

# MAYOR AND COUNCIL

## BOROUGH OF DEMAREST

REGULAR MEETING MINUTES

January 31, 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. Roll Call

Mr. Carroll-present	Mrs. Hamilton-present
Mr. Connelly-present	Mrs. LaPira-present
Mrs. Fox-present	Mrs. Slowikowski-present
Mayor Iannuzzi-present	

Also present: Borough Clerk, Borough Administrator, Borough Attorney, Borough Engineer, Officer in Charge, Ambulance Corps President, Members of the Public

### 2. Mrs. Fox moved to adopt the agenda, second Mrs. Hamilton.

Mr. Carroll-unable to see	Mrs. Hamilton-yes
Mr. Connelly-yes	Mrs. LaPira-yes
Mrs. Fox-yes	Mrs. Slowikowski-yes

### 3. **The 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

4. Resolution approving authorizing claims in the amount of \$ 4,017,277.28\*
5. Resolution approving Mutual Aid for the Police Department\*
6. Resolution approving mutual aid for the Fire Department\*
7. Resolution approving mutual aid for the Ambulance Corps\*
8. Resolution approving the tax appeal for the Alpine Country Club\*

9. Resolution authorizing the request for a hearing on the DEP fine regarding notice of violation\*
10. Resolution approving James Powderley III as a full-time business administrator\*
11. Resolution approving Colliers Engineering for professional services for Donnybrook Manor\*
12. Resolution approving Colliers Engineering for professional services for the Riverside Coop 2022 program\*
13. Resolution approving Colliers Engineering for professional services for the Riverside Coop 2022 program with a shared service the Northern Valley Regional\*
14. Motion approving Saddle River Day School 50/50 raffle #RA-22-65\*
15. Motion approving Holy Angels 50/50 raffle #RA22-66\*

Request to remove items from Consent Agenda Mrs. Slowikowski asked that Number 10 be removed for a separate vote.

Mrs. Fox moved to open the meeting to the Public, second Mrs. Hamilton. All in favor. Carried.

Ray Cywinski asked whether a settlement has been reached the Alpine Country Club tax appeal. The Borough Attorney answered the question and gave details. Mr. Cywinski asked about the DEP violation and was told that it concerned the compost yard and had been in the works for about 5 years. He then asked about the resolution making the Borough Administrator a full-time position. He asked for the details of the contract. He was told that the salary is \$110,000 per year and that there are no benefits or pension. A car for his use is part of the package. Mr. Carroll shared that the Borough Administrator is on call 24 hours a day. He asked what precipitated needing a Borough Administrator. The Mayor explained that the Borough Administrator oversees the daily operations and handles special projects. She then read the job description as written in the November 11 letter.

Paul Trager explained that taxes would run about \$10,000 and stated that there would be IRS implications of providing a car. He asked whether other towns have administrators. He asked whether other people had been interviewed. He was told that no one else had been interviewed and that Mr. Powderley was the former Police Chief.

Noelle Tutunjian asked whether the full-time position had been posted anywhere and was told that it was not. She was told that no one else had been interviewed for either the full- or part-time position. She asked how anyone could apply for the position if it wasn't posted. She stated that this is a serious procedural problem. The Mayor stated that the Mayor and Council was comfortable with the decision. Ms. Tutunjian asked whether this is how all hiring is done in the Borough. She asked whether the council would consider posting the position and holding off on the vote. The head of the Management Committee stated that they had sufficient information on the candidate and that the vote should go

forward. Mr. Carroll suggested that the residents research the compensation packages from other towns if they feel that the salary is too high.

Roy Duke asked why the residents had to do the research. The Mayor and Council listed some towns that had Administrators. Mr. Connelly stated that the lack of benefits was a savings. Mr. Duke asked about the process. He was told that the Administrator reported to the Mayor and Council. The Mayor stated that this is not a tenured position. Mr. Duke pointed out that the description is written for a male candidate.

Lynn Paulison took issue with the fact that other candidates were not interviewed. She stated that the borough should be held to higher standards. She stated that she was disappointed in the way that this was conducted, although she does not have a problem with Mr. Powderley.

