

**MAYOR AND COUNCIL
BOROUGH OF DEMAREST
WORK SESSION AGENDA
July 8, 2024
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 annual schedule of meetings of this Governing Body. Such schedule of meetings is posted at Borough Hall, on the Borough website and was published in the Record and Star Ledger and was filed in the office of the Borough Clerk.

Pledge of Allegiance

Mayor Bernstein, Council President Slowikowski, Councilmember Collins, Councilmember Fox, Councilmember Jiang, Councilmember Marks, Councilmember Reiss

Roll Call:

Present:
Absent:
Also Present:

ORDINANCE (INTRODUCTION):

Ordinance No. 1142-24 ORDINANCE AUTHORIZING THE ACQUISITION BY DONATION OF REAL PROPERTY COMMONLY KNOWN AS 563 PIERMONT ROAD, AND DESIGNATED ON THE OFFICIAL TAX MAP OF THE BOROUGH OF DEMAREST AS BLOCK 67, LOTS 5.01 AND 6 FOR PUBLIC USE

Mayor Bernstein asks for a motion to introduce on first reading by title Ordinance No. 1142-24 and it published in the Bergen Record with notice of Public Hearing to be held on July 22, 2024.

A motion was made by _____ and seconded by _____

Roll Call:

Ordinance No. 1143-24 AN ORDINANCE TO FIX THE SALARIES, WAGES AND COMPENSATION OF CERTAIN PUBLIC OFFICIALS, OFFICERS AND EMPLOYEES OF THE BOROUGH OF DEMAREST, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

Mayor Bernstein asks for a motion to introduce on first reading by title Ordinance No. 1143-24 and it published in the Bergen Record with notice of Public Hearing to be held on July 22, 2024.

A motion was made by _____ and seconded by _____

Roll Call:

ORDINANCE PUBLIC HEARING (ADOPTION):

Ordinance No. 1138-24 PRIVATELY OWNED SALT STORAGE

Mayor Bernstein asks for a motion to open the public hearing on Ordinance # 1138-2024

A motion was made by _____ and seconded by _____

Roll Call:

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

Speaker(s):

Mayor Bernstein asks for a motion to close the Public Hearing on this ordinance and that it be adopted with notice of final passage to be published in the Bergen Record.

A motion was made by _____ and seconded by _____

Roll Call:

Ordinance No. 1139-24 IMPROPER DISPOSAL OF WASTE

Mayor Bernstein asks for a motion to open the public hearing on Ordinance # 1139-2024

A motion was made by _____ and seconded by _____

Roll Call:

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

Speaker(s):

Mayor Bernstein asks for a motion to close the Public Hearing on this ordinance and that it be adopted with notice of final passage to be published in the Bergen Record.

A motion was made by _____ and seconded by _____

Roll Call:

Resolution 128-24 RESOLUTION TO AUTHORIZE EMERGENCY PURCHASE PURSUANT TO NJSA 40A:11-6

Ordinance No. 1140-24 WILDLIFE FEEDING

Mayor Bernstein asks for a motion to open the public hearing on Ordinance # 1140-2024

A motion was made by _____ and seconded by _____

Roll Call:

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

Speaker(s):

Mayor Bernstein asks for a motion to close the Public Hearing on this ordinance and that it be adopted with notice of final passage to be published in the Bergen Record.

A motion was made by _____ and seconded by _____

Roll Call:

Ordinance No. 1141-24 AMENDING AND MODIFYING CHAPTER 135 OF THE DEMAREST BOROUGH CODE

Mayor Bernstein asks for a motion to open the public hearing on Ordinance # 1141-2024

A motion was made by _____ and seconded by _____

Roll Call:

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

Speaker(s):

Mayor Bernstein asks for a motion to close the Public Hearing on this ordinance and that it be adopted with notice of final passage to be published in the Bergen Record.

A motion was made by _____ and seconded by _____

Roll Call:

Work Session Discussion Items:

Engineer's Report

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. 126-24 Authorizing Payment for Covino & Sons (Pine Terrace Drainage)

Resolution No. 127-24 Payment of Bills

Meeting Open to the Public

Closed Session - Potential Litigation Update – No action to be taken

Adjournment

ORDINANCE 1142-24

AN ORDINANCE AUTHORIZING THE ACQUISITION BY DONATION OF REAL PROPERTY COMMONLY KNOWN AS 563 PIERMONT ROAD, AND DESIGNATED ON THE OFFICIAL TAX MAP OF THE BOROUGH OF DEMAREST AS BLOCK 67, LOTS 5.01 AND 6 FOR PUBLIC USE

STATEMENT OF PURPOSE: This ordinance is being proposed to authorize the acquisition of real property in the Borough of Demarest (the “Borough”) for public use.

