: MELINDA J. IANNUZZI, Mayor

ATTEST:

Susan Crosman, R.M.C.- Borough Clerk

Dated:

\* \* \* \* \*

Moved by:  
Second by:

	Aye	Nay	Abstain
Carroll:			
Connelly:			
Fox:			
Hamilton:			
LaPira:			
Slowikowski:			

Mayor Iannuzzi:

I certify that funds are available to appropriate  
Under this resolution from the SHADE TREE COMMISSION - CONTRACTUAL - account,  
# 01-2010-26-3012-020

---

Francis J. Elenio, CFO

INTRODUCED:

SECONDED:

RESOLUTION

WHEREAS, the following applicant has posted escrow monies with the Borough for payment to Borough professionals in conjunction with said development; and

<u>Applicant</u>	<u>Address</u>	<u>Block and Lot</u>	<u>Amount</u>
Kathleen Doshi	23 Central Ave.	65, 128	\$ 2,666.50
New Luxury Homes	48 Highland Avenue	129, 24	\$16,556.75

WHEREAS, Borough professionals have determined that all required improvements have been satisfactorily completed and all fees due for services rendered have been received;

NOW THEREFORE, BE IT RESOLVED that the Chief Financial Officer is and hereby authorized to return the balance of escrow monies to the applicant.

I, Susan Crosman, Borough Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Mayor and Council at a meeting held April 25, 2022.

---

Susan Crosman  
Borough Clerk

**INTRODUCED:**

**SECONDED:**

**RESOLUTION**

WHEREAS, the Demarest Volunteer Fire Department has requested permission of the Mayor and Council to conduct a "Boot Drive"/"Coin Toss" Fund Raising Event;

WHEREAS, the date and time of the event will be as follows:

Sunday, May 15, 2022 from the hours of 9AM – 3PM

WHEREAS, all the members soliciting donations will be either members of the Demarest Volunteer Fire Department or any other ancillary organization affiliated with the Borough of Demarest;

NOW THEREFORE BE IT RESOLVED that the Council does hereby authorize the Demarest Volunteer Fire Department to undertake the "Boot Drive"/"Coin Toss" Fund Raising Event on the date noted herein.

	YES	NO	ABSTAIN/ABSENT
Carroll:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Connelly:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fox:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hamilton:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LaPira:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Slowikowski:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I, Susan Crosman, Borough Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Mayor and council at a meeting held on April 25, 2022.

---

Susan Crosman, RMC  
Borough Clerk

SPECIAL EMERGENCY MEETING MINUTES  
Mayor and Council Borough of Demarest March 14, 2022 @ 3PM

The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by notice of the date, time and place of this special meeting via email to the Record and Star Ledger on March 11, 2022, by posting of same at Borough Hall, and by filing with the Borough Clerk of Demarest pursuant to N.J.S.A. 10:4-8(d).

Mayor Iannuzzi called the meeting to order at 3:08pm. The roll was called by the Borough Attorney acting as Clerk for the Special meeting: Councilmembers Carroll, Fox, Hamilton and Connelly and Mayor Iannuzzi were present, Councilmembers LaPira and Slowikowski were absent.

A motion to adopt the meeting agenda was offered by Council President Carroll and was seconded by Councilwoman Hamilton and was adopted on a 4-0 vote. Steven Kleinman and Danielle Panizzi of Cleary Jacobbe, the borough's labor counsel, were introduced and confirmed that Martha Francis was provided with a RICE notice during a March 11, 2022 meeting with labor counsel and the Borough Administrator, and had opted to have the hearing of today's meeting held in open, public session.

Ms. Panizzi addressed the Mayor and Council and indicated that she had been participating in an investigation into the performance of several borough employees, and that with respect to Ms. Francis, an examination of her borough owned and issued computer revealed that Ms. Francis had been performing functions related to her part time employment with the Borough of Harrington Park during her Demarest work day, a violation of the borough's personnel policy related to email and computer use. Ms. Francis, who also functions as a crossing guard within the borough, was hired as a full time administrative assistant on March 15, 2021, and thus, is still a probationary employee. Furthermore, there were several reported incidents of insubordination and neglect of duty by Ms. Francis, including refusing to continue her function as the Zoning Board Secretary, which was a critical function of her employment. There were other examples given, as well, such as complaints from the zoning board chair that Ms. Francis did not take direction or accept responsibility for errors and mistakes.

