

Resolution of the Demarest Governing Body

Resolution No. 166-25

September 8, 2025

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

TITLE: RESOLUTION AUTHORIZING THE BOROUGH TO ABATE THE PROPERTY MAINTENANCE VIOLATION AT 36 KNICKERBOCKER ROAD AND REMOVE THE HAZARDOUS TREE LOCATED THEREON

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WHEREAS, the Borough received complaints concerning a possible dead and hazardous 24” Maple tree (the “Hazardous Tree”) in front of 36 Knickerbocker Road, Block 3, Lot 38 (the “Property”); and

WHEREAS, the Bergen County Forestry Superintendent has confirmed that the Hazardous Tree is not located within the Public right-of-way and is located on private property; and

WHEREAS, the Borough Code official performed an inspection of the Property and on May 23, 2025 issued a Violation Warning regarding the failure to maintain the Property, namely to keep the Property free of hazards and unsightly or unsanitary conditions which include loose

and overhanging objects and dead and dying trees in violation of the Borough Code § 135-6, Maintenance of Grounds; and

WHEREAS, following the Property Owner's failure to abate the violation, a second and Final Notice of Violation Warning was issued to the property owners on July 7, 2025; and

WHEREAS, by report dated August 1, 2025 by the Borough's Arborist, Ray Slaman, it was determined that the Hazardous Tree is dead and brittle and is an elevated and acute risk which should be removed as soon as possible; and

WHEREAS, the property owners have failed to cure the property maintenance violations thereby necessitating that the Borough to perform the required property maintenance; and

WHEREAS, the Borough Code § 135-19 Abatement by Borough, Recovery of costs of the Borough Code, permits the Governing Body to authorize the abatement of the nuisance, correction of the defect or work necessary to place the premises in proper condition and in compliance with the Borough Code; and

WHEREAS, the Borough Code § 135-19 further provides that the Building Inspector or the Superintendent of Public Works, depending upon the volume of the work to be performed, and monies expended and may thereafter proceed to have the work performed and shall, upon completion thereof, submit a report of the moneys expended and costs to the governing body; and

WHEREAS, following review of the report, the Governing Body may approve the expenses and costs, whereupon the same shall become a lien against the premises, collectible as provided by law; and

WHEREAS, it is in the best interest of the Borough to authorize the abatement of the property maintenance violations, namely the removal of the Hazardous Tree, and thereafter to

present a report to the Governing Body concerning monies expended and costs to the Governing Body.

NOW THEREFORE BE IT RESOLVED, that the Building Inspector and/or Department of Public Works is hereby authorized to cause the removal of the Hazardous Tree and is hereby directed to submit a report to the Governing Body thereafter concerning monies expended and cost incurred to the Governing Body.

APPROVED:



Brian Bernstein, Mayor

CERTIFICATION

I, Julie Falkenstern, Registered Municipal 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 September 8, 2025.



Julie Falkenstern, RMC



Demarest Borough
 Code Enforcement
 118 Serpentine Rd.
 Demarest Borough, NJ 07627

Violation # CVIO-25-00099

Violation Warning FINAL NOTICE

CANTATORE, ANDREA & ERICA
 36 KNICKERBOCKER ROAD
 DEMAREST, NJ 07627

- Issued to Owner
- Issued to Tenant

Re: 36 KNICKERBOCKER RD.

Block 3 Lot 38 Qual

You are hereby notified that a code official inspected the above referenced premises and determined that there is a violation of the municipal code. The violation listed below must be completed on or before the violation abatement date indicated. Failure to obey this order of the code official shall result in the issuance of a summons resulting in a mandatory court appearance and possible penalty assessment in compliance with this code.

Issue Date: 7/7/2025

Violations to be Abated by: 7/14/2025

The following violation(s) were found

Section 135-6 (B)

Title 135-6 Maintenance of Grounds

It shall be the duty of the owner or operator to keep the premises free of hazards and unsightly or unsanitary conditions which include, 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.

Summary of infraction

Dead tree in front to be removed by the homeowner Immediately
 Front Yard

If you have any questions regarding the status or nature of a violation please contact the department at 201-768-0167 ext 130

Joseph Faulborn 7/7/25

Joseph Faulborn



Demarest Borough
Code Enforcement
118 Serpentine Rd.
Demarest Borough, NJ 07627

Violation # CVIO-25-00071

Violation Warning

CANTATORE, ANDREA & ERICA
36 KNICKERBOCKER ROAD
DEMAREST, NJ 07627

- Issued to Owner
 Issued to Tenant

Re: 36 KNICKERBOCKER RD.

