

**MAYOR AND COUNCIL
BOROUGH OF DEMAREST
WORK SESSION MINUTES**

March 10, 2025

7:30 PM

Mayor Bernstein read the following compliance statement:

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 invited all present to stand and recite the Pledge of Allegiance.

Roll Call:

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

Absent: None

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

Mayor Bernstein opened the meeting by welcoming the students in the audience from the high school government class.

ORDINANCE (INTRODUCTION):

ORDINANCE 1155-25 ORDINANCE AN ORDINANCE ESTABLISHING A JOINT PLANNING BOARD AND AMENDING CHAPTER 27 ENTITLED "LAND USE PROCEDURES" OF THE REVISED GENERAL ORDINANCES OF DEMAREST BOROUGH CODE

A motion was made by Council President Slowikowski and seconded by Councilmember Jiang to introduce on first reading by title Ordinance No. 1155 -25 and it published in the Bergen Record with notice of Public Hearing to be held on March 24, 2025.

Roll Call:

Ayes: Council President Slowikowski, Councilmember Collins, Councilmember Jiang, Councilmember Marks, Councilmember Reiss

Nays: Councilmember Fox

ORDINANCE PUBLIC HEARING (ADOPTION):

ORDINANCE 1153-25 ORDINANCE AMENDING AND MODIFYING CHAPTER 149
STORMWATER CONTROL OF THE DEMAREST BOROUGH CODE

A motion was made by Councilmember Collins and seconded by Councilmember Marks to open the Public Hearing on Ordinance No. 1153 -25.

Roll Call:

Ayes: Council President Slowikowski, Councilmember Collins, Councilmember Fox,
Councilmember Jiang, Councilmember Marks, Councilmember Reiss
Nays: None

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

There being no members of the public wishing to speak a motion was made by Council President Slowikowski and seconded by Councilmember Collins to close the Public Hearing on this ordinance.

Roll Call:

Ayes: Council President Slowikowski, Councilmember Collins, Councilmember Fox,
Councilmember Jiang, Councilmember Marks, Councilmember Reiss
Nays: None

A motion was made by Councilmember Fox and seconded by Councilmember Collins to adopt the ordinance with notice of public hearing to be published in the Bergen Record.

Roll Call:

Ayes: Council President Slowikowski, Councilmember Collins, Councilmember Fox,
Councilmember Jiang, Councilmember Marks, Councilmember Reiss
Nays: None

ORDINANCE 1154-25 AN ORDINANCE AUTHORIZING THE ACQUISITION OF REAL
PROPERTY COMMONLY KNOWN AS 100 LANGER PLACE, IN THE BOROUGH OF
WESTWOOD AND DESIGNATED ON THE OFFICIAL TAX MAP OF THE BOROUGH OF
WESTWOOD AS BLOCK 1104 LOT 1

A motion was made by Councilmember Jiang and seconded by Council President Slowikowski to open the Public Hearing on Ordinance No. 1154 -25.

Roll Call:

Ayes: Council President Slowikowski, Councilmember Collins, Councilmember Fox,
Councilmember Jiang, Councilmember Marks, Councilmember Reiss
Nays: None

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

Speaker(s):

Ray Cywinski

Mr. Cywinski asked what the Phase I Environmental study entails.

Borough Engineer Nick Chelius explained that the property is being used to satisfy the Green Acres division of the NJDEP requirement for tree replacement as part of the remediation of the Borough Compost site and therefore an environmental study is required. Mr. Cywinski then asked if anyone from the Borough was present for the DEP inspection of the compost site. Mr. Chelius stated that he was present. Mr. Cywinski questioned the amount trees that are required. Mr. Chelius responded that the inspection by the forester and historical data was used by the DEP for their calculation of the required mitigation. Mr. Cywinski asked about the maintenance requirements of the trees in Westwood and Mayor Bernstein answered that the Borough will have the same maintenance requirements for the property as if it was in Demarest. Mr. Chelius added that Green Acres had also reviewed the property and approved its use for this purpose. Mr. Cywinski noted that he believes the soil compaction at the compost site could impact the health of the trees that are required to be planted there. Additionally, he asked about the size of the trees to be planted. Mr. Chelius responded that they would be required to follow the guidelines and direction of the land use division of the NJDEP for mitigation at the compost site.

There being no other members of the public wishing to speak a motion was made by Councilmember Collins and seconded by Council President Slowikowski to close the Public Hearing on this ordinance.

Roll Call:

Ayes: Council President Slowikowski, Councilmember Collins, Councilmember Fox, Councilmember Jiang, Councilmember Marks, Councilmember Reiss

Nays: None

A motion was made by Council President Slowikowski and seconded by Councilmember Marks to adopt the ordinance with notice of public hearing to be published in the Bergen Record.

Roll Call:

Ayes: Council President Slowikowski, Councilmember Collins, Councilmember Fox, Councilmember Jiang, Councilmember Marks, Councilmember Reiss

Nays: None

Work Session Discussion Items:

Engineer's Report

Mr. Chelius reviewed the monthly engineering report (attached). He noted that two projects for paving are currently out to bid. He updated the Council on the current discussions with the NJDEP on the corrective action to the compost site. Mayor Bernstein asked for a timeline, Mr. Chelius responded that while he could not predict the timeframe for responses the NJDEP staff seemed to be eager to come to a conclusion in recent conversations so he is hopeful for a timely approval and resolution so the corrective action work can begin.

