

**MAYOR AND COUNCIL
BOROUGH OF DEMAREST**

REGULAR MEETING MINUTES

July 24, 2023

7:30 PM

This meeting was called to order at 7:32 at the Council Chambers of the Borough of Demarest, 118 Serpentine Rd. Demarest, NJ.

Mayor Bernstein read the compliance statement and 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

Absent: Councilmember Fox

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

A motion was made by Council President Slowikowski and seconded by Councilmember Jiang to suspend the Regular Order of Business for a Police Promotion

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

Nays: None

Absent: Councilmember Fox

Abstention: Councilmember Hamilton

Resolution 102-23

RESOLUTION TO PROMOTE SGT. BRIAN TALTY TO THE RANK OF CAPTAIN

A motion was made by Council President Slowikowski and seconded by Councilmember Jiang to approve the resolution.

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

Nays: None

Absent: Councilmember Fox

Abstention: Councilmember Hamilton

Mayor Bernstein asked newly promoted Captain Talty to come forward while he said a few words about him ahead of being sworn in.

Mayor Bernstein spoke of Captain Talty's long service with the Borough and stated that his service to the Borough has been exemplary, evidenced by the number of current and former Borough Officials, employees and Police Department members present tonight. He commented on his professionalism and leadership. Mayor Bernstein said it was a privilege to promote him. Mayor Bernstein acknowledged Captain Talty's many family members present. Mayor Bernstein stated that while virtually the entire police department is present to support Captain Talty, one member missing is Officer Cho who was disappointed he couldn't attend due to a previously scheduled vacation, so he sent a message that he asked the Mayor to read. Mayor Bernstein read the following into the record:

Dear Mr. Bernstein,

As President of Demarest PBA Local 350, it is with great pleasure that I, along with the members of our PBA and the Borough of Demarest, share in this moment with Captain Brian Talty, his wife Kristin and children Kaleigh, Kieran, and Colin. Captain Talty has had an immeasurable impact on the operation of this department, as well as a profound influence as a leader and friend. He has served this borough since the age of 15 and over the years he has earned a reputation that speaks to his character and personality that is echoed through every Officer that has interacted with him.

Captain Talty deserves to be elevated to this position, and more importantly, this department and the residents in this community deserve to have an individual of Captain Talty's caliber in that position. His promotion is not just a reflection of his achievements but a testament to the impact that he has had on everyone that has served with him.

Captain Talty, I can say that we all are eager to see the positive impact that you will have as a leader of this department. It may have been a long road, but in this moment your hard work and the integrity with which you've walked in your career has been acknowledged in the genuine respect you've earned from your fellow officers.

Thank you to the Mayor and Council for their support in making this night possible for us. And though I regret not being there to deliver this message in person, I'm honored to offer my congratulations on behalf of the PBA to Captain Talty on this achievement.

Mayor Bernstein then administered the oath to Captain Talty who was joined by his wife and children.

Captain Talty then thanked the Mayor and Council and all in attendance for their support.

A motion was made by Councilmember Marks and seconded by Councilmember Jiang for a brief recess.

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

Nays: None

Absent: Councilmember Fox

The meeting resumed and was called to order at 7:54 pm.

Appointments to the Zoning Board:

Robert Hirsch Alternate One Term Ending December 31, 2024

Diana Pavlova Alternate Two Term Ending December 31, 2023

A motion was made by Councilmember Marks and seconded by Councilmember LaPira to approve the zoning board appointments.

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

Nays: None

Absent: Councilmember Fox

Consent Agenda

Mayor Bernstein stated that Resolution No. 107-23 needs to be removed from the consent agenda and voted on separately due to a change in the bills list.

Consent Agenda:

Resolution No. 103-23 Appointment of Deputy Tax Collector/Finance Assistant

Resolution No. 104-23 Authorizing Release of Escrow

Resolution No. 105-23 Appointing Seasonal Labor

Resolution No. 106-23 Approving Payment #1 for American Asphalt

With no members asking for any additional resolutions to be removed from the consent agenda, and no abstentions asked for, a motion was made by Council President Slowikowski and seconded by Councilmember Marks to approve the consent agenda.

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

Nays: None

Absent: Councilmember Fox

Resolution No. 107-23 Bills List

The Borough Administrator commented that the date on the bills list is revised to July 24, 2023, and the total amount of bills to be paid is \$324,551.20 and asked Peter Suh to explain the change. Mr. Suh stated that some more bills, including recreation expenses, were processed today and added to the list. The Borough Administrator stated that the new list will be circulated but asked that the Council consider approving the amended list so that our bills can be timely paid.

A motion was made by Councilmember Hamilton and seconded by Councilmember Marks to approve the resolution.