Councilwoman Fox questioned whether there was an overlap in the work hours for the crossing guard and administrative functions. It was unclear whether the two positions conflicted or were being paid simultaneously, sometimes referred to as 'double dipping.' Following the presentation, the labor attorneys recommended that as a probationary employee, for all of the reasons discussed, Ms. Francis should be separated from all employment with the borough. Whereupon, a motion was heard from Council President Carroll to terminate the employment of Ms. Francis in all positions with the borough, and a second was

heard from Councilwoman Fox. A motion was then made to open the meeting to the public by Mr. Carroll, with a second from Ms. Hamilton, adopted by acclamation.

Martha Francis was recognized by the Chair and stated that employees are permitted to use their borough issued computers for personal business on non-working time. It was unclear whether this was her opinion or a reference to an official policy. She continued that regardless of the allegations against her, which she did not deny, she worked from home on evenings and weekends; the zoning board assignment was not in her job description as an Administrative Assistant, and her probationary status was what she considers a 'gray area' since she has been employed by the Borough for over 4 years as a crossing guard. She continued that she believed she always gave the borough its money's worth as an employee and that she worked more than the time she was paid for. This was clearly her opinion, and was not corroborated by any documentation or supporting testimony.

Upon the conclusion of Ms. Francis' remarks, a motion to close the meeting to the public was made by Council President Carrol, which was seconded by Councilwoman Hamilton and passed by acclamation. There being a motion and a second on the floor to terminate the employment, a roll call was taken and the resolution was adopted on a 4-0 vote.

Council President Carroll then offered a motion condemning the Russian invasion of Ukraine, which was seconded by Councilwoman Hamilton, which was adopted on a 4-0 vote.

Whereupon, there being no further business to come before the Council, a motion to adjourn was made by Councilman Carroll, seconded by Councilwoman Hamilton, and passed by acclamation. Meeting was adjourned at 3:28pm.

# MAYOR AND COUNCIL

## BOROUGH OF DEMAREST

REGULAR MEETING MINUTES

March 28, 2022 7:30 PM

Mayor Iannuzzi opened the meeting at 7:35 pm with the following announcement: The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this regular meeting in the annual schedule and notice of regular meetings of this Governing Body. Such annual schedule and notice of regular meetings is posted at Borough Hall, was mailed to the Record and Star Ledger and was filed with the Borough Clerk of Demarest on November 22, 2021.

1. Pledge of Allegiance
2. Roll Call

Mr. Carroll-present                      Mrs. Slowikowski-present  
Mrs. Fox-present                         Mr. Connelly-present at 7:37  
Mrs. Hamilton-present                 Mrs. LaPira-present  
Mayor Iannuzzi-present

3. Mr. Carroll moved to Adopt the Agenda seconded by Mrs. Hamilton.

Mr. Carroll-yes                         Mrs. Slowikowski-yes  
Mrs. Fox-yes                             Mrs. LaPira-yes  
Mrs. Hamilton-yes

Carried.

4. Bridget DiMartini and Demarest Middle School /Green Team STEM students presented a proposal concerning sustainability. They suggested installing a solar tube in the Wakelee Field boys' bathroom; they described the research they undertook. Mrs. DiMartini reported on her vendor research. The 10-inch kit is \$290; the extension kit is \$215. The maximizer lens would be needed, and installation would also be needed. It is possible that Federal funding could be obtained. Benefits include that solar tubes are environmentally friendly and save money in the long run. The Mayor suggested that Mrs. DiMartini speak with the DPW Committee to see what can be done.
5. **The Borough Clerk read the following: Review of Consent Agenda Items:** All items with an asterisk are considered to be non-controversial by the Council and will be approved by one motion. There may be further discussion prior to the vote upon request of a member of the public or a Council member. Also,

any item may be removed for further discussion or for roll call vote in which case the item will be removed and considered in its normal sequence as part of the general order of business.

**Resolutions**

- 6. Resolution approving authorizing claims in the amount of \$ 3,389,258.37\*
- 7. Resolution approving Northwest BCUA shared services for sanitary sewer cleaning and TV inspections\*
- 8. Resolution approving budget transfers\*
- 9. Resolution approving release of escrows\*
- 10. Resolution approving a dedication by rider for a shade tree replacement program\*
- 11. Motion approving Spectrum for Living 50/50 raffle #RA-22-69\*

There was no request to remove items from Consent Agenda and no discussion. Mr. Carroll moved to open the meeting to the Public, second Mrs. Fox.