WHEREAS, pursuant to N.J.S.A. 40A:12-5, the Borough has the power to acquire, by ordinance, any real property, capital improvement or personal property for a public purpose through negotiated agreement or by the exercise of its powers of eminent domain; and

WHEREAS, pursuant to N.J.S.A. 40:61-1 et seq., the Borough may acquire lands for public purposes; and

WHEREAS, the Demarest Baptist Church has offered to donate real property with all improvements located at 563 Piermont Road, designated as Block 67, Lots 5.01 and 6 on the official tax map of the Borough (the “Property”) to the Borough and in furtherance of same, the parties previously entered into a Memorandum of Understanding whereby the Borough agreed to accept the donation subject to a Quiet Title Action confirming that the covenants restricting the use of the Property have been extinguished; and

WHEREAS, a Quiet Title Action has been filed and by Order entered June 25, 2024 a Consent Order was entered to Quiet Title by the Honorable Darren T. DiBiasi, J.S.C. ordering and adjudging that the restrictive covenant and reverter clause set forth in a Deed dated October 10, 1974 from Ralph S. Demarest and Jane Demarest to William M. Whitmore and John Neslage was extinguished by Quitclaim Deed dated January 10, 1962 and ordering and adjudging that the restrictive covenant and reverter clause is deemed null and void and of no further effect; and

WHEREAS, the Property offers attractive public use for the Borough, including a possible senior center for Borough of Demarest residents; and

WHEREAS, the Borough has determined that the aforementioned real property is needed for public use and has identified a public use; and

WHEREAS, the Grantor, the Demarest Baptist Church, has agreed to donate the Property to the Borough at no cost to the Borough except that the Borough shall be responsible to pay the Grantor's reasonable legal expenses and costs incurred in connection with the transfer of title; and

WHEREAS, it is in the best interest of the Borough to acquire the Property for a public use and to pay the Grantor Demarest Baptist Church's reasonable legal fees and costs incurred in connection with the transfer of title.

NOW, THEREFORE, BE IT ORDAINED by the Borough of Demarest, Bergen County, New Jersey that the Borough is hereby authorized to accept the donation of the Property and to acquire the Property as referenced above from the Grantor Demarest Baptist Church and to pay the reasonable legal fees and closing costs of the Demarest Baptist Church incurred in connection with the transfer of title to the Borough; and

BE IT FURTHER ORDAINED, that the Mayor and Acting Clerk of the Borough of Demarest are hereby authorized to execute all necessary documents to acquire said Property.

Attest:

Approved:

Julie Falkenstern
Acting Borough Clerk

Brian Bernstein, Mayor

Introduction: _____

Adoption: _____

**BOROUGH OF DEMAREST
COUNTY OF BERGEN**

**ORDINANCE NO. 1143 -24
July 8, 2024**

AN ORDINANCE TO FIX THE SALARIES, WAGES AND COMPENSATION OF CERTAIN PUBLIC OFFICIALS, OFFICERS AND EMPLOYEES OF THE BOROUGH OF DEMAREST, COUNTY OF BERGEN AND STATE OF NEW JERSEY FOR THE YEAR 2024.

BE IT ORDAINED by the Mayor and Council of the Borough of Demarest as follows:

SECTION 1. That the minimum and maximum range of salary, wage or compensation to be paid to officials, appointees and employees or servants of the Borough of Demarest, who are not otherwise covered through a Collective Bargaining Agreement ("CBA") Bergen County, New Jersey for the year 2024 is hereby fixed as follows:

Position	Minimum	Maximum	Basis
Borough Administrator	85,000.00	165,000.00	Per Annum
Borough Clerk	30,000.00	95,000.00	Per Annum
Deputy Borough Clerk	35,000.00	85,000.00	Per Annum
CFO/Treasurer	35,000.00	115,000.00	Per Annum
Deputy CFO	35,000.00	95,000.00	Per Annum
Payroll	15,000.00	65,000.00	Per Annum
Tax Collector	20,000.00	75,000.00	Per Annum
Deputy Tax Collector	20,000.00	75,000.00	Per Annum
Finance Clerk	25,000.00	75,000.00	Per Annum
Technical Assistant	35,000.00	85,000.00	Per Annum
Administrative Assistant	35,000.00	75,000.00	Per Annum
Admin/Maintenance	20,000.00	40,000.00	Per Annum
Public Works Manager	75,000.00	135,000.00	Per Annum
Tax Clerk	15,000.00	55,000.00	Per Annum
Tax Assessor -PT	15,000.00	35,000.00	Per Annum
Construction Official -PT	3,000.00	10,000.00	Per Annum
Building Sub Code Official -PT	10,000.00	35,000.00	Per Annum
Zoning Officer -PT	5,000.00	15,000.00	Per Annum
Plumbing Sub Code Official - PT	12,000.00	30,000.00	Per Annum
Electrical Sub Code Official -PT	12,000.00	30,000.00	Per Annum
Fire Marshall -PT	7,500.00	15,000.00	Per Annum
Fire Sub Code Official -PT	7,500.00	15,000.00	Per Annum
Superintendent DPW- PT	12,000.00	15,000.00	Per Annum
Judge of the Municipal Court -PT	7,000.00	25,000.00	Per Annum
Municipal Recycling Coordinator -PT		2500.00	Annual Stipend
Assessment Search Officer -PT	200.00	500.00	Per Annum
Tax Search Officer -PT	200.00	500.00	Per Annum
Administrative Assistant -PT	15.00	35.00	Per Hour
Court Administrator -PT	20.00	45.00	Per Hour
Court Clerk -PT	17.50	30.00	Per Hour
Deputy Court Clerk -PT	17.50	30.00	Per Hour
Court Sound Recorder -PT	10.00	20.00	Per Hour

Position	Minimum	Maximum	Basis
Violations Clerk -PT	15.00	25.00	Per Hour
Public Health Nurse - PT	25.00	35.00	Per Hour
Road Dept. Extra Help	15.00	25.00	Per Hour
Code Enforcement Officer	17.00	25.00	Per Hour
Public Defender	70.00	100.00	Per Hour
Planning & Zoning Board Secretary	5,000.00	15,000.00	Per Annum
Alternate Land Use Secretary		200.00	Per Meeting
Deputy Registrar	3,000.00	6,500.00	Annual stipend
Alt. Deputy Registrar	500.00	2,000.00	Annual Stipend
Mayor	1,000.00	5,000.00	Annual Stipend
Councilmembers		Up to 3,000.00	Annual Stipend
OEM Coordinator		5,000.00	Annual Stipend

1. All policy and procedures and fringe benefits are per the adopted policies and procedures manual.

SECTION 2. Annual stipends shall be payable quarterly.

