

# MAYOR AND COUNCIL

## BOROUGH OF DEMAREST

REGULAR MEETING MINUTES

July 25, 2022, 7:30 PM

Mayor Iannuzzi opened the meeting at 7:30 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. Fox-present

Mrs. Hamilton-present

Mr. Connelly-absent

Mrs. Slowikowski-present

Mrs. LaPira-present

Mayor Iannuzzi-present

Also present: Borough Administrator, Borough Clerk, Borough Attorney, Borough Engineer, Borough Treasurer

### 3. Mr. Carroll moved to adopt the Agenda, seconded by Mrs. Fox.

Mr. Carroll-yes

Mrs. Fox-yes

Mrs. Hamilton-yes

Mrs. Slowikowski-yes

Mrs. LaPira-yes

Carried.

4. **Environmental Commission Presentation.** Jessica Wang, EC Chair, reported that the EC recommends trying solar-powered compacting recycling bins at the RR Station. EC would like to purchase two at approx. \$5,000 each (subject to further details re size, etc.), one for trash and one for recyclables. EC has sufficient funds for purchase in its escrow account from NJ Clean Communities grant. Cans have Wi-Fi/GPS to gauge usage. Maybe add others in future if this works out. Mrs. Slowikowski noted that the Borough trash hauler will be removing the compacted trash (same as it currently empties garbage cans), with a key; DPW will also have a key, to clean the cans. Ms. Wang will forward a flyer to the Council.

Motion to open to the public by Mr. Carroll, seconded by Mrs. Hamilton. All in favor. Carried. Mayor Schooler asked for confirmation that the cans will be for trash and recyclables, but not for paper recycling; confirmed. Mr. Bernstein asked whether it made more sense to lease or buy; Ms. Wang said it is better to buy units and use the town trash hauler to empty them. Mrs. Hamilton asked for confirmation that the DPW will not need to open the cans for the trash hauler; confirmed. Mr. Carroll said the trash hauler should be consulted since this is not in the present contract; Mrs. Slowikowski stated that it would work in the same manner as the current garbage removal at the RR Station.

5. PUBLIC HEARING ON 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 COSTS THEREOF.

Meeting still open to the public. There were no questions.

Motion by Mrs. Fox to adopt Ordinance 1106-22, seconded by Mr. Carroll.

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

6. PUBLIC HEARING ON BOND ORDINANCE 1107-22: BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A SPORT UTILITY VEHICLE FOR THE FIRE DEPARTMENT IN AD BY THE BOROUGH OF DEMAREST, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$55,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$52,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF.

Meeting still open to the public. There were no questions.

Motion by Mr. Carroll to adopt Ordinance 1107-22, seconded by Mrs. Hamilton.

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

7. PUBLIC HEARING ON ORDINANCE 1108-22: AMENDING CHAPTER 166- VEHICLES AND TRAFFIC, SECTION 6-ALL- NIGHT PARKING TO PERMIT AND REGULATE ALL-NIGHT ON-STREET PARKING.

Meeting still open to the public. Mr. Bernstein asked for confirmation that the Police Department will prepare a list of roads on which all-night on-street parking will be prohibited, and this ordinance will not become effective until the list is posted; confirmed.

Motion by Mr. Carroll to adopt Ordinance 1108-22, seconded by Mrs. Hamilton.

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

Mrs. Slowikowski-yes  
Mrs. LaPira-yes

8. PUBLIC HEARING ON ORDINANCE 1109-22: AMENDING PART II-GENERAL LEGISLATION, SO AS TO ADD CHAPTER 143-SHORT-TERM RENTAL OF RESIDENTIAL PROPERTIES.

Meeting is still open to the public. At suggestion of Mr. Bernstein, ordinance will be amended to add “for each violation” at the end of Section 143-5(c).

Motion by Mr. Carroll to close meeting to the public, seconded by Mrs. Hamilton. All in favor. Carried.

Motion by Mr. Carroll to adopt Ordinance 1109-22 as amended, seconded by Mrs. Hamilton.