Mr. Carroll-yes      Mrs. Slowikowski-yes  
Mrs. Fox-yes        Mr. Connelly-yes  
Mrs. Hamilton-yes   Mrs. LaPira-yes

Carried.

Mr. Carroll moved to close meeting to Public on Consent Agenda items only, second Mrs. Fox. All in favor. Carried.

Mr. Carroll moved to approve Consent Agenda items 6-11, second Mrs. Fox.

Mr. Carroll-yes      Mrs. Slowikowski-yes  
Mrs. Fox-yes        Mr. Connelly-yes  
Mrs. Hamilton-yes   Mrs. LaPira-yes

Carried.

**New Business**

Mr. Carroll moved to approve the minutes of Mayor and Council meeting of February 28, 2022 (JC, DF, MH, BC, RL), second Mrs. Hamilton.

Mr. Carroll-yes      Mrs. Slowikowski-yes  
Mrs. Fox-abstain    Mr. Connelly-yes  
Mrs. Hamilton-yes   Mrs. LaPira-yes

Carried.

**Mayor's Report:** On March 12<sup>th</sup> the Borough honored Mrs. Nancy Woods by renaming the Peace Gazebo in her honor. It was well attended despite the weather. The plaque was donated by her family. Next month the Council will vote on a resolution to accept the donation. The Library has had a lot of good programs. A guided nature walk took place on Saturday. Heather Shimokawa has been appointed to finish the unexpired term of Jennifer Choi which expires on December 31,2024.

### **Council Committee Reports**

Police, Fire, and Public Events: Mr. Carroll reported that the DPW has installed many signs intended to slow down traffic; two LED radar signs have been purchased and many warnings, summonses and tickets have been issued. He thanked the Fire Department for their dinner and the great job they do. There is a personnel item for Closed Session and Memorial Day plans are under discussion.

Ambulance and Recreation: Mrs.LaPira thanked and showed appreciation for the Ambulance Corps who saved an infant. She welcomed Dan Nyfenger as the new Demarest Rec Camp director. Registration will start right after spring break. The camp will run June 27-August 5. The cost is \$625.00. A second pool day has been added. Field trips will be Thursday.

Management, Administrative & Communication Committee: Mr. Connelly reported that the Construction fees are almost finished. Purchase orders are now required for purchases and payment. The newsletter went out.

Finance & Insurance Committee: Mrs. Fox reported that the annual financial statement is in progress due to changes in auditing standards. Waiting for the annual financial statement is delaying the budget. It should be introduced in April and approved in May. This is the year for Demarest to be audited by the state.

DPW, Public Buildings, Public Utilities & Recycling Committee: Mrs. Hamilton reported that the DPW is working on the fields. There is a clothing/shoe bin for donations. The Shade Tree Commission is doing a great job and got Demarest named as "Tree City USA" again.

Real Estate & Ordinance Committee Mrs. Slowikowski reported that three ordinances are in progress: a short-term lease ordinance, a vacant storefront ordinance and the construction fee ordinance. The Swim Club's annual meeting was postponed. They are working on the renewal of their lease. There is a clean communities program that provides money for litter abatement. On May 4 the plastic bag ban goes into effect. A resident suggested using some of the clean communities money for creating reusable bags. Mrs. Slowikowski is looking into it. The cost would be \$2500 for 5000 bags. The Commission is looking into how many would be needed.

## Reports of Borough Officials

Borough Administrator: Mr. Powderley reported that he met with the architect for the Borough Hall addition and asked him to revise some areas, including one having to do with the safety of the judge. He also took the architect to review the bank. Dart Computers feels the server can be reached from the bank. Re FEMA, he walked a large part of the Cresskill Brook and suggested cleaning of some sections. FEMA will reimburse 90%. He also stated that he is looking at grants to restore and improve the cemetery and involved the historian as well as creating a parklike area behind the Borough Hall. He spoke about researching heating systems for the RR Depot. One vendor suggested a gas-fired radiant heat system. The cost would be approximately \$7,000, and there is already a gas line outside the depot. The Construction Department issued 42 permits, 7 updates, and 6 COs. Total fees brought in \$32,939. They are working on a new fee structure. There is a personnel issue for Closed Session.

Borough Clerk: Ms. Crosman reported that drainage piping is being stored on the adjacent property on Serpentine Rd. for the Stelfox Road improvement project.