Jill Besnoy agreed that something does not sit right about this position not being posted and that it came as quite a surprise to many people. She stated that Haworth has only one person doing the Clerk and administrative work. She stated that she was not sure that a persuasive argument had been made for the need for this position and asked that the vote not be taken at this meeting.

Barbara Johnson asked whether specific certifications were needed for this position and was told that they were not. Mrs. Johnson asked whether this was a one-year contract and was told that it was. She then asked whether the Administrator had any oversight over the Police Department and was told he did not except perhaps for budget. She voiced her disappointment in how this was handled.

Mr. Duke stated that the other towns that were listed were larger and had larger commercial districts.

Mr. Carroll moved to close the meeting to the public, second Mr. LaPira.

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

Carried.

Mr. Carroll moved to approve Consent Agenda items 4-9 and 11-15, second Mrs. Fox.

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

Carried.

Mrs. Slowikowski moved to table the vote. There was no second.

Mr. Carroll moved to approve item 10, second Mrs. LaPira.

Mr. Carroll-yes	Mrs. Hamilton-yes
Mr. Connelly-yes	Mrs. LaPira-yes
Mrs. Fox-yes	Mrs. Slowikowski-no

Carried.

### **New Business**

Mr. Carroll moved to approve the minutes of Sine Die Meeting (JC, DF, MH, BC, RL), second Mrs. Hamilton.

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

Carried.

Mr. Carroll moved to approve the minutes of the Reorganization Meeting of January 6, 2021 (JC, DF, MH, BC, RL, AS), second Mrs. Hamilton.

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

Carried.

**Mayor's Report** The Mayor voiced her appreciation for the people who came out to the meeting and hoped that everyone is staying warm and well. The DPW did a great job with the recent storm. The COVID cases now seem to be slowing down but she encouraged people to get vaccinated or a booster. The next meeting is planned to be in person with masks. On Saturday, March 12, a ceremony will be held to rename the gazebo in honor of Nancy Woods. She stated that she wants people to be involved and stated that as time passes people will see the wisdom of the Mayor and Council's decisions.

### **Council Committee Reports**

Police, Fire, and Public Events: Mr. Carroll reported that the Police didn't miss a beat with the storm. The Fire Department will have a budget soon.

Ambulance and Recreation: Mrs. LaPira reported that Demarest Day will be September 17 (rain date 18). The Rec Camp day will be extended to 2:00. The camp is looking for a new director.

Management, Administrative & Communication Committee: Mr. Connelly reported that the electronic sign is not working. The Administrator is working to have it fixed.

Finance & Insurance Committee: Mrs. Fox reported that the CFO is working on the bond. There are two new employees in the finance office. The disability program should have motion shortly.

DPW, Public Buildings, Public Utilities & Recycling Committee: Mrs. Hamilton reported that the DPW handled the recent storm with no injuries, although there was damage to two trucks.

Real Estate & Ordinance Committee: Mrs. Slowikowski thanked Mrs. Fox for taking time out to orient her to this committee. She also stated that the Construction department is updating and creating ordinances. A vacant storefront ordinance is being worked on. Mrs. Slowikowski reported that she attended the Environmental Commission meeting. She hopes to help residents learn what they can do to make a difference.

### **Reports of Borough Officials**

Borough Administrator: Two stand-by phones have been restored to the DPW. The fuel-card system is working well. An old router was shut down so that the stronger internet signal can be used. The firewall has been installed. The Police Department and Borough will share a firewall. The phone system is being streamlined. The first Borough training was held on Wednesday. The training is saved so that anyone who missed it can watch it. The official Administrator phone number is 201-800-1930. It will be posted on the website. The company involved with installing the signboard will help upgrade it. He will look into grants to cover the possible replacement of the signboard. He has quotes for the repair of the HVAC system in the railroad depot. He thanked Jessica Wang for helping at the recent Zoning Board meeting. The previous Zoning Board secretary had resigned, and the Borough found itself needing someone to fill in. He also thanked Dorothy Hayden for her extra work during this difficult time. He thanked the Governing Body for their vote of confidence. He reminded the residents that he was a borough employee for 34 years and has a strong working knowledge of the borough and that while he has been employed on a part-time basis he has been putting in full-time hours.