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

Nays: None

Absent: Councilmember Fox

Items for Discussion:

Mayor Bernstein stated that he has asked the Borough Administrator to circulate a draft, prepared by the Borough Attorney, of an updated ordinance concerning the management of bamboo in the Borough to protect residents' properties. The Mayor also stated that we need to make sure the residents are aware that the removal of bamboo is their responsibility as the DPW does not have the equipment to remove it.

Mayor's Report:

Mayor Bernstein reported that Congressman Gottheimer has chosen to honor Demarest resident and Volunteer Ambulance Corps. member Jeff Geisenheimer as a hometown hero. He highlighted Jeff's countless contributions to the community and congratulated him on this honor.

Additionally, Mayor Bernstein stated that he would like the Borough to consider a renovation of the Nancy Woods Peace Gazebo. He asked for two council people to join him on a committee to spearhead an community effort to fundraise for a renovation of the gazebo including new pavers stating the names of contributors. Councilmember Marks and Council President Slowikowski volunteered to join the subcommittee and work with the Mayor and the Woods family on this effort. Additionally, Mayor Bernstein reported that the Borough Administrator will be working with Orange and Rockland to get more lighting to the area.

Lastly, Mayor Bernstein reported that long time resident and member of the Shade Tree Commission Alan Epstein passed away and offered his condolences to his wife and family on behalf of the Borough.

Council Committee Reports:

Police, Fire, and Public Events (Jiang)

Councilmember Jiang reported that the Deputy Fire Chief and Police Chief will report on their departments later in the meeting. He then stated that the BOE has decided not to build the planned new gym in the middle school due to a higher than anticipated cost. He also reported that later in the meeting the Police Chief and Borough Administrator will be addressing a new plan for crossing guard coverage.

Ambulance and Recreation (LaPira)

Councilmember congratulated Jeff Geisenheimer on the honor of being named a Hometown Hero by Congressman Gottheimer and noted that the VABC has been lucky enough to have new members join recently, partially following Jeff's lead and taking inspiration from Jeff's service. Additionally, she commented on the success of past summer concerts held by the Recreation Commission and informed the public of upcoming concerts. She thanked Jason Gangi of the DPW for adding some lighting near the gazebo that has improved safety for concertgoers. Councilmember LaPira stated that she agrees the gazebo is in need rehab but would like to be sensitive to the current fundraising efforts of recreation for Demarest Day.

Management, Administration & Communication (Marks)

Councilmember Marks reported that he is working with the library in collaboration with the Borough on an upcoming history event. He also thanked the library for their recent donation of a conference table to the Borough. Additionally, the new website provider has been secured at a significant savings to the Borough. The kickoff of the new website should be in the fall. The next communication tool to be finalized is the purchase of a new electronic sign that should be completed in the fall as well. Lastly, the DPW is working with the DAA on improvements to fencing at Wakelee field and the sprinklers have been fixed.

Finance & Insurance (Slowikowski)

Council President Slowikowski welcomed back Andrea, the Deputy Tax Collector, to the Borough. She asked for a progress update on an additional hire in the finance department. The Borough Administrator stated that she has applications to review and hopes to have an update soon. Finally, she reported that the Recreation Department is disappointed with the school's decision not to allow use of the library for recreation summer camp. She would like support for summer camp ahead of the next camp season to see if they can work more efficiently with the school.

DPW, Public Buildings, Public Utilities & Recycling (Hamilton)

Councilmember Hamilton stated that she wanted to clarify why she abstained from the vote on Captain Talty's promotion and expressed her disappointment that she was not consulted or informed about tonight's police promotion. She is a member of the police committee and was not included in any discussions. She was not aware of the promotion until the agenda was sent to her on Friday. She feels disrespected by the committee and is disappointed in the process, not the result and is supportive of Captain Talty.

Mayor Bernstein asked Councilmember Jiang if had an opportunity as the Police Commissioner to speak to Councilmember Hamilton in reference to the promotion. Councilmember Jiang stated that while he did speak to Council President Slowikowski, the other member of the committee, his busy schedule prevented him from speaking to Councilmember Hamilton. Additionally, he stated that there have been issues historically

with the police department and it was his mistake for not making sure he spoke to Councilmember Hamilton.

Mayor Bernstein then stated that he apologized on the committee's behalf and wished she had reached out to him when she became aware and that he does not want her to be left out of decisions.

Councilmember Hamilton stated that she feels it has been a pattern and she is disappointed in being excluded.

Mayor Bernstein apologized again on the committee's behalf and asked that she reach out to him in the future if there are these such issues.

Real Estate & Ordinance (Fox)

Councilmember Fox was not in attendance.