SECTION 3. Summer Program. The rate of pay shall be as follows for the following Summer Program positions:

Position	Minimum	Maximum	Basis
Director	10,000.00	15,000.00	Per Annum
Assistant Director	8,000.00	13,000.00	Per Annum
Supervisors	30.00	40.00	Hourly
Counselor	12.00	25.00	Hourly
Enrichment Stipend	1,000.00	2,500.00	Per Annum

SECTION 4. Special Police. The hourly rate of pay shall be as follows for the following positions:

Position	Low	High
Special Police (Class 1)	18.00	38.00
Special Police (Class 2)	20.00	40.00

SECTION 5. The aforementioned officers, appointments, positions, employment and policies are hereby created, confirmed and ratified. All other employees not specifically mentioned herein shall receive such hourly-yearly wages as the Mayor and Council deem fair and reasonable for services rendered.

SECTION 6. This ordinance shall repeal all ordinances or parts thereof, inconsistent herewith, shall take effect after public hearing and passage as required by law and shall be retroactive to January 1, 2024.

Attest:

Approved:

Acting Municipal Clerk

Mayor Brian Bernstein

Introduced: _____

Adopted: _____

BOROUGH OF DEMAREST

COUNTY OF BERGEN

ORDINANCE 1138-2024 PRIVATELY OWNED SALT STORAGE

SECTION I. Purpose:

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater. This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in the Borough of Demarest to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

A. “De-icing materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.

B. “Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

C. “Storm drain inlet” means the point of entry into the storm sewer system.

D. “Permanent structure” means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall). A fabric frame structure is a permanent structure if it meets the following specifications:

1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
3. The structure shall be erected on an impermeable slab;
4. The structure cannot be open sided; and
5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.

E. "Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

F. "Resident" means a person who resides on a residential property where de-icing material is stored.

SECTION III. Deicing Material Storage Requirements:

A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:

1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;

2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;

3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;

4. Loose materials shall be covered as follows:

a. The cover shall be waterproof, impermeable, and flexible;

b. The cover shall extend to the base of the pile(s);

c. The cover shall be free from holes or tears;

d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and

e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.

(1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;

5. Containers must be sealed when not in use; and

6. The site shall be free of all de-icing materials between April 16th and October 14th.

B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 - April 15.

C. All such temporary and/or permanent structures must also comply with all other local ordinances, including building and zoning regulations.

D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.

1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

SECTION IV. Exemptions:

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the deicing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks. If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure. This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

SECTION V. Enforcement:

This ordinance shall be enforced by the Code Enforcement Officer.

SECTION VI. Violations and Penalties: Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines not to exceed \$1,000.00.

SECTION VII. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION VIII. Effective Date: This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Attest:

Approved:

Julie Falkenstern
Acting Municipal Clerk

Brian Bernstein
Mayor

Introduced: _____

Adopted: _____

BOROUGH OF DEMAREST

COUNTY OF BERGEN

ORDINANCE 1140-2024 – WILDLIFE FEEDING

SECTION I. Purpose: An ordinance to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by the Borough of Demarest to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. Definitions: For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

A. "Feed" means to distribute or scatter any edible material with the intention of feeding or attracting wildlife. Feeding does not include baiting in the legal taking of fish and/or game.

B. "Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

C. "Wildlife" means any undomesticated animal and includes all organisms that live wild in an area.

SECTION III. Regulated Activities: No person shall feed, in any public park or on any other property owned or operated by the Borough of Demarest any wildlife.

SECTION IV. Exemptions: Exemptions include unconfined wildlife at environmental education centers and feral cats as part of an approved Trap-Neuter-Release program.

SECTION V. Enforcement: This ordinance shall be enforced by the Borough's Code Enforcement Officer. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.

SECTION VI. Violations and Penalties: Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$1,000.00.

SECTION VII. Severability: Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. Effective Date: This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Attest:

Approved:

Julie Falkenstern
Acting Municipal Clerk

Brian Bernstein
Mayor

Introduced: _____

Adopted: _____

**BOROUGH OF DEMAREST
COUNTY OF BERGEN**

ORDINANCE 1141 -2024

**ORDINANCE AMENDING AND MODIFYING CHAPTER 135 OF THE DEMAREST
BOROUGH CODE**

Section 1. Purpose & Authority. The purpose of this ordinance is to modify and amend Chapter 135 pursuant to N.J.S.A. 40:48-1, and 40:49-2.

Section 2. Amendments. (amendments are highlighted, deletions strikethrough).

§ 135-6 Maintenance of grounds.