Block 3 Lot 38 Qual

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Issue Date: 5/23/2025

Violations to be Abated by: 6/6/2025

The following violation(s) were found

Section 135-6 (B)

Title 135-6 Maintenance of Grounds

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Yard

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Joe Faulborn



Demarest Borough
 Code Enforcement
 118 Serpentine Rd.
 Demarest Borough, NJ 07627

Violation # CVIO-25-00095

Violation Warning

CANTATORE, ANDREA & ERICA
 36 KNICKERBOCKER ROAD
 DEMAREST, NJ 07627

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Issue Date: 7/1/2025

Violations to be Abated by: 7/8/2025

The following violation(s) were found

Section 135-6 (L)

Title 135-6 Maintenance of Grounds

It shall be the duty of the owner or operator to keep the premises free of hazards and unsightly or unsanitary conditions which include, 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.

Summary of infraction

Motor vehicle parked on the grass/side property
 Yard

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Joseph Faulborn



Demarest Borough
Code Enforcement
118 Serpentine Rd.
Demarest Borough, NJ 07627

Violation # CVIO-25-00095

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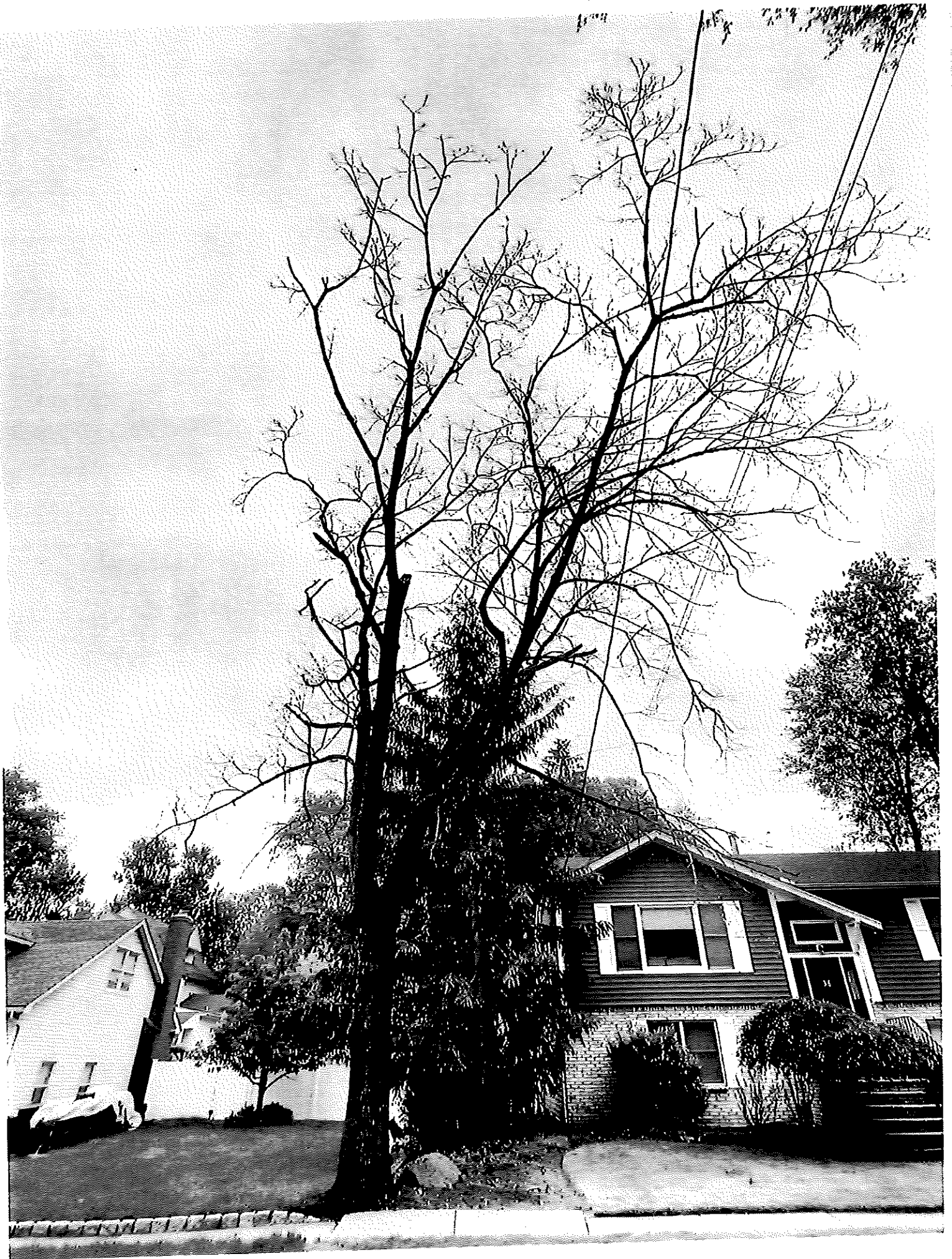
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If you have any questions regarding the status or nature of a violation please contact the department at 201-768-0167 ext 130

