

**MAYOR AND COUNCIL
BOROUGH OF DEMAREST**

REGULAR MEETING MINUTES

April 24, 2023

7:30 PM

At 7:32 pm Mayor Bernstein read the compliance statement and invited all present to recite the Pledge of Allegiance.

Roll Call:

Present: Mayor Bernstein, Council President Slowikowski, Councilmember Fox, Councilmember Hamilton, Councilmember LaPira, Councilmember Marks, Councilmember Jiang

Absent: None

Also Present: Julie Falkenstern, Borough Administrator
Deena Rosendahl, Borough Attorney
Chief John McLoughlin, Fire Department

Mayor's Appointment to the Library Board

Lynn Ma

A motion was made by Councilmember Marks, seconded by Council President Slowikowski and approved by all to approve the appointment.

Zoning Board Resignation

Mayor Bernstein announced that he is accepting the withdrawal of previously appointed, not yet sworn Alternate Member #2 of the Zoning Board of Adjustment (term 1/1/2023-12/31/2023) and he will make a new appointment at an upcoming meeting.

Ordinances – Introduction (none)

Ordinances – Public Hearing

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)

A motion was made by Councilmember Jiang and seconded by Council President Slowikowski to open the public hearing on Ordinance #119-23.

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

Nays: None

Speaker(s): none

Council President Slowikowski made 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. The motion was seconded by Councilmember Jiang

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

Nays: None

Consent Agenda

Mayor Bernstein noted that Resolution No. 68-23 was being pulled from consideration as a revision to the temporary budget was not ready for this meeting.

Consent Agenda:

Resolution No. 67-23 Soil Moving Approval for 38 Meadow St.

Resolution No. 69-23 Approval of Bills List

Councilmember Fox asked to remove Resolution No. 68-23 from the consent agenda for a separate vote.

Resolution No. 67-23 (only remaining resolution on the consent agenda)

Motion to approve: Councilmember Fox, Second: Councilmember Hamilton

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

Nays: None

Resolution No. 68-23 Bills List dated 4/24/23

Motion to approve: Councilmember LaPira, Second: Councilmember Marks

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

Nays: None

Abstain: Councilmember Fox, Councilmember Hamilton

Mayor Bernstein announced that before he opened the floor to the Council for their reports, he wanted to thank Officers Krynicki and Solan after receiving a note from a resident praising them for their professionalism and kindness in a recent interaction. Mayor Bernstein also reported that he met with area Mayors recently to discuss various shared services to help with finances in the Borough and he is confident that the Borough will identify services that can be shared with surrounding communities.

Council Committee Reports

Police, Fire, and Public Events (Jiang)

Councilmember Jiang noted that Chief Dimitriadis is not in attendance this evening as he is on bereavement leave. He added the Chief McLoughlin is in attendance and will report on the Fire Department. He reported that the Nature Center has an event on 5/13 and residents can visit the website for details. Lastly, he reported that the BOE is holding a budget meeting Tuesday night to discuss capital improvements.

Ambulance and Recreation (LaPira)

Councilmember LaPira complimented several Ambulance members for their dedicated service. Mayor Bernstein interjected that he wanted to add his compliments as he was surprised to learn the number of calls that the Ambulance Corps. handles both in Demarest and in mutual aid to surrounding communities.

Councilmember LaPira continued with her report noting upcoming Recreation events and highlighting the plans for the 2023 concert summer concert series.

Management, Administrative & Communication Committee (Marks):

Councilmember Marks reported that the Spring newsletter was sent to all residents and reported on upcoming events and programs for both DAA and the Library. Additionally, he thanked the Fire, Police and Public Works departments for their assistance with the DAA opening day parade. Lastly, he reported that the Borough is investigating procuring a new electronic sign to replace the one that is not functioning.

Finance & Insurance Committee (Slowikowski)

Council President Slowikowski reported that the recent Finance Committee meeting was postponed so she anticipates having a better update on budget at the next meeting. She will be attending the quarterly TAANAC meeting to advocate for Demarest in increased airplane noise on 4/26.

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

Councilmember Hamilton thanked the DPW for their hard work getting fields ready for the spring sports season. Additionally, she stated that the Shade Tree Committee is working on obtaining grants to supplement their tree preservation and planting programs.

Real Estate & Ordinance Committee (Fox)

Councilmember Fox noted that the Borough Facilities report of the Ad Hoc Committee are posted on the Borough website for review. Additionally the Ordinance Committee is reviewing the Tree Removal ordinance to ensure that it is serving the Borough and its residents and property owners.

