

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

REGULAR MEETING AGENDA

June 27, 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 of Tom Toronto – United Way
5. ~~PUBLIC HEARING OF ORDINANCE NO. 1103-22: A BOND ORDINANCE PROVIDING FOR THE RIVERSIDE COOPERATIVE ROAD IMPROVEMENT PROJECT IN AND BY THE BOROUGH OF DEMAREST, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$415,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$394,250 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.~~
6. PUBLIC HEARING OF ORDINANCE 1104-22: A BOND ORDINANCE PROVIDING FOR VARIOUS PAVING PROJECTS IN AND BY THE BOROUGH OF DEMAREST, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$1,061,306 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$805,706 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.
7. PUBLIC HEARING OF ORDINANCE NO. 1105-22: COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING CHAPTER 20- FIRE DEPARTMENT; ADDING SECTION 6 AUTHORIZING ACCEPTANCE AND DISBURSEMENT OF FIRE DEPARTMENT STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT.

8. INTRODUCTION OF BOND ORDINANCE 1106-22: BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE BOROUGH OF DEMAREST, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$802,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$402,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.
9. INTRODUCTION OF BOND ORDINANCE NO. 1107-22: BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A SPORT UTILITY VEHICLE FOR THE FIRE DEPARTMENT IN AND BY THE BOROUGH OF DEMAREST, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$55,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$52,250 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.
10. INTRODUCTION OF ORDINANCE NO. 1108-22: AMENDING CHAPTER 166-VEHICLES AND TRAFFIC, SECTION 6-ALL-NIGHT PARKING, TO: PERMIT AND REGULATE ALL-NIGHT ON-STREET PARKING.
11. INTRODUCTION OF ORDINANCE NO. 1109-22: AMENDING PART II – GENERAL LEGISLATION, SO AS TO: ADD CHAPTER 143-SHORT TERM RENTAL OF RESIDENTIAL PROPERTIES.
12. **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

13. Resolution approving authorizing claims in the amount of \$ 2,296,905.95\*
14. Resolution approving the appointment of Andrew Anavim and Connor Owens to police officers\*
15. Resolution approving the appointment of William Carbajal as a Special Officer Class 1\*
16. Resolution approving the renewal of the Demarest Liquor/aka Xplor Wine liquor license \*
17. Resolution approving the insertion of a line item into the budget for the 2022 Clean Communities Grant\*
18. Resolution endorsing an amendment to the interlocal services of Northern Valley and Riverside Cooperative\*
19. Resolution awarding special counsel services to Wendy Rubenstein, Esq. with Weiner Law Firm\*
20. Resolution approving a soil movement application for 46 Duane Lane\*
21. Resolution approving a soil movement application for 171 Pine Terrace\*

22. Resolution approving the release of escrows\*
23. Request to remove items from Consent Agenda
24. Discussion on items removed from Consent Agenda
25. Motion to open the meeting to the Public
26. Motion to close meeting to Public on Consent Agenda items only
27. Motion approving Consent Agenda items 13-22

### **New Business**

28. Motion approving the 2022 Salary Resolution

### **Mayor's Report**

### **Council Committee Reports**

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

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### **Reports of Borough Officials**

35. Borough Administrator
36. Borough Attorney
37. Borough Engineer
38. Borough Treasurer
39. Police Chief
40. Fire Chief
41. Ambulance

Meeting Open to the Public  
Closed Session  
Adjournment

**RESOLUTION**

**INTRODUCED:**

**SECONDED:**

**BE IT RESOLVED** by the Borough Council of the Borough of Demarest that the appointment of William Carbajal as Special Officer Class 1 of the Police Department in the Borough of Demarest, made by the Mayor, be and the same is hereby confirmed effective June 27, 2022.

\* \* \* \* \*

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 June 27, 2022.

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Susan Crosman, RMC  
Borough Clerk/Coordinator

**RESOLUTION**

**INTRODUCED:**

**SECONDED:**

**BE IT RESOLVED** by the Borough Council of the Borough of Demarest that the appointment of Andrew Anavim and Connor Owens as Special Officers Class 2 of the Police Department in the Borough of Demarest, made by the Mayor, be and the same is hereby confirmed effective June 27, 2022.