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

Mrs. Slowikowski-yes  
Mrs. LaPira-yes

9. **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**

- 10. Resolution approving authorizing claims in the amount of \$ 2,238,829.36\*
- 11. Resolution approving the release of escrows\*
- 12. Resolution authorizing the 2021 LOSAP for the Demarest Fire Dept. and Ambulance Corps.\*
- 13. Resolution approving Colliers Engineering to submit a grant application with the DOT for 2023\*
- 14. Resolution approving construction administration for Colliers Engineering in connection with the 2022 DOT grant program\*
- 15. Resolution approving construction administration for Colliers Engineering in connection with the 2021 DOT grant program\*
- 16. Resolution approving American Asphalt & Trucking as contractor for the 2020 Riverside Paving project\*
- 17. Resolution approving American Asphalt & Trucking with an interlocal agreement for the 2020 Riverside Cooperative Roadway Paving project\*

- 18. Resolution authorizing the Demarest Fire Dept. to submit an application for the American Rescue Plan Firefighter Grant\*
- 19. Motion approving Luke Stein as a volunteer fireman\*
- 20. Resolution approving an agreement with the county regarding snowplowing\*
- 21. Resolution approving a chapter 159 for the SAFER grant\*
- 22. Motion approving raffle RA22-71 for the Jewish Community Center\*

Mr. Paster noted that there are typo's in items 16 and 17; they relate to 2022, not 2020.

Mr. Carroll moved to open the meeting to the public as to Consent Agenda items only, seconded by Mrs. Fox. All in favor. Carried.

Mr. Paster confirmed to Mr. Bernstein that item #20 is a renewal of a previous contract, on the same terms; we do snow-plowing on County roads in town and are reimbursed \$110 per man-hour by the County.

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

Mr. Carroll moved to approve Consent Agenda items 10 through 22, seconded by Mrs. Hamilton.

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

Mrs. Slowikowski-yes  
 Mrs. LaPira-yes

**New Business** – None.

**Mayor's Report** – Mayor Iannuzzi noted that the summer concerts were very well received, including the jazz concerts sponsored by the Library. Support and help would be appreciated for Demarest Day in September. Work on the County Road bridge is ongoing, with no firm finish date.

**Council Committee Reports**

**Police, Fire, and Public Events:** Mr. Carroll said there is no police report this month. The Fire Dept. will give a separate report. No public events to report on. There is a personnel matter for closed session.

**Ambulance and Recreation:** Mrs. LaPira reported that the Rec Program will be offering tennis lessons for adults and students, a 5-week program starting on 7/29; fee will \$125; must have Borough tennis badge; sign-up info is on the Borough website. Rec Camp runs through 8/5; participants have been to the Swim Club and on many field trips. Summer concerts are going well (2 so far); this week there will be an ice cream truck and a hot dog vendor. Demarest Day is on 9/17 from 2pm-6pm (rain date 9/18); new this year will

be a Beer Garden from 6pm-9pm sponsored by the Mason Jar in Mahwah; the Rec Commission obtained a one-day beer permit for over-21; fireworks will be at dusk.

**Management, Administrative & Communications:** Mr. Connolly is not present; no report.

**Finance & Insurance:** No report.

**DPW, Public Buildings, Public Utilities & Recycling:** No report.

**Real Estate & Ordinance:** Mrs. Slowikowski reported that 5 residents were invited and agreed to join the Ad Hoc Committee: Tim Woods, Dan Marks, Dan Chang, Jay Nadel and Maureen Neville. First order of business will be affordable housing, then Borough Hall; first meeting of full committee is scheduled for 9/8.

### **Reports of Borough Officials**

**Borough Administrator:** Drainage issue at Glenwood and Cypress; pipe installed by DPW, undersized per Engineer; will need re-engineering and installation of new pipe with proper pitch; funding will be required. Drainage issue on Pine Terrace: three phases: #1 reinstall 6' pipe, then jet and camera (\$4500, to begin shortly); #2 is Engineering and review of video; #3 is remediation in wetlands behind where pipe had been replaced. Drainage issue at Cresskill Brook at end of Duck Pond Road: leak in storm drain pipe.