Joseph Faulborn





**County of Bergen
Department of Parks
Forestry**

Date: May 23, 2025

To: Lee Campbell. Demarest Shade Tree

From: Steve Jocks, Bergen County Forestry Superintendent

Re: Tree Investigation

Location: #27 Knickerbocker Rd.
Demarest, NJ 07627
Block: 2 / Lot: 46.02

Report of Investigation

Lee,

As per our phone conversation today, Friday, May 23, 2025, on Thursday, May 22nd I perform an inspection of a Large live 48" DBH Pin Oak tree (*Quercus palustris* Muenchh) after receiving an email dated May 19, 2025. I was able to confirm the tree is just located within the 44.25' as per Tax Map: Block #2 Lot #46.02 (See attachments) Upon my inspection, the tree in question has light thinning visible throughout the canopy at approximately 10% or less, which does not justify removal of said tree at this time.. After conducting an additional evaluation of the tree, there does not appear to be any visual compromise to the structural integrity at the tree surface, including but not limited to the main trunk, stem attachments, root system, etc. including any evidence of insect damage and/or carpenter ant infestation. It's my recommendation Class III ANZI 300 (Course) pruning be performed to eliminate any concerns in regard to property damage or bodily harm.

Note: The County of Bergen does not provide pruning services within the terms of the executed Shared Service Agreement and has no legal responsibility as per State Statute Title: 27 Section 27:16-8

If you have any questions, please don't hesitate to contact me.

Steve Jocks

Forestry Superintendent
County of Bergen
Department of Parks
#216 Forest Ave.
Paramus, NJ 07652
(201) 336-7677

Lee Campbell

From: Lee Campbell
Sent: Thursday, August 1, 2024 9:18 AM
To: Jocks, Steve
Subject: RE: 36 Knickerbocker Rd.

Thanks so much Steve, sorry I missed your call yesterday. I hope you are having a great summer and finding some time to take off.

Lee

Lee Campbell

CMR, ST Secretary, BOH Secretary,
Secretary to the Assessor
Borough of Demarest
118 Serpentine Road
Demarest, NJ 07627
lcampbell@demarestnj.gov
201-768-0167 Ext. 130

From: Jocks, Steve <SJocks@co.bergen.nj.us>
Sent: Thursday, August 1, 2024 8:39 AM
To: Lee Campbell <lcampbell@demarestnj.gov>
Subject: RE: 36 Knickerbocker Rd.

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Lee,

Good morning...

I was finally able to investigate the Boroughs concern for a dead 24" Maple (Acer Platinoids) in front of House #36 on Knickerbocker Rd. I can confirm said tree is **NOT** located within the 44.25' Public righty-of-way, as per **Tax Map: Block #3 Lot #38** The tree in question is 24.5' from centerline / 2.75' off R.O.W. behind sidewalk on northeast corner of property. Survey area has been marked out for reference.(See Attachments) The SSA/program does not allow for removal of trees on private property.

If I can be of any further assistance, please don't hesitate to contact me....

Steve Jocks

Forestry Superintendent
County of Bergen
Department of Parks
#216 Forest Ave.









BORO of DEMAREST
Tree inspection; risk/hazard assessment

Arborist Inspection/Review

Completed: 8/1/25
PROPERTY: 36 Knickerbocker Rd
OWNER:

Arborist
Boro of Demarest
118 Serpentine Road,
Demarest, NJ 07627

Inspection Report: Inspection consisted of ground level visual inspection of roots and root collar, trunk, and crown.

ASSESSMENT: Tree is outside the ROW and within the property at 36 Knickerbocker.

Norway Maple (*Acer Platanoides*) DBH = 28" Height ~60'
Roots – overgrown in location. Evidence of mechanical damage on roots.
Trunk – Bark is decayed with evidence of insects present.
Canopy – Completely dead. No foliage present.

Conclusion; Tree is dead and brittle with a high likelihood of partial or complete failure. Tree limbs over the roadway represent a hazard to traffic and pedestrians. ***Tree is an elevated and acute risk and should be removed as soon as possible.***

No replacement / mitigation required.

Signed

Ray Slaman Arborist
LTE 710
201-220-1994