

**MAYOR AND COUNCIL
BOROUGH OF DEMAREST
Work Session**

**MEETING AGENDA
March 13, 2023
7:30 PM**

The notice requirements of the Open Public Meetings Act of the State of New Jersey, P.L. 1975, Chapter 231, have been satisfied by the inclusion of the date, time and place of this meeting in the amended annual schedule of meetings of this Governing Body. Such amended schedule of meetings is posted at Borough Hall, on the Borough website and was published in the Record and Star Ledger on February 16, 2023 and was filed in the office of the Borough Clerk.

Pledge of Allegiance

Mayor Bernstein, Council President Slowikowski, Councilmember Fox, Councilmember Hamilton, Councilmember LaPira, Councilmember Marks, Councilmember Jiang

Roll Call:

Present:

Absent:

Also Present:

Work Session Discussion Items:

Engineering Report

Purchasing Procedure

DPW Equipment Request

Woodland Speed Complaint

Police Safety Equipment

Consent Agenda

Mayor Bernstein asks if any member would like to have any resolution removed from the consent agenda and voted on separately.

Mayor Bernstein asks if any member would like to abstain from voting on any resolution on the consent agenda.

Mayor Bernstein asks for a motion to accept the consent agenda (with any abstentions noted)

Consent Agenda:

Resolution No. 50-23	Authorization to Join Middlesex Cooperative
Resolution No. 51-23	Revised scope of FY 2020 CDBG funded ADA project
Resolution No. 52-23	Support of Northern Valley Greenway
Resolution No. 53-23	Authorizing Redemption and Distribution of Tax Sale
Resolution No. 54-23	Veteran Tax Exemption

Meeting Open to the Public

Closed Session

Adjournment

Resolution of the Demarest Governing Body

Resolution No. 50-23

March 13, 2023

Council Member	Motion	Second	Yes	No	Abstain	Absent
Jiang						
Fox						
Marks						
Slowikowski						
Hamilton						
LaPira						

**TITLE: A RESOLUTION AUTHORIZING THE PARTICIPATION IN THE
MIDDLESEX REGIONAL EDUCATIONAL COOPERATIVE PRICING
SYSTEM**

WHEREAS, pursuant to N.J.S.A. 40A:11-11(5), two or more contracting units are permitted to establish a Cooperative Pricing System for the provision and performance of goods and services and to enter into a Cooperative Pricing Agreement for its administration; and

WHEREAS, the Middlesex Regional Educational Services Commission is conducting a voluntary Cooperative Pricing System with other contracting units; and

WHEREAS, the Cooperative Pricing System will effect substantial economies in the provision and performance of goods and services; and

WHEREAS, the Borough of Demarest has been presented with a Cooperative Pricing System Agreement from Middlesex Regional Educational Services Commission (the "Agreement"); and

WHEREAS, the Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.); and

WHEREAS, it is in the best interest of the Borough to participate in the Cooperative Pricing System of Middlesex Regional Educational Services Commission and to authorize the execution of the Cooperative Pricing System Agreement from Middlesex Regional Educational Services Commission.

NOW THEREFORE, BE IT RESOLVED, by the Borough of Demarest that the Borough shall participate in the Cooperative Pricing System of Middlesex Regional Educational Services Commission and the Mayor or his designee is authorized to execute the Cooperative Pricing System Agreement from Middlesex Regional Educational Services Commission.

APPROVED:

Brian Bernstein, Mayor

CERTIFICATION

I, Lee Campbell, Acting Borough Clerk, of the Borough of Demarest, in the County of Bergen and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting on March 13, 2023.

Lee Campbell, Acting Borough Clerk

Resolution of the Demarest Governing Body

Resolution No. 51-23

March 13, 2023

Council Member	Motion	Second	Yes	No	Abstain	Absent
Jiang						
Fox						
Marks						
Slowikowski						
Hamilton						
LaPira						

TITLE: A RESOLUTION TO ENTER INTO A REVISED GRANT CONTRACT WITH THE COUNTY OF BERGEN COMMUNITY DEVELOPMENT BLOCK GRANT

WHEREAS the Borough of Demarest entered into a contract with the County of Bergen for the purpose of using \$88521.00 in Community Development Block grants funds for FY 2020; and

WHEREAS, the Borough of Demarest wishes to change the scope of the project from Main Entrance ADA upgrades to include only the Main Entrance Door and exclude the walkway from the project; and,

WHEREAS, the Mayor and Council wish to authorize Julie Falkenstern to be the signatory for an amended agreement with the County of Bergen on behalf of the Borough of Demarest; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Demarest that the Borough requests the County of Bergen to provide a revised agreement based on the revised scope to include only the ADA door replacement;

APPROVED:

Brian Bernstein, Mayor

CERTIFICATION

I, Lee Campbell, Acting Borough Clerk, of the Borough of Demarest, in the County of Bergen and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting on March 13, 2023.