Reports of Borough Officials

Borough Administrator

Ms. Falkenstern explained that the Borough is experiencing staffing and budget issues related to crossing guards and she and the Police Chief along with Captain Visaggio met with an outside company that would provide those services and would recommend the council consider the proposal. Ms. Falkenstern also reported that the new phone number for residents to reach IWS, the Borough's trash hauler, is 1-866-DIALIWS. Residents can use that number to arrange for pickup of out of the ordinary trash items such as white goods, extra-large items and bamboo.

Borough Attorney

Ms. Rosendahl had nothing to report.

Borough Treasurer

The CFO was not present.

Police Chief

Chief Dimitriadis reported:

Ptl. Solan was honored on June 22nd at the annual Mothers Against Drunk Driving Law Enforcement Recognition Event. Officer Solan is among the top 1% of Police Officers in NJ for DWI arrests.

Crossing Guard Services Proposal

The 1.485 % increase invoiced rate includes everything {insurance, scheduling, invoicing, etc.} listed in their proposal.

In addition to what is included the benefit to the Borough would be, but not limited to:

1. Numerous hours spent by the police department and finance collecting, correcting, and totaling vouchers.
2. Freeing up officers from having to cover posts when guards are out sick, on vacation, running late, etc.

3. Potential overtime associated to all crossing guard matters: training, covering posts, complaints & investigations, etc.
4. My greatest concern is having an incident occur when officer(s) are busy covering a particular school post, let alone not actively patrolling during that time ensuring children are getting to and from school safely. A service that will schedule and be responsible for the school post will alleviate our **liability**. We can always terminate the contract within 30 days per the proposal if not satisfied. Mr. Adam Bryan is in attendance at tonight's council meeting here to answer any questions or contract specifics.

The Demarest Police Department logged a total of 493 calls for service and Administrative activities from last council meeting 06/26/2023 to 07/23/23.

Some of these calls for service include:

Verbal dispute – 2

Domestic Violence – 1 arrest

Theft – 3, with one being motor vehicles stolen

- Due to the key fob left in the vehicle

MV Crashes – 11

- One resulted in the operator being arrested for DWI

Medical Calls for service – 14

Councilmember LaPira made a motion, seconded by Councilmember Jiang and approved by all present to open the meeting for questions to Mr. Byran concerning the crossing guard services.

Mr. Bryan from Crossing Guard Services came forward to answers questions.

Councilmember LaPira asked if our local guards would be employed and if the current posts would remain for continuity. Mr. Bryan said yes that is the goal.

Mayor Bernstein asked about coverage for a guard that calls out sick. Mr. Bryan stated that if the Borough engaged their services all coverage issues would be the company's responsibility. He also stated in response to Mayor Bernstein that the term of the proposed contract would be 3 years, with 2 one year extensions possible.

Council President Slowikowski stated that she is aware of the issues surrounding crossing guard coverage and costs and is supportive of this plan to alleviate the issues.

Councilmember LaPira made a motion, seconded by Councilmember Hamilton and approved by all present to close the meeting for questions to Mr. Byran concerning the crossing guard services.

Fire Chief

The Deputy Fire Chief reported that the past month has been busy and that the department has engaged in many drills and training sessions.

Councilmember LaPira made a motion, seconded by Council President Slowikowski and approved by all present to open the meeting to the public.

Mr. Clarke
150 Donnybrook

Mr. Clarke Asked for an update on the bank building. Mayor Bernstein stated that a planned discussion on the bank building was postponed at the request of Councilmember Fox who was not able to attend tonight.

Mr. Clarke also asked about how the borough will handle leaf collection this fall. Mayor Bernstein said that we are in discussions with other towns and providers and hope to have a solution soon. He further said that he does not believe that our approved leaf yard can handle the Borough's volume.

Mr. Clarke then asked for an update on the Borough Clerk. The Mayor stated that a separation agreement has been executed.

Noel Pugh
64 Prospect St.

Mr. Pugh is concerned with the condition of silt fences and soil movements of properties under construction. He would like the Borough to address in particular a silt fence on 57 Prospect. Mayor Bernstein stated that he will follow up with engineer and construction official. The Borough Administrator advised Mr. Pugh to get in touch with the construction official in the future so he can address such issues either himself or in conjunction with Bergen County Soil. If there is a problem after hours, he can reach out to the police so that it is documented and to feel free to reach out to her if he needs assistance.

Councilmember LaPira stated that she believes better reporting from the Code Enforcement Officer would be helpful to the Council and she has asked for it before and would like to follow up. The Borough Administrator will follow up with the Code Enforcement Officer.

Mr. Clarke echoed Mr. Pugh's concerns.

Councilmember Hamilton made a motion, seconded by Council member Jiang and approved by all present to close the meeting to the public.

Councilmember Hamilton made a motion, seconded by Council member Jiang and approved by all present to adjourn.

The meeting was adjourned at 8:40pm.

Respectfully submitted,

Julie Falkenstern
Borough Administrator for the Acting Borough Clerk