\* \* \* \* \*

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 June 27, 2022.

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Susan Crosman, RMC  
Borough Clerk

## RESOLUTION

**INTRODUCED:**

**SECONDED:**

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**WHEREAS**, Kadie Ventures Inc. has submitted a completed application for renewal of Plenary Retail Distribution License Number 0209-44-002-007; and

**WHEREAS**, the proper investigation of the aforesaid application has been effected, and

**WHEREAS**, all of the required State of New Jersey, Division of Alcoholic Beverage Control and Borough of Demarest fees in connection with the aforesaid application have been paid.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Demarest, Bergen County, New Jersey that the renewal of Plenary Retail Distribution License for Kadie Ventures Inc. for 2022-2023 is hereby approved.

\* \* \* \* \*

I, Susan Crosman, Borough Clerk, so hereby certify that the foregoing is a true copy of a resolution adopted by the Mayor and Council at a meeting held on June 27, 2022.

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Susan Crosman, RMC  
Borough Clerk

INTRODUCED:

SECONDED:

RESOLUTION

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an appropriation for an equal amount; and

WHEREAS, the Borough of Demarest has been awarded grants, and wishes to amend its 2022 Calendar Year Budget to include this amount as a item of revenue; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Demarest that the Mayor and Council hereby requests the Director of Government Services to approve the insertion of an item of revenue in the Calendar Year Budget of 2022 in the sum of \$10,669.18 which is now available as a revenue item from:

Miscellaneous Revenues

~~Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:~~

Public and Private Revenue Off-set with Appropriations:

2022 Clean Communities Grant                      \$10,669.18

BE IT FURTHER RESOLVED that a like sum of \$10,669.18 be and the same is hereby appropriated under the caption:

General Appropriations

Operations excluded from CAPS

Public and Private Revenues Off-set by Appropriations:

2022 Clean Communities Grant                      \$10,669.18

BE IT FURTHER RESOLVED that the Chief Financial Officer file an electronic copy of this resolution with the Director of Local Government Services for approval.

\_\_\_\_\_  
Susan Crosman  
Borough Clerk

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

**RESOLUTION ENDORSING AMENDMENT OF INTERLOCAL SERVICES  
AGREEMENT WITH THE NORTHERN VALLEY REGIONAL BOARD OF  
EDUCATION  
ENGINEERING DESIGN AND PAVING VIA RIVERSIDE COOPERATIVE  
PROGRAM**

**WHEREAS**, the Borough of Demarest (Borough) seeks to improve its roadway infrastructure through the Riverside Cooperative Road Paving Program (Riverside Coop); and

**WHEREAS**, Northern Valley Regional Board of Education (NVRBOE) has entered into an Interlocal Services Agreement with the Borough for improvement of the student parking area through the Borough's participation in the Riverside Coop to economize on the cost of performing such project; and

**WHEREAS**, the estimates of construction costs received were lower than originally anticipated and as such, NVRBOE seeks to expand the scope of work consistent with its adopted budget for the project; and

**WHEREAS**, the Borough now seeks to endorse and authorize the amendment of the Interlocal Services Agreement to formalize the expanded scope of work, on the agreement of NVRBOE to fund same in its entirety, including any professional and/or administrative costs incurred in the amendment agreed thereunder.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Demarest, in the County of Bergen, and the State of New Jersey endorses the amendment to the proposed scope of work and authorizes Mayor Melinda J. Iannuzzi to execute and bind the Borough to an amended Interlocal Services Agreement under N.J.S.A.40A:65-1 et seq. with the NVRBOE in substantially the form provided to the Borough, which has been previously reviewed and approved by the Borough Attorney and Borough Engineer, with NVRBOE to bear the costs of any professional, administrative or construction costs incurred in connection with the expanded scope of work; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution shall be served upon the NVRBOE Business Administrator and the lead agency of the Riverside Coop upon adoption hereof.

