

**MAYOR AND COUNCIL  
BOROUGH OF DEMAREST  
Municipal Building  
Demarest, NJ  
Regular Meeting  
March 27, 2023  
7:30 PM**

This special work session meeting was called to order at 7:33 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

**Absent:** Councilmember Jiang

**Also Present:** Deena Rosendahl, Borough Attorney  
Julie Falkenstern, Borough Administrator  
Carl O'Brien, Borough Engineer  
Nick Chelius, Borough Engineer  
John McLoughlin, Fire Chief

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

Mayor Bernstein asked for a moment to acknowledge the passing of longtime resident Susanne Brunell. On behalf of the entire governing body, Mayor Bernstein offered his condolences to her friends and family.

**Mayor's Appointment to the Zoning Board**

Todd Adelman Regular Member to fulfill the unexpired term of Alan Press *exp.* 12/31/2025

Mayor Bernstein asks for a motion to approve the appointment.

A motion was made by Councilmember Fox and seconded by Councilmember Hamilton.

**Roll Call:**

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

Nays: None

Absent: Councilmember Jiang

**Ordinances – Introduction**  
BOROUGH OF DEMAREST  
ORDINANCE NO. 1119-23

AN ORDINANCE CALENDAR YEAR 2023 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Mayor Bernstein asked for a motion to introduce on first reading Ordinance No. 1119-23, Calendar year 2023 ordinance to exceed the municipal budget appropriation limits and to establish a cap bank.

A motion was made by Council President Slowikowski and seconded by Councilmember Fox.

**Roll Call:**

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

Nays: None

Absent: Councilmember Jiang

Mayor Bernstein asks if anyone wishes to be heard concerning the introduction of this ordinance.

There being no one wishing to speak, Mayor Bernstein asked for a motion to pass this Ordinance on the first reading by title and it published in the Bergen Record with notice of Public Hearing to be held on April 24, 2023.

A motion was made by Councilmember Hamilton and seconded by Councilmember Fox.

**Roll Call:**

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

Nays: None

Absent: Councilmember Jiang

**Consent Agenda:**

Mayor Bernstein read the items on the consent the consent agenda.

Mayor Bernstein asks if any member would like to have any resolution removed from the consent agenda and voted on separately. Hearing no one, Mayor Bernstein asks if any

member would like to abstain from voting on any resolution on the consent agenda. Hearing no one, Mayor Bernstein asks for a motion to accept the consent agenda (with any abstentions noted)

**Consent Agenda:**

Resolution No. 60-23	Refund for Tax Exempt Veteran
Resolution No. 61-23	Award of contract - ADA Borough Hall CDBG Funded FY20
Resolution No. 62-23	Appoint Fund Commissioner
Resolution No. 63-23	Municipal Alliance Grant Acceptance
Resolution No. 64-23	Street Sweeper Shared Service -Bergen County
Resolution No. 65-23	Vehicles Shared Service – Bergen County
Resolution No. 66-23	Various Equip Shared Service- Bergen County

A motion was made by President Slowikowski and seconded by Councilmember Marks to approve the consent agenda.

**Roll Call:**

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

Nays: None

Absent: Councilmember Jiang

**Minutes for approval:**

May 23, 2022 Regular Meeting  
June 27, 2022 Regular Meeting  
July 7, 2022 Special Meeting  
July 25, 2022 Special Meeting  
March 27, 2023 Regular Meeting

Mayor Bernstein asked the Borough Attorney to clarify whether councilmembers should vote to approve minutes of meetings they did not attend or from a year that they did not sit on the governing body.

Ms. Rosendahl answered that they can, and they should. A vote to approve minutes indicates your confidence in their preparation, rather than your knowledge of the content.

Mayor Bernstein then asked for a motion to approve the minutes.

Councilmember Fox made a motion to approve the minutes from the following meetings:

May 23, 2022 Regular Meeting  
June 27, 2022 Regular Meeting

July 7, 2022 Special Meeting  
July 25, 2022 Special Meeting

The motion was seconded by Councilmember Hamilton.

**Roll Call:**

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

Nays: None

Absent: Councilmember Jiang

Council President Slowikowski then made a motion to approve the minutes of the March 27, 2023 meeting. The motion was seconded by Councilmember Hamilton.