Maintenance of exterior of premises. The exterior of the premises and all structures thereon shall be kept free of any hazards to the safety of occupants, pedestrians and other persons utilizing the premises, shall be maintained in such a manner as to not cause damage to neighboring properties, and shall be kept free of unsightly or unsanitary conditions. It shall be the duty of the owner or operator to keep the premises free of any condition which causes damage to a neighboring property, hazards and unsightly or unsanitary conditions which include, but are not limited to, the following:

- A. Refuse, rubbish and garbage, as defined herein.
- B. Loose and overhanging objects, including, without limitation, dead and dying trees, accumulations of ice or other similar conditions which, by reason of their location above ground level, constitute a hazard to persons in the vicinity thereof.
- C. Ground surface hazards, including, without limitation, holes, excavations, breaks, projections and obstructions which constitute a hazard to persons using the premises.
- D. Inadequate foundation walls, piers and columns. Foundation walls, piers, columns or similar load-bearing components shall be kept structurally sound, free from defects and damage and capable of bearing imposed loads safely.

E. Unsafe exterior facilities, including, without limitation, exterior porches, landings, balconies, stairs and fire escapes, all of which shall be kept structurally sound and in good repair.

F. Weeds, grass or other plant growth which is noxious or detrimental to public health and safety.

G. Compost piles must be shielded from public view; must be kept free from garbage, offensive odors and rodents; and must be used from season to season.

H. Curblines, where they connect with street paving, shall be kept visible and clear of accumulated dirt and debris.

I. Firewood must be stored in areas other than the front yard.

J. Junk vehicles must not be stored in the front yard or any other area exposed to public view.

K. No person shall keep, store, or park any trailer, boat or motor vehicle on any portion of a front yard or corner lot side yard facing a street or a property designed or used as a residence, except on an area that is paved.

[Added 8-23-2010 by Ord. No. 978]

L. No owner, tenant, manager or occupant of property used as a residence shall allow or suffer another person to keep, store or park any trailer, boat or motor vehicle on any portion of a front yard or corner side yard facing a street, except on an area that is paved.

[Added 8-23-2010 by Ord. No. 978]

M. No owner, tenant or occupant of property shall cause the release, spilling, leaking, pumping, pouring, emitting, emptying or discharge of water from one property to another property, whether public or private, including but not limited to any active discharge such as sump pump outflow, swimming pool emptying and draining piping or any passive discharge (e.g. non-recharged run-off).

1. Increases in stormwater runoff on neighboring properties resulting from construction activities, completed construction, or any other modification to a property beyond natural conditions is prohibited. This includes stormwater runoff from changes in grading, impervious coverages, roof leader pipes, sump pump discharge or other similar improvements. It is the property owner/occupants responsibility to contain stormwater runoff within their own property boundaries.

2. If containment of stormwater runoff within the property is not feasible due to soil conditions, high groundwater or otherwise, direct connections to the municipal storm sewer system or stormwater discharge in the Borough Right of Way may be permitted with the approval of the Borough Engineer. Stormwater piping shall not be directed toward Borough Right of Way without prior approval.

Section 3. Repealer. All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

Section 4. Savings and Construction. This ordinance shall be construed consistent with the purpose stated in Section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Demarest Borough Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Demarest Borough Code.

Section 5. Codification. This ordinance shall be codified as amendments to the chapters set forth herein.

Section 6. Effective Date. This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

Attest:

Approved:

Julie Falkenstern, Acting Municipal Clerk

Brian Bernstein, Mayor

Introduced: _____

Adopted: _____

**BOROUGH OF DEMAREST
COUNTY OF BERGEN**

ORDINANCE 1139 -2024 IMPROPER DISPOSAL OF WASTE

SECTION I. Purpose:

An ordinance to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by the Borough of Demarest to protect the environment, public health, safety, and welfare, and to prescribe penalties for failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

A. “Municipal separate storm sewer system (MS4)” means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Demarest or other public body, and is designed and used for collecting and conveying stormwater. MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.”

B. “Person” means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

C. “Stormwater” means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities or is conveyed by snow removal equipment.

SECTION III. Regulated Activities: The spilling, dumping, or disposal of materials other than stormwater that causes the discharge of pollutants to the municipal separate storm sewer system operated by the Borough of Demarest is prohibited.

SECTION IV. Exemptions:

A. Potable water line flushing and discharges from potable water sources, excluding the discharge of filter backwash and first flush water from potable well development/redevelopment activities utilizing chemicals in accordance with N.J.A.C. 7:9D. The volume of first flush water, which is a

minimum of three times the volume of the well water column, shall be handled and disposed of properly;

B. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters);

C. Air conditioning condensate (excluding contact and non-contact cooling water; and industrial refrigerant condensate);

D. Irrigation water (including landscape and lawn watering runoff);

E. Flows from springs, riparian habitats, wetlands, water reservoir discharges and diverted stream flows;

F. Residential car washing water and dechlorinated swimming pool discharges from single family residential homes;

G. Sidewalk, driveway, and street wash water;

H. Flows from firefighting activities including the washing of fire fighting vehicles;

I. Flows from clean water rinsing of beach maintenance equipment immediately following use and only if the equipment is used for its intended purpose;

J. Rinsing of beach maintenance equipment is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

K. Flows from clean water rinsing of equipment and vehicles used in the application of salt and deicing materials. Prior to rinsing, all equipment shall be cleaned using dry methods such as shoveling and sweeping. Recovered materials are to be returned to storage or properly discarded; and

L. Rinsing of deicing equipment is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

SECTION V. Enforcement: This ordinance shall be enforced by the Code Enforcement Officer.

SECTION VI. Violations and Penalties: Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine no less than \$100 and not to exceed \$500 for each incident.

