

**MAYOR AND COUNCIL
BOROUGH OF DEMAREST
Municipal Building
Demarest, NJ
Special Work Session
February 13, 2023
7:30 PM**

This special work session meeting was called to order at 7:35 at the above time and place.

Mayor Bernstein invited all to rise for the Pledge of Allegiance.

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

Also Present: Deena Rosendahl, Borough Attorney
Julie Falkenstern, Borough Administrator

Mayor Bernstein read the compliance statement as required by the Open Public Meetings Act, P.L. 1975, Chapter 231

Mayor Bernstein read the items on the consent the consent agenda and asked for a motion to remove resolution 38-23 from the consent agenda. A motion was made by Councilmember Hamilton and seconded by Councilmember Fox and approved by all members of the council to remove resolution 38-23 from the consent agenda. An amended resolution for appointment of a recycling coordinator will be offered at the next regular meeting.

The Mayor asked for a motion to accept the consent agenda (with any abstentions noted).

A motion was made by Councilmember Hamilton and seconded by Councilmember Fox to accept the consent agenda.

Ayes: Council President Slowikowski, Councilmember Fox, Councilmember Hamilton, Councilmember LaPira, Councilmember Marks, Councilmember Jiang

Nays: None

Absent: None

Work Session Discussion Items:

Councilmember Fox asked for approval from the council to proceed with an ADA project to replace the door at Borough Hall to be funded by CDBG. The approximate cost of the project is \$81,750.00 but not to exceed the total grant allocation of \$88,000.00.

A motion was made by Councilmember Hamilton and seconded by Councilmember Fox to direct the Borough Administrator to instruct the architect to proceed with the project to meet the April deadline ensure that CDBG funding isn't lost.

Ayes: Council President Slowikowski, Councilmember Fox, Councilmember Hamilton, Councilmember LaPira, Councilmember Marks, Councilmember Jiang

Nays: None

Absent: None

A discussion ensued on the policy and procedure for rental of the train station for private events. The Council decided that they would like to charge a processing/application fee of \$200 and a cleaning fee of \$150 and that the current application be revised to reflect updated information. Additionally, renters should provide a COI naming the Borough as additional insured and any reference to insurance fee be removed from the application. Additionally, the council discussed the use of alcohol at events in the train station. The Borough Attorney advised that no one using the train station may "serve" or "sell" alcohol. If the council wants to allow alcohol to be consumed, it must be on a BYO basis.

Councilmember Fox stated that she had comments on two ordinances to report from the ordinance committee. The tree ordinance will be reviewed by the Shade Tree Commission at their upcoming March 3 meeting. The issue of how trees are replaced when removed will be discussed.

Secondly, she would like to recommend that the parking ordinance be repealed while the Borough reviews a new proposed ordinance as it contains information that is obsolete and outdated. The Borough Attorney will prepare a repeal for the next meeting.

The Borough Administrator will follow up on the resolution approved this evening repealing parking permits, by way of sending notice to permit holders.

Mayor Bernstein asked for consent from the Council to have a resolution on the next agenda to appoint John McLoughlin as OEM Coordinator at a rate of \$6000 annually. A motion was made by Councilmember Fox and seconded by Councilmember Hamilton and approved by all to have the appointment resolution placed on the next agenda.

Mayor Bernstein discussed a proposal from Colliers in the amount of \$122,450.00 to stabilize the Arboretum dam damaged as a result of Hurricane Ida. Councilmember Fox believes that that work could be reimbursed by FEMA. The Borough Administrator will check on the FEMA applications and confirm that the proposal qualifies for FEMA reimbursement before the work is authorized.

Mayor Bernstein expressed his desire for the Council to consider locations in the Borough for a dog park. He stated that many residents have approached him expressing a desire for a dog park in town. A discussion ensued on possible locations

and the Borough Attorney suggested that the Borough Planner be engaged to do a feasibility/location study. Councilmember Fox will contact the Borough Planner to follow up.

Councilmember LaPira asked the Borough Attorney to advise the Council on the procedure for accepting donations as members of the DAA advised her that it has been an issue in the past. The Borough Attorney and Administrator will advise the Council on how different donations can be accepted.

The Borough Attorney then reviewed the proposed swim club lease noting the following substantive changes being proposed:

Lease term being changed from 10 yrs. to 3 yrs.
Renewals being limited to three 3yr. renewals
Clarifying summer season as Memorial Day to Labor Day
Clarifying maintenance responsibilities of the swim club during the summer season and the Borough during the off season.

A discussion ensued on language requiring the swim club to have a certain level of membership to be in compliance with the lease.

Councilmember Marks asked if the Borough has the ability to use any of the parking lot area for Borough facilities. The Borough Attorney said there is language that allows the Borough access to a portion of the lot.

The Borough Attorney will revise language per the discussion and send a proposed lease to Council President Slowikowski, the swim club liaison, for distribution to the swim club.

Councilmember LaPira advised that EMS has a vehicle that is in disrepair and before they spend any money on repairs they would like to know if the Borough has any vehicles that are not being utilized that may be available to EMS. The Council advised that they will look into it and advise whether there is a car that could be made available to EMS.

The Mayor asked for a motion to open the meeting to public comments.

Roberta Hoag
28 Blanch Ave.
Demarest, NJ

Ms. Hoag advised that Closter has a new dog park on the corner of High St. / Piermont Rd. if residents are looking for a dog park close to Demarest to visit

Additionally, Ms. Hoag, on behalf of EMS, advised that even when EMS vehicles have low mileage it is deceptive due to the nature of the usage and the cars idling often. She

advised that the DPW looked at the car in question and advised that due to electrical issues it would be a potentially expensive repair, thus the request for a replacement vehicle.

Noel Pugh
64 Prospect St.
Demarest, NJ

Mr. Pugh stated that he wanted clarification on a comment made at the last meeting on how fees collected for new construction in town would cover the new Borough Administrator salary. Councilmember LaPira stated she made the comment and it was an off the cuff comment that was not meant to say that building fees would literally be covering the BA salary. Mr. Pugh further stated that he hoped that an increase in building fees would be used to help lower taxes. Additionally, he advised the Council that he exchanged information with a representative from Colliers as he stated he would at the last meeting.

Seeing no other members of the public wishing to speak, the Mayor asked for a motion to close the meeting to the public. A motion was made by Councilmember Hamilton and seconded by Councilmember Fox and approved by all to close the meeting to the public.

The mayor then stated that the Council would be adjourning to a closed session to discuss pending litigation and that no action would be taken.

A motion was made by Councilmember Hamilton and seconded by Councilmember Jiang to move to closed session.

Ayes: Council President Slowikowski, Councilmember Fox, Councilmember Hamilton, Councilmember LaPira, Councilmember Marks, Councilmember Jiang

Nays: None

Absent: None

The Mayor reopened the meeting and asked for a motion to adjourn.

A motion was made by Councilmember Hamilton and seconded by Councilmember Fox and approved by all to adjourn the meeting at 8:41 pm.

Respectfully submitted,

Julie Falkenstern
Borough Administrator in the absence of the Acting Borough Clerk