Wakelee Field Sprinkler System: DAA, Rec Committee & DPW Committee met re: problems with sprinkler system; would like to contract with a professional sprinkler service to repair and then maintain system on annual basis; funds for this are available in the budget; quotes in are process.

“Swamp Field”: Person purportedly representing DAA requested meeting with DPW and BA to discuss feasibility of installing artificial turf on this field. Feasibility will have to be determined by Borough Engineer.

DPW: Building struck by lightning; still have power issues; Orange & Rockland coming to investigate but will probably need electrician. Report and insurance claim filed.

FEMA: Completed site inspections along Cresskill, Demarest and Tenakill Brooks, submitted report; should be no issue recovering 90% of cost.

Borough Phone System: Damage repaired.

County Rd. Compost Site: Met with DEP; need to get Corrective Action Plan to DEP ASAP. Need to be prepared with alternatives since may not be able to use more than a small portion of the site (if any) for leaves this year; BA has begun discussions with Norwood as well as ORI (vendor that did leaves last year).

County Road Bridge: Delays caused by weather, spring storms, utility companies have all caused setbacks and uncertainties (e.g., need dry to pour cement footings); BA asked County to expand work upstream and downstream; included in FEMA, but much is a result of the collapse; County did stabilize the banks downstream and will do some upstream; balance will be done in Brook cleanup.

Borough Engineer estimates that “swamp field” feasibility study for artificial turf would cost under \$5,000; Mrs. Fox moved to authorize up to \$5,000 for Borough Engineer to do this, seconded by Mr. Carroll.

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

Mrs. Slowikowski-yes  
Mrs. LaPira-yes

BA has a contract item for closed session.

**Borough Attorney:** Report on file; closed session item about compost site and DEP

**Borough Engineer:** Report on file; highlighted consent agenda items on 2023 grant request; Riverside Coop finishing NVRHS work; finally resolved problem with tree/utility company, Stelfox and Woodland should be finished by middle of August. Drainage project on Glenwood/Cypress will cost around \$15K; DPW can likely reinstall proper pipe. Still working on Pine Terrace; cost will be approximately \$40K; will need resolution to move to Phase #2.

**Borough Treasurer:** Auditors were here in July, finished fieldwork; will meet with audit team re findings this week; hope to have Audit Report at next meeting and CAP 30 days later; making continued progress on updating policies.

**Police:** No report.

**Fire:** 30 calls for month; new member; drill in Haworth condos; coverage for Wallington funeral; Norwood for firework standby; all members completed yearly certifications in past month

**Ambulance:** No report.

Mr. Carroll moved to open the meeting to the public, seconded by Mrs. Hamilton. All in favor. Carried.

Noelle Tutunjian (8 John St.) inquired about the bank building; BA advised that it was approved for temporary use. Ad Hoc Committee will review this in more detail. Borough Attorney advised that the bank building cannot be used for retail or mixed use because it was acquired through eminent domain and such property cannot be returned to public rolls unless demonstrate “unsuitable” for public purpose (e.g., environmental contamination). Mrs. LaPira noted that the bank was up for sale or rent for many years, and all potential purchasers/tenants backed out.

Stacy Fandanis (48 Woodland Rd.) expressed continuing concern about speeding on her street, asked Mayor to invoke ordinance permitting street closure; advised that this was only for emergencies. BA stated that it is not correct to say that nothing has been done; have performed traffic studies, adjusted Knickerbocker Rd./Hardenburgh Ave. light, installed signage, radar trailers. Mrs. La Pira pointed out that traffic restrictions imposed on Woodland would adversely affect Van Horn, Prescott and Stewart. Mrs. Fandanis also expressed dissatisfaction with contractors doing roadwork turning into her driveway with heavy trucks; Borough Engineer will take a look.