SECTION VII. Severability: Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. Effective Date: This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Attest:

Approved:

Julie Falkenstern
Acting Municipal Clerk

Brian Bernstein
Mayor

Introduced: _____

Adopted: _____

Resolution of the Demarest Governing Body

Resolution No. 126 -24

July 8, 2024

Council Member	Motion	Second	Yes	No	Abstain	Absent
Jiang						
Fox						
Marks						
Slowikowski						
Reiss						
Collins						

TITLE: APPROVING PAYMENT #2 FOR COVINO & SONS CONSTRUCTION CO., INC. FOR PINE TERRACE DRAINAGE IMPROVEMENTS

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WHEREAS, a contract was awarded to Covino & Sons Construction Co. for Pine Terrace Drainage Improvement; and

WHEREAS, the Borough Engineer has recommended the payment Covino & Sons Construction Co in the amount of forty-two thousand nine hundred sixty-two dollars and eighty cents (\$43,962.80), as reasonable and contract compliant; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available to fulfill this proposal in the Capital Account.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Demarest, County of Bergen, State of New Jersey that the payment in the amount of forty-two thousand nine hundred sixty-two dollars and eighty cents (\$43,962.80), be remitted by the Chief Financial Officer to Covino & Sons Construction Co.

APPROVED:

Mayor Brian Bernstein

CERTIFICATION

I, Julie Falkenstern, 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 July 8, 2024

Julie Falkenstern, Acting Borough Clerk

Memorandum

To: Julie Falkenstern, Borough Administrator
From: Nick Chelius, P.E.
Date: June 27, 2024
Subject: Pine Terrace Drainage Improvement Project
Borough of Demarest, NJ
Progress Payment #2
Project No.: DEB0047

Covino & Sons Construction Co., Inc., the Contractor for the above-referenced project, has requested payment on Invoice #2 in the amount of **\$43,962.80**. With reference to the above-captioned project, I hereby transmit Invoice #2 for approval by Resolution of the Mayor and Council. Attached please find the following:

- Progress Payment No. 2 Calculation Spreadsheet, dated 6/27/24, consisting of one (1) page and prepared by Colliers Engineering.
- Invoice #2 from Covino & Sons Construction Co., Inc.

Our office has been monitoring said project and approve of quantities submitted. To date, all the work has been completed to the satisfaction of the Borough Engineer.

Original Contract Amount	\$ 172,347.00
Total Completed to Date	\$ 94,305.00
Less Retainage (2%)	\$ (1,886.10)
<u>Less Previous Payment</u>	<u>\$ (48,456.10)</u>
Amount due Progress Payment No. 2	\$ 43,962.80

I hereby recommend the Mayor and Council approve Progress Payment No. 2 in the amount of **\$43,962.80** to Covino & Sons Construction Co., Inc.

NC/ka

Attachments

cc: Mayor & Council (via Borough Clerk)
Peter Suh, CFO (psuh@demarestnj.gov)
Genaro Covino (covinosons@yahoo.com)

City of Demarest

PINE TERRACE DRAINAGE IMPROVEMENTS

Progress Payment 2

Covino & Sons Construction Co., Inc.
 15-31 Eberlin Drive, Fair Lawn, NJ 07410
 covinosons@yahoo.com

Project No. : DEB0047

Date Processed: 27-Jun-24

BASE BID

ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	CONTRACT AWARD VALUE	QTY THIS ESTIMATE	AMT THIS ESTIMATE	QTY PREV ESTIMATE	QTY TO DATE	TOTAL AMOUNT COMPLETED
1	SOIL EROSION AND SEDIMENT CONTROL	LS	1	\$1.00	\$ 1.00	0.00	\$ -	0.00	0.00	\$ -
2	POLICE TRAFFIC DIRECTORS	HOURL	100	\$180.00	\$ 18,000.00	0.00	\$ -	0.00	0.00	\$ -
3	TRAFFIC CONTROL MEASURES AND DEVICES	LS	1	\$5,000.00	\$ 5,000.00	0.00	\$ -	0.50	0.50	\$ 2,500.00
4	CLEARING SITE	LS	1	\$5,000.00	\$ 5,000.00	0.00	\$ -	0.50	0.50	\$ 2,500.00
5	EXCAVATION, TEST PIT	CY	45	\$1.00	\$ 45.00	0.00	\$ -	45.00	45.00	\$ 45.00
6	HOT MIX ASPHALT PAVEMENT REPAIR	SY	275	\$30.00	\$ 8,250.00	0.00	\$ -	0.00	0.00	\$ -
7	15" HIGH DENSITY POLYETHYLENE PIPE	LF	740	\$120.00	\$ 88,800.00	245.00	\$ 29,400.00	220.00	465.00	\$ 55,800.00
8	INLET, TYPE DOUBLE B	UNIT	1	\$6,000.00	\$ 6,000.00	0.00	\$ -	1.00	1.00	\$ 6,000.00
9	INLET, CUSTOM B INLET	UNIT	1	\$6,000.00	\$ 6,000.00	0.00	\$ -	0.00	0.00	\$ -
10	MANHOLE, 4' DIAMETER	UNIT	4	\$6,000.00	\$ 24,000.00	2.00	\$ 12,000.00	2.00	4.00	\$ 24,000.00
11	HOT MIX ASPHALT DRIVEWAY, 6" THICK	SY	7	\$5.00	\$ 35.00	0.00	\$ -	0.00	0.00	\$ -
12	RESET PAVER WALKWAY	SY	4	\$4.00	\$ 16.00	0.00	\$ -	0.00	0.00	\$ -
13	9" X 18" CONCRETE VERTICAL CURB	LF	420	\$20.00	\$ 8,400.00	173.00	\$ 3,460.00	0.00	173.00	\$ 3,460.00
14	GRANITE BLOCK CURB (IF/WHERE)	LF	20	\$20.00	\$ 400.00	0.00	\$ -	0.00	0.00	\$ -
15	RECONNECT SANITARY SEWER LATERAL WITH NEW PIPE	UNIT	4	\$100.00	\$ 400.00	0.00	\$ -	0.00	0.00	\$ -
16	TOPSOIL SPREADING, 6" THICK	SY	200	\$5.00	\$ 1,000.00	0.00	\$ -	0.00	0.00	\$ -
17	SODDING	SY	200	\$5.00	\$ 1,000.00	0.00	\$ -	0.00	0.00	\$ -
TOTAL BASE BID					\$ 172,347.00		\$ 44,860.00			\$ 94,305.00