Borough Attorney: Mr. Paster reported that he had a conference call with the planner and affordable housing liaison about using the bank for offices and moving affordable housing elsewhere. It will simply require an ordinance.

Borough Engineer: Mr. Zimmerman reported that he prepared a report; he highlighted several issues, including the bocce ball court with seating areas is on track; the letter of intent to apply for a grant is due April 8. The letter of intent for the cemetery is also due April 8. Several road projects are in process. He thanked the Borough Clerk for helping to alert residents about roadwork in their areas. He spoke about cleaning the stream and easements and that he will look into DEP permits required. It is a trout-producing stream, which will affect the dates of work. Tax maps will be completed next month. He spoke about the Riverside Cooperative.

Borough Treasurer no additional report

Police Chief – No one was in attendance.

Fire Chief Chief McLoughlin thanked everyone for support. He reported on the calls. Mr. Carroll asked him to recap the tribute he gave to Ray DePietro, which he did. He spoke about the fact that Mr. De Pietro floated for three days in the Pacific Ocean during World War I and thanked him for playing taps for the Borough. Mr. DePietro happened to be in the audience and received a round of applause. He will return next month to receive a plaque.

Ambulance – No one was in attendance.

Mr. Carroll moved to Open the meeting to the Public, second Mrs. Hamilton. All in favor. Carried.

Marvin Chudnoff (62 Pine Terrace) asked if he was to assume that Mr. Powderley was to remain the Borough Administrator. The Mayor said that he was. He restated that he bears no ill will toward Mr. Powderley but that he takes issue with the process. Concerning the Railroad Depot he suggested a split system for environmental and appearance. Discussion. He referred to the minutes concerning the move of some departments to the Bank. The minutes stated that the Council and attorney agree with the idea. He asked whether the attorney was asked to comment on this capital expense. He did not feel that attorneys should be asked about non-legal issues. He asked that the insurance expense be researched. He spoke about EV stations. He stated that when he looks at the stats and comparables, something is wrong. Demarest is the 5<sup>th</sup> highest in taxes of all municipalities. He said that this is a disaster. He said that he will come to monthly meetings. Mrs. Fox asked him to look at the municipal portion of the tax bill. Mr. Carroll asked him where he would like to cut. Mr. Chudnoff asked for more information.

Noelle Tuntunjian (8 John Street) thanked everyone who volunteers their time. She followed up on the petition from last month. She reminded the Council that she had asked for a special Town Hall meeting. The Mayor stated that there was a meeting every month and that she did not entertain a designated Town Hall meeting. Mrs. Slowikowski suggested that a designated meeting might help. The Mayor stated that concerns should be heard at the regularly scheduled meetings. Ms. Tuntunjian agreed that people should come to the meeting but asked what the resistance was to letting people ask questions at a Town Hall. Several Councilmembers spoke about the fact that they come to many meetings. Ms. Tuntunjian asked what the surplus currently is. The Mayor stated that the number was being determined. Ms. Tuntunjian asked at what point in the process of something like moving departments to the Bank building the community is informed. The Mayor explained the process to her. The Mayor and Council reassured her that all matters that affect the community will come to the meetings for discussion.

Mike Clarke (Donnybrook) asked what the speed limit is coming down Hardenburgh and stated that the speed limit is not posted. The Administrator stated that there is an electronic sign, but Mr. Clarke said that it only says how fast someone is traveling. Mr. Clarke asked about plans for the Borough Hall and bank. Discussion. Mr. Clarke said that it sounds like there is no master plan. The Borough Administrator said that the utilities are now off. They will be put back on and minor alterations done for short-term use. Mr. Clarke said that he felt that if so many people were concerned with a particular issue a Town Hall meeting might help get more people involved and that a Town Hall meeting might be a more relaxed atmosphere.

Lynn Paulison (Lois Avenue) said that what troubled her about the recent Mayor and Council meeting was that she did not feel heard at it and that she felt the decision had already been made and that the Council was not really open to listening. She said that she loved the idea of bocce but felt that it belonged better at Wakelee. The Council said that the space had been purchased with Open Space funds and couldn't be used for anything other than Open Space. She asked who paid for United Way housing. The Mayor stated that there was money in the Developers fund. Discussion. Ms. Paulison spoke about the air traffic noise and traffic over her house. Mr. Carroll spoke about contacting

Congressmen and senators. The Mayor spoke about a meeting she had attended about air traffic. She gave the air noise abatement numbers: 800-225-1071 201-288-8828. The Mayor said that she believed the bridge would be started soon.