Borough Attorney: No new report

Borough Engineer: The report was filed; Mr. Zimmerman pointed out highlights including the stabilization of the Davies Arboretum Dam, the DOT roads program, Donnybrook drainage, Riverside Cooperative Program, Planning and Zoning Boards.

Borough Treasurer: The new finance clerk started on January 10 and is working on payroll and accounts payables. The backlog is now caught up. The budget process has been started. He hopes to introduce the budget in March or April. He spoke about the Bergen County Improvement Association and the benefits of financing through that organization.

Applications have to be received by the third Wednesday of the month in order to go on the following month's agenda, following other steps.

Police Chief: Officer in Charge Foley gave a report. He thanked the DPW for their good work at all times. He thanked the residents for their support during the storm. He outlined the calls for service received and the training undertaken by the department.

Fire Chief-not present

Ambulance: The Corps is looking for members.

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

Brian Keane stated that the terms of four Planning Board members expired at the end of 2021 and had not been renewed. The Mayor stated that all of those members would be renewed and that she was working on the renewal term dates. The Mayor will resume her position as Mayor and Mr. Schooler will serve as an alternate.

Dimitri Findanis (40 Woodland Road) spoke about the volume and speed of the traffic on his street. He stated that the Police have been great but he is concerned about the danger created by the street being used as a cut through. He asked for help. The Mayor stated that she would refer it to the Police and Fire Committee. The Administrator stated that the light on Knickerbocker is a borough light, but improvements would require a redesign to the corner, and it is a County road. The Police will install radar there. Mrs. Fox asked whether a camera violations project could be done. The Administrator stated that it is not allowed in New Jersey. Speed humps/bumps were discussed. Mr. Findanis asked about putting up a no-right turn sign.

Barbara Johnson (56 Woodland Road) stated that she has lived on the street for 37 years and this issue has been raised numerous time and nothing has been done.

Stacy (Dimitri Findanis' wife) asked if it is common for the Mayor and Council not to answer resident emails and she voiced her concern, having watched the Mayor and Council interactions with residents during this meeting, for the manner in which they interact with residents and that emails are not returned. She also stated that she is disheartened that nothing is being done. She said that someone is going to be hit and that the question will be what did the Mayor and Council do. She also shared that her neighbor told her the reason there is a no-right turn sign is that a councilperson requested it. The Mayor apologized if she did not respond to say where the question would be referred. Mrs. Findanis asked whether a virtual option would be offered if the meeting is in person. She was told that it would not. The Administrator stated that there had been email issues.

Mr. Cuomo stated that he has lived in town for 45 years and that people fly down Brookside. He wondered if something could be done there. The Administrator talked

about equipment purchased when he was Police Chief and that it is getting older now. Perhaps something can be borrowed from the County.

Ray Cywinski stated that he reviewed the resolution for Borough Administrator and asked whether it was a one-year (as stated by the Mayor) or four-year appointment. The Mayor stated that the part-time appointment was one year. No revote is needed.

Noel Pugh (64 Prospect Street) asked about the possibility of arranging a working session between the engineer and the residents. He stated that he hoped when work needed to be done residents would be notified in the future. He was not earlier. The Mayor said that she would make sure he knew what was going on.

Lynn Paulison thanked the Attorney and the Council for their service and stated that she finds it disheartening that no one knew the terms of the contract on which they voted.

Noelle Tutunjian asked how long typical employment contracts are. The Attorney spoke about some contracts and stated that most borough hall employments are at will (no contracts). She asked why the Administrator had a 4-year contract when other people are at will. The Mayor stated that continuity was desired. Mr. Connelly stated that the employee could be terminated on 90-day notice. Mrs. Fox pointed out that this is an appointment not a contract.

Mr. Carroll moved to close the meeting to the public, second Mrs. LaPira.

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

Carried.

Closed Session not needed

Mr. Carroll moved to Adjourn, second Mr. Connelly.

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

Meeting adjourned at 10:08 pm.

Respectfully submitted,

  
Susan Crosman  
Borough Clerk