BOROUGH OF DEMAREST

BY: MELINDA J. IANNUZZI, Mayor

ATTEST:

Susan Crosman, RMC, Borough Clerk  
Dated: June 27, 2022

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

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>
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"/>

BOROUGH OF DEMAREST

MELINDA J. IANNUZZI-MAYOR

ATTEST: \_\_\_\_\_  
SUSAN CROSMAN-RMC, BOROUGH CLERK

CERTIFICATION

I, Susan Crosman, RMC, Borough Clerk of the Borough of Demarest, in the County of Bergen, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its meeting held on June 27, 2022.

WITNESS my hand and Seal of the Borough of Demarest this 27<sup>th</sup> day of June, 2022.

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

RESOLUTION OF THE BOROUGH OF DEMAREST  
COUNTY OF BERGEN, STATE OF NEW JERSEY  
AWARD NON-FAIR & OPEN CONTRACT TO WENDY RUBINSTEIN  
QUIROGA, ESQ. OF WEINER LAW FIRM  
SPECIAL COUNSEL SERVICES-COAH/AFFORDABLE HOUSING

WHEREAS, the Mayor and Council of the Borough of Demarest require the services of counsel to properly perform and carry out the business of the Borough; and

WHEREAS, from time to time it becomes necessary to engage special counsel to address issues of a specialized nature, or where an actual or perceived conflict of interest may be present; and

WHEREAS, it appears that the Wendy Rubinstein Quiroga, Esq., the current affordable housing counsel, recently relocated firms to Weiner Law of Parsippany, New Jersey, possesses the requisite expertise and background to advise the Governing Body in connection with issues presented; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5 and 19:44A-20.1 et seq., this contract may be awarded without the need for public bidding or any similar procedure.

BE IT RESOLVED, the Governing Body of the Borough of Demarest, authorizes the award of a contract for special counsel services – not to exceed \$17,500 without further authority of the Borough Council in the form of a duly adopted resolution extending this Authority- to Wendy Rubinstein Quiroga, Esq., of Weiner Law of Parsippany, New Jersey in a form and substance acceptable to the Borough Attorney; and

BE IT FURTHER RESOLVED, that all certifications and documents required in connection with this contract shall be submitted within 5 business days of the adoption of this Resolution;

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk be and hereby are authorized to execute and deliver such contract to the selected vendor; and

BE IT FURTHER RESOLVED, copies of this resolution shall be provided to the named professional and the Borough Chief Financial Officer.

BOROUGH OF DEMAREST

BY: MELINDA J. IANNUZZI, Mayor

ATTEST:

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

Dated:

Moved by:  
Second by:

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

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 June 27, 2022.

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

## RESOLUTION

**INTRODUCED:**

**SECONDED:**

**BE IT RESOLVED** by the Borough Council of the Borough of Demarest that the Soil Moving Application and Soil Erosion Control Plan for 46 Duane Lane, prepared by Michael Hubschman, PE, PP is hereby approved subject to the following conditions:

1. No top soil shall be removed from the site.
2. The applicant shall indicate the location to which excess soil will be exported.
3. The applicant shall indicate the route of travel within the Borough.
4. The applicant shall provide for the cleaning of the streets used in the route of travel within the Borough.
5. The applicant shall provide the name of the person responsible for the soil movement.
6. The applicant shall be responsible for any damage done to Borough streets during the soil removal process.
7. The applicant shall deposit with the Borough escrow in the amount of \$940.38 for inspection services of the Borough Engineer.
8. The applicant shall provide a performance guaranty to the borough in the amount of \$18,807.60.

\*\*\*\*\*

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 June 27, 2022.