**Lee Campbell
Acting Borough Clerk**

Resolution of the Demarest Governing Body

Resolution No. 52-23

March 13, 2023

Council Member	Motion	Second	Yes	No	Abstain	Absent
Jiang						
Fox						
Marks						
Slowikowski						
Hamilton						
LaPira						

TITLE: A RESOLUTION IN SUPPORT OF A NORTHERN VALLEY GREENWAY

WHEREAS, the six Northern Valley towns of Closter, Cresskill, Demarest, Northvale, Norwood and Tenafly are home to approximately eight miles of a continuous and underutilized segment of the former Erie Lackawanna, now CSX Northern Branch; and

WHEREAS, in 1966 the Erie Railroad terminated its commuter passenger service, and diminished operational and maintenance responsibilities along said corridor; and

WHEREAS, the consolidation of Erie Lackawanna and Penn Central into Conrail in 1976, the Northern Branch fell under the control of Conrail and

WHEREAS, in the late 1970s freight service to New York State was discontinued after Continental **Can** Company in Piermont closed, and

WHEREAS, after the breakup of Conrail in 1999 the Northern Branch was divided and CSX Transportation, Inc. (CSX) was given the northern section; and

WHEREAS, after many studies and impact statements regarding the use of light rail north to Tenafly and Cresskill, New Jersey Transit decided to have the terminus station at the Englewood Hospital and Medical Center, with necessary rail infrastructure extending just past the southern border of Tenafly; and

WHEREAS, freight rail service provided by CSX has been partially and fully discontinued within the borders of the six Northern Valley towns as evidenced by removal of track, ties, signals and at-grade crossing equipment, the loss of shippers and an increase of neglect; and

WHEREAS, the proposed Northern Valley Green Way will link up at the New York State line in the town of Orangetown with the Joseph B. Clarke Rail- Trail as a segment of the Hudson River Valley Greenway system. The Joseph B. Clarke Rail-Trail also links to the Piermont, South Nyack and Nyack River trails and connects Sparkill Park, The Piermont Erie Railroad Pier, Tallman State Park, Bike Route 9 and via the bike and walk path of the Mario Cuomo Bridge will enable access to New York State's extensive network of non-motorized transportation and recreational networks on the eastern side of the Hudson River; and

WHEREAS, the corridor forms a superior connection between and among the communities to this cooperative effort and enhances the linkage of residential communities, commercial and business sites, schools, civic, institutional and recreational lands and waters; and

WHEREAS, the Mayors and Councils of the six Northern Valley towns passed resolutions in 2017 to authorize the Northern Valley Rail-Trail project and the formation of an Inter-local "GREEN WAY" Planning Committee; **and**

WHEREAS, additional Northern Valley towns' Mayors and Councils have subsequently also passed similar resolutions of support for the Northern Valley Greenway (NVG) initiative; and

WHEREAS, The New Jersey Department of Transportation Office of Bicycle and Pedestrian Programs has sponsored and funded an official Technical Planning Assistance Study that did not identify any potential fatal flaws with the project's objectives; and

WHEREAS, the NVG Planning Committee has successfully established and developed working relationships with local, county, regional and state stakeholders, acquired letters of support from numerous state and federal elected officials and established strong public support for the project; and

WHEREAS, the County of Bergen has incorporated the Northern Valley Greenway as a visionary opportunity in the Bergen County Parks Master Plan and has been an active participant on the NVG Planning Committee; and

WHEREAS, the towns of the Northern Valley, along with the County of Bergen, State of New Jersey and local organizations have been engaged with the Northern Valley Greenway Committee in the planning and evaluation of non-motorized inter-urban transportation alternatives and trail opportunities for community development, alternative modes of transportation, public health and public recreational access and these municipal and non-profit organizations have been working cooperatively on this proposal.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Demarest hereby declare that it is their intention to continue to work cooperatively with the other towns of the Northern Valley and other stakeholder organizations in supporting the efforts of the Northern Valley Greenway Planning Committee to pursue reuse of the corridor as a "Green Way": to accommodate non-motorized, public access facility for recreation and transportation use; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Demarest intend to work cooperatively with the towns of the Northern Valley and other governmental, municipal and non-municipal stakeholders, as needed, in the planning, design, grant writing and other activities necessary to advance corridor reuse; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Demarest recognize the amount of work such an undertaking involves and as such hereby restate their agreement with and continued support of the Interlocal "Northern Valley Greenway Planning Committee" ("Committee"), whose official membership consists of mayoral appointees from the six Northern Valley towns and a representative of the County of Bergen. Each of the six towns and the County of Bergen will have an equal vote on committee actions and decisions with tie votes decided by the NVG Team Leader. The Committee may invite representatives of other stakeholder organizations to join the Committee. The Committee shall meet regularly, keep records, work with other stakeholders to develop a project work plan, host meetings and public events, work with stakeholders and serve as a forum for coordinating municipal, county, state, federal and regional agency activities. The Committee will be an advisory Committee to plan and coordinate the undertaking with the Borough Council maintaining responsibility to take any necessary action, expend any money, enter into any contract or incur any liability. The Committee shall not be authorized to enter into contracts, expend money, maintain a budget, approve expenditures or incur any liability on behalf of the Borough. With Committee approval, the NVG Team Leader may sign memorandums of understandings to further the Committee's goals for investigation purposes within the restrictions mentioned elsewhere in this paragraph.