AWARDED CONTRACT AMOUNT: \$ 172,347.00

CHANGE ORDER(S) TO DATE: \$ -

ADJUSTED CONTRACT AMOUNT: \$ 172,347.00

TOTAL COMPLETED TO DATE: \$ 94,305.00

RETAINAGE (2% OF COMPLETED WORK): \$ (1,886.10)

SUBTOTAL: \$ 92,418.90

LESS PREVIOUS PAYMENTS: \$ (48,456.10)

TOTAL AMOUNT DUE: \$ 43,962.80

Covino & Sons Construction Co. Inc.

15-31 Eberlin Drive

Fair Lawn, NJ 07410

covinosons@yahoo.com

DEB0047

Project Name: Pine Terrace Drainage Improvements

Municipality/State: Bergen County, New Jersey

INVOICE #2

25-Jun-24

		UNIT	QTY	UNIT PRICE	WORK COMPLETE		
1	SOIL EROSION AND SEDIMENT CONTROL	LS	1	\$1.00			
2	POLICE TRAFFIC DIRECTORS	HOUR	100	\$180.00			
3	TRAFFIC CONTROL MEASURES AND DEVICES	LS	1	\$5,000.00			
4	CLEARING SITE	LS	1	\$5,000.00			
5	EXCAVATION TEST PIT	CY	45	\$1.00			
6	HOT MIX ASPHALT PAVEMENT REPAIR	SY	275	\$30.00			
7	15" HIGH DENSITY POLYETHYLENE PIPES	LF	245	\$120.00	\$	29,400.00	
8	INLET, TYPE DOUBLE B	UNIT	1	\$6,000.00			
9	INLET, TYPE CUSTOM B INLET	UNIT	1	\$6,000.00			
10	MANHOLE, 4' DIAMETER	UNIT	2	\$6,000.00	\$	12,000.00	
11	HOT MIX ASPHALT DRIVEWAY 6" THICK	SY	1	\$5.00			
12	RESET PAVER WALKWAY	SY	1	\$4.00			
13	9"X18" CONCRETE VERTICAL CURB	LF	173	\$20.00	\$	3,460.00	
14	GRANITE BLOCK CURB	LF	20	\$20.00			
15	RECONNECT SANITARY SEWER LATERAL WITH NEW	UNIT	4	\$100.00			
16	TOPSOIL SPREADING 6" THICK	SY	200	\$5.00			
17	SOD	SY	200	\$5.00			
							TOTAL AMOUNT DUE
					\$44,860.00		\$44,860.00

Resolution of the Demarest Governing Body

Resolution No. 127 -24

July 8, 2024

Council Member	Motion	Second	Yes	No	Abstain	Absent
Jiang						
Fox						
Marks						
Slowikowski						
Reiss						
Collins						

TITLE: PAYMENT OF BILLS

BE IT RESOLVED, by the Mayor and Council of the Borough of Demarest that the following bills in the sum of \$162,805.97 on bill list dated July 3, 2024 have been approved and authorized for payment and the that the Mayor, Borough Clerk and Borough Treasurer are hereby authorized to issue warrants in payment of same.

APPROVED:

Mayor Brian Bernstein

CERTIFICATION

I, Julie Falkenstern, 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 July 8, 2024

Julie Falkenstern, Acting Borough Clerk

P.O. Type: All
 Range: First
 Format: Condensed
 Vendors: All
 Rcvd Batch Id Range: First to Last

Include Project Line Items: Yes
 to Last
 Received Date Range: 06/26/24 to 12/31/24
 Include Non-Budgeted: Y

Open: N Paid: Y Void: N
 Rcvd: Y Held: N Aprv: N
 Bid: Y State: Y Other: Y Exempt: Y