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Susan Crosman  
Borough Clerk

## RESOLUTION

**INTRODUCED:**

**SECONDED:**

**BE IT RESOLVED** by the Borough Council of the Borough of Demarest that the Soil Moving Application and Soil Erosion Control Plan for 141 Pine Terrace, prepared by Michael Hubschman, PE, PP is hereby approved subject to the following conditions:

1. No top soil shall be removed from the site.
2. The applicant shall indicate the location to which excess soil will be exported.
3. The applicant shall indicate the route of travel within the Borough.
4. The applicant shall provide for the cleaning of the streets used in the route of travel within the Borough.
5. The applicant shall provide the name of the person responsible for the soil movement.
6. The applicant shall be responsible for any damage done to Borough streets during the soil removal process.
7. The applicant shall deposit with the Borough escrow in the amount of \$1,351.38 for inspection services of the Borough Engineer.
8. The applicant shall provide a performance guaranty to the borough in the amount of \$27,027.60.

\*\*\*\*\*

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 June 27, 2022.

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Susan Crosman  
Borough Clerk

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>
Adam Sands	70 Donnybrook Drive	87.03, 8	\$ 167.50
71 Serpentine Rd LLC	71 Serpentine Road	14, 759.01	\$ 3,109.50
32 Cypress Place LLC	32 Cypress Place	131, 16	\$15,216.20
Tandor Development LLC	59 Highland Avenue	127, 39	\$ 1,500.00

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 June 27, 2022.

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Susan Crosman  
Borough Clerk

INTRODUCED:

SECONDED:

BOROUGH OF DEMAREST  
COUNTY OF BERGEN

Resolution to Fix the Salaries, Wages and Compensation of Certain Public Officials, Officers and Employees of the Borough of Demarest, County of Bergen and State of New Jersey for 2022.

WHEREAS, ranges for salaries, wages and compensation of certain public officials, officers and employees of the Borough of Demarest were fixed for 2022 and thereafter an Ordinance No. 1098-21, and

WHEREAS, this resolution is intended to the fix the salaries, wages and compensation of the listed public officials, officers and employees of the Borough for 2022,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Demarest as follows:

<b>Position</b>	<b>2022</b>
Borough Clerk	\$87,069.21
Borough Administrator	\$113,300.00
CFO/Treasurer	\$61,800.00
Tax Collector	\$26,780.00
Finance Clerk II	\$53,560.00
Tax Clerk	\$31,415.00
Finance Clerk	\$31,415.00
Technical Assistant	\$56,648.97
Administrative Assistant - Health	\$44,134.21
Administrative/Maintenance	\$30,876.01
Tax Assessor	\$23,729.62
Construction Official	\$6,632.17
Building Sub Code Official	\$19,056.66
Zoning Officer	\$6,444.67
Plumbing Sub Code Official	\$16,841.46
Electrical Sub Code Official	\$18,229.20
Fire Marshall	\$7,876.19
Fire Protection Sub Code Official	\$8,143.40
Superintendent of Sewers	\$1,500.00
Judge of the Municipal Court	\$10,311.90

Municipal Recycling Coordinator	\$2,500.00
Assessment Search Officer	\$300.00
Tax Search Officer	\$300.00
Mayor	\$1,000.00

Position Hourly	2022
Administrative Assistant	\$25.12
Code Enforcement	\$25.12
Court Administrator	\$32.70
Court Clerk	\$22.90
Deputy Court Clerk	\$19.62
Violations Clerk	\$19.08
Court Sound Recorder	\$17.44
Public Defender	\$81.54
DPW Extra Help	\$20.01
Zoning Board Secretary (per meeting)	\$95.71
Zoning Board Secretary (Hourly)	\$27.76
Planning Board Secretary (per meeting)	\$95.71
Planning Board Secretary (Hourly)	\$27.76

Position	2022
Borough Prosecutor	\$7,543.88
Planning Board Attorney (per meeting)	\$250.00
Bd. of Adjustment Attorney (per meeting)	\$250.00
Planning Bd. Engineer (per meeting)	\$175.00
Borough Attorney	\$ 1,000 monthly, \$150 hour
Borough Engineer	\$166.00

Position	2022
Special Police (Class 1)	\$25.12
Special Police (Class 2)	\$27.86
Crossing Guard	\$25.12

The foregoing 2022 salaries, wages and compensation shall take effect retroactive to January 1, 2022.

	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 June 27, 2022.

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