Stacy Findanis read a letter from her neighbor about the traffic on Woodland Road. She also stated for herself that she appreciated the signs and the presence of the police officers but that once the officers leave people speed again. She asked what the next step is. The Mayor suggested putting in sidewalks to get people out of the way. Ms. Findanis asked what she can do to get one-way signs put up. The Mayor spoke about when Leonia did that and then was sued and had to take them down. The Borough Administrator spoke about the process. Ms. Findanis said that she left the Fort Lee area for a small town feel and is getting discouraged and wanting to leave. Mrs. LaPira spoke with her about the importance of coming to the meeting and voicing concerns.

Stella Davis spoke about the desire for a Town Hall meeting.

Gregg Longest (Brook Way) asked about the bocce courts. He asked whether there was any possibility of using that space for expansion of the Borough Hall or parking. The Mayor stated that exploration showed that wasn't possible. He also voiced a desire to have all recreation together and that he would prefer pickleball. The Mayor agreed that pickleball is a wonderful sport. She also discussed the process of transferring the low-income housing to another location and the possibility of Borough offices in the bank. Discussion of renovations necessary to be ADA compliant and police requirements. He asked whether there had in the last 5 years been a petition signed by 600 people. He asked again that there be a meeting dedicated to discussing the master plan and transparency or create the master plan and put it on display to allow people to submit their questions.

Jill Besnoy (17 John Street) stated that concerning public comments it doesn't feel that they are heard but are reprimanded. She asked who placed the Borough Administrator matter on the Consent Agenda and when. She was told that it was placed on it in August and placed by one of the Mayor and Council members. She then asked what material was circulated to the Council. She was told that because they knew Mr. Powderley there was no material circulated. She then stated that she had heard that Marti Francis had been let go and that she had heard about a hostile work environment. She said that many residents had worked with her and wondered why she had been let go. She was told by the Borough Attorney that there was an ongoing investigation and that it was not prudent to discuss it. Ms. Besnoy said that it felt that there were a lot of closed-door meetings and then matters were presented at meetings at which public comments had no impact.

Noel Pugh spoke about unpermitted work done at 9 Donnybrook Drive in April 2020. The work made runoff go into the sensitive Donnybrook. He spoke about documents he had prepared and a call he had made to the Borough Clerk, which resulted in the DPW Supervisor's visit to the property. The Borough Engineer offered to review the application for the permit and explore whether there was a seepage pit planned. Mr. Pugh said that

he had not heard from anyone. Mr. Carroll stated that engineers had been sent to the property. The engineer stated that he will devote time to research the issue.

Dan Marks (14 Van Horn Street) stated that he had noticed a nepotism clause removed from the manual. The Mayor stated that no clause was removed. The Administrator stated that the nepotism clause was updated but not removed.

Ms. Verna (113 Anderson) asked about the bridge. The Mayor stated that it was actually a culvert and that it would be replaced and paved over. A contractor has been named. Once materials arrive it should be done in short order.

Mr. Carroll moved to close the meeting to the public, second Mrs. Fox. All in favor. Carried.

Closed Session for two personnel issues; the Administrator stated that there probably would be no action taken. Closed Session began at 10:10 pm. Mr. Carroll moved to close Closed Session, second Mrs. Hamilton. All in favor. Closed Session ended at 10:42. Mr. Carroll moved to go into Open Session, second Mrs. Hamilton. All in favor. Carried.

Adjournment Mr. Carroll moved to adjourn, second Mrs. Hamilton. All in favor. Meeting adjourned at 10:52 pm.

Respectfully submitted,

Susan Crosman,  
Borough Clerk

**BOROUGH OF DEMAREST**  
**BERGEN COUNTY, NEW JERSEY**

**Re: Introduction of 2022 Budget**

**BE IT RESOLVED**, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Borough of Demarest, Bergen County, New Jersey for the year 2022.

**BE IT FURTHER RESOLVED**, that the said budget be published in The Record in the issue of May 4, 2022, and that a hearing on the Budget will be held at the Borough Hall on May 23, 2022 at 7:30 o'clock (P.M.) or as soon thereafter as the matter may be reached.

Introduced by \_\_\_\_\_

Seconded by \_\_\_\_\_

ATTEST

Approved: April 25, 2022

\_\_\_\_\_  
Borough Clerk

\_\_\_\_\_  
Mayor