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
AHTRE005	A & H TREE SERVICE LLC	24-00670	06/12/24	109 hardenburgh ave ash tree	Open	500.00	0.00		
AAAEM005	AAA EMERGENCY SUPPLY CO INC	24-00651	06/06/24	THERMAL CAMERA (FIRE TRUCK)	Open	15,132.00	0.00		
		24-00781	07/02/24	SCBA Repair E2-B	Open	112.60	0.00		
						15,244.60			
ACTIO015	ACTION PARK	24-00569	05/21/24	demarest summer concert 2024	Open	700.00	0.00		
ALLEG005	ALLEGIANCE TRUCKS	24-00789	07/03/24	ambulance maint	Open	2,088.59	0.00		
AMAZO005	AMAZON CAPITAL SERVICES	24-00751	06/27/24	boro supplies	Open	313.87	0.00		
		24-00754	06/28/24	summer rec supplies	Open	312.75	0.00		
						626.62			
BERGE025	BERGEN CNTY DEPT OF HEALTH	24-00759	06/28/24	2nd half employee assist. prgm	Open	489.50	0.00		
		24-00783	07/02/24	BBP Training	Open	1,375.00	0.00		
						1,864.50			
CHATH005	CHATHAM IRRIGATION	24-00758	06/28/24	sprinkler start up	Open	350.00	0.00		
COLLI010	COLLIERS ENGINEERING & DESIGN	24-00760	06/28/24	DEB001A GENERAL PLANNING	Open	231.25	0.00		
		24-00761	06/28/24	DEZ0040 63 CENTRAL AVE	Open	1,681.25	0.00		
		24-00784	07/02/24	DEZ0042 62 CENTRAL AVE	Open	725.00	0.00		
		24-00785	07/02/24	DEZ0041 12 IRENE COURT	Open	976.25	0.00		
		24-00787	07/02/24	DEZ0040 63 CENTRAL AVE	Open	2,005.00	0.00		
		24-00788	07/02/24	DEP017A 127 HARDENBURGH AVE	Open	370.00	0.00		
						5,988.75			
COMPU015	COMPUTER SQUARE, INC.	24-00779	07/02/24	module maintenance	Open	1,336.50	0.00		
COVIN005	COVINO & SONS CONSTRUCTION CO	24-00747	06/26/24	DEB0047 PINE TERRACE DRAIN IMP	Open	48,456.10	0.00		
CROSS010	CROSSING GUARD SERVICES LLC	24-00792	07/03/24	I#1080 June 2024 LutherLee	Open	941.72	0.00		
		24-00793	07/03/24	I#1081 NVRHS June 2024 60hrs	Open	2,173.20	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
CROSS010	CROSSING GUARD SERVICES LLC				Continued				
		24-00794	07/03/24	I#1082 BoroughHall June 2024	Open	13,093.53	0.00		
						16,208.45			
DELSPO05	DEL'S PEST ARREST INC								
		24-00765	07/01/24	June 2024 service	Open	260.00	0.00		
EQUIT005	EQUITABLE								
		24-00749	06/26/24	I#1577947 July 2024	Open	1,564.10	0.00		
ESIEQ005	ESI EQUIPMENT INC								
		24-00724	06/18/24	SVC AGREEMENT 10/1/24-9/30/25	Open	1,554.00	0.00		
FERNA010	FERNANDO SAINT-HILAIRE								
		24-00786	07/02/24	BRAZILIAN JIU-JITSU FOR COPS	Open	240.00	0.00		
FIREA005	FIRE AND SAFETY SVCS LTD								
		24-00739	06/20/24	Ladder 1 Repairs	Open	8,837.80	0.00		
		24-00742	06/26/24	Ladder 1 UL and PM	Open	8,400.00	0.00		
						17,237.80			
GANNE005	GANNETT MEDIA CORP								
		24-00763	06/28/24	remaining balance on orders	Open	1,364.61	0.00		
GRAIN010	GRAINGER								
		24-00750	06/27/24	Supplies	Open	296.86	0.00		
HEROE005	HEROES & COOL KIDS								
		24-00769	07/01/24	SVCS 2023/2024 SIDEKICKS PRGRM	Open	3,000.00	0.00		
IMCLE005	I-M CLEANING, INC								
		24-00772	07/01/24	JUNE 2024 SERVICE	Open	2,600.00	0.00		
IMPAC005	IMPAC FLEET								
		24-00791	07/03/24	I#SQLIM-974559 June 2024 Fuel	Open	6,703.93	0.00		
INSTI010	INSTITUTE FOR FORENSIC								
		24-00770	07/01/24	EVALUATION FOR 4 CANDIDATES	Open	2,200.00	0.00		
LOUIS005	LOUIS TOMASI								
		24-00796	07/03/24	august reimbursement	Open	2,143.63	0.00		
MICHA080	MICHAEL DANZIG								
		24-00752	06/28/24	MAGIC SHOW SUMMER REC	Open	750.00	0.00		
MICHA005	MICHAEL SHIELDS								
		24-00795	07/03/24	august reimbursement	Open	3,797.32	0.00		
MOUNT005	MOUNTAINSIDE STABLES								
		24-00773	07/02/24	SUMMER REC DEPOSIT	Open	350.00	0.00		
MUNIC040	MUNICIPAL EMERGENCY SERVICES								
		24-00543	05/14/24	SABRE SECURITY EQIPMENT	Open	329.10	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
NJDEP005	NJ DEPT OF HEALTH	24-00767	07/01/24	JUNE MONTHLY DOG LICENSE	Open	8.40	0.00		
NJMVC005	NJMVC	24-00768	07/01/24	2024 ADMIN FEE AACT#OL027480	Open	150.00	0.00		
NORTH070	NORTHERN VALLEY ELEC CO INC	24-00756	06/28/24	run circuit/outlet to 220 Volt	Open	539.00	0.00		
		24-00757	06/28/24	replace 8ft LED strip lights	Open	1,850.00	0.00		
						<u>2,389.00</u>			
READY005	READYREFRESH BY NESTLE	24-00744	06/26/24	I#14E0444045116 5/15-6/14/24	open	169.48	0.00		
RESCU005	RESCUE PRODUCTS INTERNATIONAL	24-00780	07/02/24	swift water tech class	Open	1,540.00	0.00		
ROCKL005	ROCKLAND ELECTRIC CO.	24-00741	06/24/24	A#08263-54000-0 May 2024	Open	17,202.75	0.00		
		24-00745	06/26/24	A#46060500009 129Hardenburgh	Open	12.63	0.00		
						<u>17,215.38</u>			
SCOTT005	SCOTT GRAPHICS PRINTING	24-00762	06/28/24	permit book 601-700	Open	125.00	0.00		
STATE055	STATE OF NJ-STATE TOXICOLOGY	24-00771	07/01/24	CASE#23L019806/23L019807	open	90.00	0.00		
SUNSE005	SUNSET HAND CAR WASH	24-00776	07/02/24	june pd car washes	Open	243.00	0.00		
TMOBI005	T-MOBILE	24-00790	07/03/24	A#990625644 05/21/24-06/20/24	Open	460.09	0.00		
THEST005	THE STANDARD INSURANCE CO	24-00746	06/26/24	P#001481980001 July2024 23Live	Open	367.66	0.00		
TRANS010	TRANSUNION RISK AND ALTERNATIV	24-00777	07/02/24	june 2024 bill	open	120.00	0.00		
TREAS115	TREASURER, STATE OF NEW JERSEY	24-00766	07/01/24	QTRLY REPORT OF DOMESTIC PARTN	Open	75.00	0.00		
VERIZ030	VERIZON (CALL FORWARDING)	24-00743	06/26/24	A#755939643000108 6/18-7/17/24	Open	238.38	0.00		
VERIZ045	VERIZON - FIRE -INTERNET	24-00753	06/28/24	Verizon Internet 6/26-7/25	Open	274.00	0.00		
VERIZ010	VERIZON WIRELESS	24-00748	06/26/24	A#982498673-00001 I#9966381562	Open	380.12	0.00		