BE IT FURTHER RESOLVED that the Borough of Demarest recognizes that the County of Bergen is considering passing a supporting resolution and that the other towns in the Northern Valley are considering renewing their supporting resolutions, and the Borough of Demarest encourages those entities to do so and is willing to enter into a memorandum of understanding with those that pass such resolutions.

APPROVED:

Brian Bernstein, Mayor

CERTIFICATION

I, Lee Campbell, Acting Borough Clerk, of the Borough of Demarest, in the County of Bergen and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting on March 13, 2023.

Lee Campbell
Acting Borough Clerk

Resolution of the Demarest Governing Body

Resolution No. 53-23

March 13, 2023

Council Member	Motion	Second	Yes	No	Abstain	Absent
Jiang						
Fox						
Marks						
Slowikowski						
Hamilton						
LaPira						

TITLE: A RESOLUTION TO AUTHORIZE REDEMPTION AND DISBURSEMENT OF TAX SALE CERTIFICATE

WHEREAS, at the Tax Sale held on December 3, 2019, Tax Sale Certificate Number

19-002 was sold to CHRISTIANA T C/F CE1/FIRSTTRUST on the property known as 366 Hardenburgh Avenue, Demarest, New Jersey, Block 116, Lot 134, assessed to Lee, James & Hae Shin; and

WHEREAS, CHRISTIANA T C/F CE1/FIRSTTRUST, also paid a premium in the amount of \$257,500.00 which was held in escrow by the Borough of Demarest; and

WHEREAS, Norgaard, O'Boyle & Hannon, Counsellors At Law, representing the owners, Lee, James & Hae Shin, has requested a redemption amount on the above certificate as of March 27, 2023, and has submitted certified funds in the amount of \$337,902.84 to redeem the above lien; and

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is hereby authorized to issue two checks, one in the amount of \$337,902.84 for the redemption of the lien and one in the amount of \$257,500.00, for the premium, which was held in escrow, both payable to CHRISTIANA T C/F CE1/FIRSTTRUST, PO Box 5021, Philadelphia, PA 19111-5021, and the Tax Collector to redeem the lien and adjust her records accordingly.

APPROVED:

Brian Bernstein, Mayor

CERTIFICATION

I, Lee Campbell, Acting Borough Clerk, of the Borough of Demarest, in the County of Bergen and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting on March 13, 2023.

**Lee Campbell
Acting Borough Clerk**

**Resolution of the Demarest Governing Body
Resolution No. 53-23
March 13, 2023**

Council Member	Motion	Second	Yes	No	Abstain	Absent
Jiang						
Fox						
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Slowikowski						
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LaPira						

TITLE: A RESOLUTION TO AUTHORIZE REDEMPTION AND DISBURSEMENT OF TAX SALE CERTIFICATE

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WHEREAS, CHRISTIANA T C/F CE1/FIRSTRUST, also paid a premium in the amount of \$257,500.00 which was held in escrow by the Borough of Demarest; and

WHEREAS, Norgaard, O'Boyle & Hannon, Counsellors At Law, representing the owners, Lee, James & Hae Shin, has requested a redemption amount on the above certificate as of March 27, 2023, and has submitted certified funds in the amount of \$337,902.84 to redeem the above lien; and

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is hereby authorized to issue two checks, one in the amount of \$337,902.84 for the redemption of the lien and one in the amount of \$257,500.00, for the premium, which was held in escrow, both payable to CHRISTIANA T C/F CE1/FIRSTRUST, PO Box 5021, Philadelphia, PA 19111-5021, and the Tax Collector to redeem the lien and adjust her records accordingly.

APPROVED:

Brian Bernstein, Mayor

CERTIFICATION

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**Lee Campbell
Acting Borough Clerk**

Resolution of the Demarest Governing Body

Resolution No. 53-23

March 13, 2023

Council Member	Motion	Second	Yes	No	Abstain	Absent
Jiang						
Fox						
Marks						
Slowikowski						
Hamilton						
LaPira						

**TITLE: A RESOLUTION TO APPROVE - 100% VETERAN TAX EXEMPTION
JERRY L. GRAY**

WHEREAS, the Tax Assessor has been notified by the Department of Veteran Affairs that Jerry L. Gray, residing at 24 Eastview Terrace, also known as Block 77, Lot 2, has been declared 100% totally disabled and has been approved for 100% tax exemption on his dwelling effective February 17, 2023 in accordance with N.J.S.A. 54:4-3.30 et seq. as amended by P.L. 2019, c.413; N.J.A.C. 18:28-1.1 et seq.;

BE IT RESOLVED, copies of this resolution shall be provided to the Borough Tax Assessor, Borough Tax Collector and Mr. Gray

APPROVED:

Brian Bernstein, Mayor

CERTIFICATION

I, Lee Campbell, Acting Borough Clerk, of the Borough of Demarest, in the County of Bergen and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting on March 13, 2023.

**Lee Campbell
Acting Borough Clerk**