**Roll Call:**

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

Nays: None

Absent: Councilmember Jiang

**Items for Discussion:**

**Borough Engineer's Report**

Carl O'Brien of Colliers Engineering started by introducing Nick Chelius who has been doing a lot of the work of the Borough. He then reviewed the April Engineering Report dated 4/10/23. He highlighted the status and continuing work on Tier A Stormwater Report, Compost Site, and Pine Terrace.

Mayor Bernstein asked Carl to keep in mind that in regard to the Compost Site remediation he would like to see options for future use including an emergency access road, a small transfer station, and possible athletic facilities i.e., a pickleball court.

**Policies/Procedures for issuance of Blue Light Permits**

Mayor Bernstein asked the Council to consider implementing a policy on how blue light permits are issued to volunteers that respects the hard work done by volunteers in the Borough while also protecting the Borough from any potential litigation. He cited a recent accident and misuse of a blue light in Alpine as an example of an issue he would like to avoid. Councilmember Fox commented that she believed they should only be issued to those members "in good standing." Fire Chief McLoughlin commented that the "in good standing" designation is a moving target and may not indicate that someone lives close enough to the Borough to need a blue light for responses to calls. He said the department has not had a policy in the past but welcomes the Borough implementing a policy to protect the Borough and his department.

Roberta Hoag (active member of the ambulance corps) commented that the Ambulance Corps. also does not currently have a policy and that she leaves it to the Borough to set a policy since the permit requires the Mayor to sign off.

Councilmember Fox suggested we ask the Bergen County JIF if they can give us guidance.

Mayor Bernstein is concerned that some members live and work outside of a distance where they will be able to regularly respond to emergencies in the Borough and sked the Borough attorney to research and make recommendation of policies and procedures that can be implemented.

### **Proposed Amendment to Overnight Parking Ordinance**

Councilmember Fox discussed the proposed revision that was distributed to the Council for consideration. Mayor Bernstein asked if the entire committee met to discuss. Councilmember Fox said that while she has discussed it with others, it was a very small language change for clarification so there is no formal report from the committee.

Mayor Bernstein asked Councilmember Fox to do a more formal review with the committee and report back. He also asked that, per a suggestion from the Police Chief, that common exceptions that make overnight parking impermissible be included in the language such as "snow covered roads." The Borough Attorney asked for the ordinance and any proposed revisions to be emailed to her for review.

Mayor Bernstein asked for a motion to open the meeting to the public.

Councilmember Hamilton made a motion to open the meeting to the public. The motion was seconded by Councilmember Marks.

### **Roll Call:**

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

Nays: None

Absent: Councilmember Jiang

Noel Pugh  
64 Prospect

Mr. Pugh is not in favor of overnight parking on Borough streets and believes it will affect the character of the Borough. He wonders how it will be enforced that you are only allowed to park near your home.

Councilmember LaPira asked if there was technology that would allow police to read license plates to know if a car was parked overnight legally or not.

Councilmember Hamilton advised that those wishing to allow guests to park overnight are supposed to call the police in advance.

Councilmember Fox commented she personally has forgotten to call the police about a guest parking overnight and they have gotten ticketed, so she believes it can be enforced.

Elizabeth Youngman  
8 Everett Rd.

Ms. Youngman inquired whether the Borough has plans to install pickleball courts. Councilmember LaPira stated that it has been discussed often at recreation meetings and while there is a lot of support, the right spot has not been identified. She stated that there was discussion of installation near the pool or in conjunction with tennis courts.

Carl O' Brien cautioned the council that the courts cannot be installed in wetlands so near the pool would not be an option. He also stated that while tennis courts can be used for pickleball it involves different striping and nets and can get in the way at a much used tennis court.

Mayor Bernstein asked Carl to research and advise the council if there is a good spot in town for such an installation.

There being no other members of the public wishing to be heard, the Mayor asked for a motion to close the meeting to the public and adjourn to a closed session to discuss litigation, noting that no action would be taken.

A motion was made by Councilmember Fox and seconded by Councilmember Marks 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 8:52 pm.

Respectfully submitted,

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