Proposed Parking Restrictions (Academy Lane)

Mayor Bernstein reported that he has received ongoing complaints from residents regarding parking of students along Academy Lane. He noted that what he thought were productive discussions began last year, but when the school year ended, the discussions between the school and the homeowners seemed to cease. Mayor Bernstein suggested that parking restrictions similar to those at other schools in the Borough. He reported that the ordinance committee reviewed the issue and suggested that there be a restriction on school days between 8 am- 1 pm which would essentially solve the issue of student parking since they would need to be in class

before that time. He added that he observed buses dropping off on students for after school programs and suggested that the ordinance limit this sort of drop off or standing of buses on Academy Lane. Councilmember Fox asked if commercial vehicles should be prohibited and after some discussion of buses vs. commercial vehicles, the suggestion was that the prohibition on buses would solve the problem. Mayor Bernstein asked if anyone on the Council had any other questions or comments about the recommendation of the committee. He noted that while Councilmember Jiang is a member of the ordinance committee, he did not sit in with the committee in these discussions because he lives on Academy Lane and had therefore recused himself and Mayor Bernstein took his place on the committee for this discussion. Councilmember Collins asked where the students would park instead and if any issues would be created. Mayor Bernstein suggested that the school could make changes to their lot to accommodate the extra cars. Council President Slowikowski noted that she would like to ensure that any upcoming ordinance would not take effect until after the school year to allow the school enough time to explore other options. Councilmember Fox asked if this would be consistent with other restrictions around schools in the Borough. The Administrator confirmed that the restrictions vary depending on the conditions on other roads, but that this suggestion was not inconsistent. The Council directed the Borough Attorney to prepare a draft of an ordinance based on tonight's discussion and share it with the Ordinance Committee.

Consent Agenda

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|-----------------------|--|
| Resolution No. 061-25 | Supporting RevolutionNJ |
| Resolution No. 062-25 | Awarding 2024 Unimproved Road Project |
| Resolution No. 063-25 | Approving Capital Purchase – ATV for DPW |
| Resolution No. 064-25 | Bill List |

Mayor Bernstein asked if any member would like to have any resolution removed from the consent agenda and voted on separately. (none)

Mayor Bernstein asked if any member would like to abstain from voting on any resolution on the consent agenda. (none)

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

A motion was made by Councilmember Fox and seconded by Councilmember Collins to approve the consent agenda.

Roll Call:

Ayes: Council President Slowikowski, Councilmember Collins, Councilmember Fox, Councilmember Jiang, Councilmember Marks, Councilmember Reiss
Nays: None

Meeting Open to the Public

A motion was made by Councilmember Collins to open the meeting to the public. The motion was seconded by Councilmember Fox and approved by all on a voice vote.

Jay Nadal

Mr. Nadal thanked the Council for their consideration and action tonight in regard to the parking on Academy Lane.

Marian Hayden

Ms. Hayden asked the Borough Attorney if she consulted with the ordinance committee on the ordinance creating the Joint Planning Board. Ms. Rosendahl said that she did not however the ordinance was created under the direction of the Council and in accordance with previous discussions. She added that the current form of the ordinance was reviewed and commented on by a report from the ordinance committee. Ms. Hayden asked about the provision for appeals and was told by the Borough Attorney that the provision is included in the final version. She then explained again the normal process of an introduction, review, public hearing and adoption of ordinances.

Dorothy Hayden

Ms. Hayden asked if the Council read the report, she and her sister prepared objecting to the joint board. The Council indicated that they had in fact read the report.

There being no other members of the public wishing to speak, Councilmember Collins made a motion to close the meeting to the public. The motion was seconded by Councilmember Jiang and approved by all on a voice vote.

Closed Session Resolution No. 2025-001

WHEREAS, N.J.S.A. 10:4-12 provides for a Public Body to go into a Closed Session during a Public Meeting; and

WHEREAS, the Governing Body of the Borough of Demarest has deemed it necessary to go into closed session to discuss matters which are exempted from the public.

NOW THEREFORE, BE IT RESOLVED, by the Borough of Demarest that the Governing Body shall go into closed session on June 14, 2025 for the following reasons as outlined in N.J.S.A. 10:4-12:

1. Litigation
2. Contract Negotiations

A motion was made by Councilmember Reiss and seconded by Councilmember Marks to approve resolution 2025-001 and adjourn to closed session.

Roll Call:

Ayes: Council President Slowikowski, Councilmember Collins, Councilmember Fox, Councilmember Jiang, Councilmember Marks, Councilmember Reiss

Nays: None

The Council returned to open session and Councilmember Jiang gave a quick update from the Redevelopment Committee. He reported that they have been approached by several developers that would like to develop in the downtown area. He asked for clarification for the process and whether the Borough needed to issue an RFP. Councilmember Jiang added that he hoped to have more information to share with the Council but wanted more clarification on the process. Ms. Rosendahl advised that she will provide a memo to the Borough with clarification.

There being no other business before the Council a motion to adjourn was made by Councilmember Collins, seconded by Councilmember Reiss and approved by all on a voice vote.

The meeting was therefore adjourned at 8:09 pm.

Respectfully submitted.

Julie Falkenstein, RMC
Borough Clerk