July 3, 2024
10:22 AM

Demarest Borough
Purchase Order Listing By Vendor Name

Page No: 4

Vendor #	Name	Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date	Description				
FLORI010	VIKTOR FLORIAN SCHWARTZ AND					
24-00570	05/21/24	demarest summer concert 2024	Open	725.00	0.00	
WHALE005	WHALEN & IVES					
24-00740	06/24/24	no a/c Has MSC	Open	360.00	0.00	
24-00755	06/28/24	No A/C Has MSC	Open	120.00	0.00	
				480.00		

Total Purchase Orders: 59 Total P.O. Line Items: 0 Total List Amount: 162,805.97 Total Void Amount: 0.00

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
	4-01	91,464.22	0.00	75.00	91,539.22
	4-03	0.00	0.00	500.00	500.00
	4-05	0.00	0.00	8.40	8.40
	4-08	0.00	0.00	1,412.75	1,412.75
Year Total:		<u>91,464.22</u>	<u>0.00</u>	<u>1,996.15</u>	<u>93,460.37</u>
	C-04	63,588.10	0.00	0.00	63,588.10
	T-13	5,757.50	0.00	0.00	5,757.50
Total of All Funds:		<u>160,809.82</u>	<u>0.00</u>	<u>1,996.15</u>	<u>162,805.97</u>

**Resolution of the Demarest Governing Body
Resolution No. 128-24
July 8, 2024**

Council Member	Motion	Second	Yes	No	Abstain	Absent
Jiang						
Fox						
Marks						
Slowikowski						
Reiss						
Collins						

TITLE: RESOLUTION AUTHORIZING EMERGENCY PURCHASE PURSUANT TO NJSA 40A:11-6

WHEREAS, an emergency has arisen with respect to a sinkhole on Chestnut St.; and

WHEREAS, a certification of an imminent hazard was received from the Borough Engineer; and

WHEREAS, an emergency purchase pursuant to NJSA 40A:11-6 may be awarded without advertisement for bids or bidding in that an emergency affecting the health and public safety requires the immediate performance of the service; and

WHEREAS, there is the need for emergency sinkhole repairs along Chestnut St. as stated by the Borough Engineer.; and

WHEREAS, the Borough Manager of Public Works has received pricing from Dutra Excavating & Sewer, and the recommendation for award from the Borough Engineer is to approve the emergency procurement not to exceed \$7,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Demarest that the Chief Financial Officer be and is hereby authorized to encumber said procurement as listed above.

APPROVED:

Brian Bernstein, Mayor

CERTIFICATION OF CFO

I, Peter Suh, do hereby certify the availability of funds for the expenditure referenced herein.

Peter Suh, CFO

CERTIFICATION

I, Julie Falkenstern, 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 July 8, 2024.

Julie Falkenstern, Acting Borough Clerk

Memorandum

To: Julie Falkenstern
From: Nick Chelius, PE
Date: July 8, 2024
Subject: Chestnut Street Emergency Sinkhole Repair
Project No.: DEB0063

We are writing to inform you that our staff has been on-site to evaluate conditions after we were notified of a sinkhole forming on Chestnut Street. After observing conditions, it was determined that immediate/emergency repairs were needed, and Dutra Excavating & Sewer Inc. was contacted to address the issue.

Dutra Excavating & Sewer Inc. has quoted a price not to exceed \$7,000 for the repair.

If you have any questions or concerns, please do not hesitate to contact us.

R:\Projects\A-D\DEB\Emergency Repairs\240718_Dutra_Sinkhole on Chestnut.docx