Lynn Paulison (15 Lois Ave.) echoed comments of Ms. Tutunjian re bank building, awaiting actual numbers supporting bank being the right way to proceed for Borough Hall. She also noted that recent Environmental Commission minutes haven't been posted.

Neil Pugh (64 Prospect St.) appreciates study of Donnybrook stormwater situation, thanks Borough Engineer. Donnybrook remediation done 10-12 years ago only kicks in when neighborhood is under water, due to poor design. Mayor will ask Borough Engineer to take a look. Mr. Pugh is also concerned about work at 9 Donnybrook Dr. which appears to be un-permitted and possibly illegal (water diverted to trench, drains into storm sewer). Borough Engineer will look into this and report back but Construction Official may need to inspect, issue summons, require correction. Mr. Pugh is also opposed to all-night on-street parking.

Ms. Tutunjian reported that her husband spoke with Mr. Dipple, DAA President and an engineer, who advised that DAA is not interested in installing artificial turf on the "swamp field." Rather, it seems that the request originated with a private soccer club. According to Mr. Dipple, the "swamp field" is in wetlands and a feasibility study would be a waste.

Brian Bernstein (Van Horn St.) requested that the Borough Engineer's report be published. He inquired about the CAP for the compost site and was advised that this will be discussed in closed session. The Borough Engineer generally described that the DEP wants the site to be investigated (test pits, analysis of construction fill) and restored to its original 1985 condition; results will inform details of CAP. Hard to predict timing since depends on DEP; doesn't believe can be done this year. BA is working on Plan B for this season's leaves. Mr. Bernstein also inquired about Demarest Day beer license; confirmed it is a one-meeting resolution. Also asked if there is a plan to investigate whether drainage pipes throughout the Borough are adequate; Borough Engineer stated that Borough should have "as built" but work was done decades ago and there is no plan to his knowledge; doing a town-wide study from scratch would be a "monumental task" and extremely costly. Mr. Bernstein suggested that some of the money being spent on roadwork should instead be spent on drainage investigations. The Borough Engineer reported that drainage is always investigated as part of planning roadwork. Best course of action is maintenance of roads.

Debra Longest (Brook Way) reported that some seniors are not getting calls about cooling stations. Many Borough communications can't get to persons without computers or cell

phones. BA says Police Dept. has a list of persons needing well checks and will make an effort to contact those persons directly in the event of excessive heat. Would like Council to consider "Local Residents Only" during school hours on Woodland Ave., like on roads near CRS; however that can only be done on streets immediately adjacent to schools. Ms. Longest is against astro turf on Borough athletic fields.

Karen Brodsky (79 Stewart St.) is very happy that Stewart St. is getting paved and would like drainage upgrades to be considered because basements flood. The Borough Engineer will assess this when the plans are drawn for this project.

Sara Gitanis (91 Woodland Rd.) asked reason for delay in completion; also, construction fencing blocks driveway access, would have appreciated notice. Time delay due to tree/utility situation. No new drainage because of topography. BA walked block to give notice (spoke to her husband). Mayor says will try to do better to communicate with residents of streets being paved.

Mr. Bernstein asked why some roads being improved are not getting new drainage. Borough Engineer says it's partly a matter of cost but mostly a question of whether/how it's practical/possible (slope, pitch, and distance to nearest inlet).

Roberta Hoag (28 Blanche Ave.) asked which employees will be temporarily moved to the bank building and what is the security plan. BA advised staffing, security and office supply details not fully determined at this point. Records will be secured in locking cabinets on second floor. Ms. Hoag recommended having air tested since bank was closed for a period. CCO is in process. Mr. Bernstein echoed Ms. Hoag's suggestion for air testing.

Mr. Carroll moved to close the meeting to the public and go into closed session, seconded by Mrs. LaPira. All in favor. Carried.

Subjects for closed session are personnel matter, contract matter, pending litigation. Action may be taken when open session reconvenes.

No action taken upon reconvening. Meeting adjourned.