Reports of Borough Officials

Borough Administrator

Ms. Falkenstern reported that she is working with the Borough Engineers to address drainage issues throughout the Borough. Additionally, she has reached out to Senator Schepisi's office to explore funding opportunities. Lastly, the final plan for an open space application which will include some improvement at Wakelee Field will be ready for review at the next council meeting and will likely require a special meeting for a public hearing.

Borough Attorney

No report

Borough Treasurer

Not present

Police Chief

Not present

Fire Chief

Chief McLoughlin presented jackets to the Mayor and Fire Commissioner. He then reported that the FD participated in the DAA parade and presentations to the preschools and cub scouts on fire safety. Additionally, he announced a fundraiser at Andiamo on May 18 and asked anyone able to participate. Lastly, he reported the department was awarded \$80K for the AFG grant for health and wellness adding a gym for the department members.

Ambulance

Roberta Hoag thanked the EMS members who worked so diligently through the COVID 19 pandemic.

Minutes for approval:

August 29, 2022 Regular Meeting Minutes

September 19, 2022 Regular Meeting Minutes

October 18, 2022 Special Meeting Minutes

April 10, 2023 Work Session Meeting Minutes

A motion was made by Councilmember Fox and seconded by Council President Slowikowski to approve the above meeting minutes.

Ayes: Council President Slowikowski, Councilmember Fox, Councilmember Hamilton, Councilmember LaPira Councilmember Marks, Councilmember Jiang
Nays: None

Discussion:

Mayor Bernstein asked the Council to consider an issue that came up late this afternoon in regard to the purchase of police vehicles. The department ordered two vehicles in 2021 with approval of council, but the purchase was not funded. Those vehicles have arrived at the dealership and are being held for the Borough but need to be funded. The Mayor asked the Council to consider funding these vehicles per the request of the Police Department as he believes it was determined by prior council that they were needed.

Former Police Commissioner Jim Carroll was in the audience and offered that he agrees they did determine that the vehicles are needed.

Current Police Commissioner Dabid Jiang disagrees that two new vehicles are needed. He would like the department to consider using the former BA's car and getting command staff more economical cars than the Tahoes they currently drive. A discussion ensued and the consensus of the Council was to approve the purchase provided the PD provides the Police Committee with sufficient evidence that the vehicles are needed.

Adjournment of May 8, 2023 meeting due to anticipated lack of quorum

Mayor Bernstein asked the Council to consider holding the May 8 meeting on a different date as no quorum is available. The council discussed possible dates and settled on May 10 to hold a meeting specifically to have the public hearing on the upcoming Open Space Application.

Tennis Court Permit Fees/Procedure

Councilmember LaPira explained current issues with both fees and enforcement and asked the Ordinance committee to review the ordinance in regard to use of the tennis court.

Meeting Open to the Public

A motion was made by Councilmember Fox, seconded by Councilmember Hamilton and approved by all to open eh meeting to the public.

Howard Rifkind
350 County Rd.

Mr. Rifkind stated that he does not agree with items being discussed in closed session. Mayor Bernstein explained that the Governing Body has an obligation to comply with the Open Public Meetings Act.

James Carroll
Palisade Blvd.

Mr. Carroll commented on increased airplane noise. Council President Slowikowski stated that she is attending the TAANAC meetings to hopefully advocate for Demarest.

Mr. Carroll then asked about budgeting for senior events and complained that he has attempted to reach out to the CFO without success. Mayor Bernstein responded that they would instruct the finance office to investigate and respond to him.

Dick Schooler

Mr. Schooler asked for clarification of what constitutes a quorum and whether the Mayor being present at a meeting satisfies a quorum. The Borough Attorney and Borough Administrator explained that the Mayor does count to a quorum of the governing body to hold a meeting.

Mike Clark

Mr. Clark complained of drainage issues on Donnybrook and asked for them to be looked at.

Lynn Paulison

Ms. Paulison would like increased enforcement of Borough Ordinances with more violations being issued.

Anthnoy Quinn

69 Prescott

Mr. Quinn is in favor of overnight parking in the Borough.

There being no other members of the public wishing to speak, the meeting was closed to the public.

A motion was made by Council President Slowikowski, seconded by Councilmember Jiang and approved by all members to adjourn the meeting at 9:01 pm

Respectfully submitted,

Julie Falkenstern
Borough Administrator