

**MAYOR AND COUNCIL
BOROUGH OF DEMAREST
REGULAR MEETING MINUTES
August 26, 2024**

Mayor Bernstein called the meeting was called to order at 7:32 pm and asked Councilmember Jiang to lead the assembly in the Pledge of Allegiance.

Present:

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

Absent: Councilmember Fox

Also Present: Deena Rosendahl, Borough Attorney
Nick Chelius, Borough Engineer
Jason Gangi, DPW Superintendent
Frank Visaggio, Acting Police Chief
Carl Pavlik, Assistant Fire Chief

Mayor Bernstein asked for a motion to suspend the regular order of business to present Officer Richard Devlin a commendation for distinguished service.

A motion was made by Councilmember Jiang and seconded by Councilmember Marks

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

Nays: None

Absent: Councilmember Fox

Mayor Bernstein stated that Officer Devlin could not join the meeting for personal reasons and was not sure when he would be able to.

Mayor Bernstein:

I am honored to recognize retired Police Officer Richard J. Devlin, Sr. for his law enforcement service to the Borough of Demarest from September 1, 1967 through his retirement in 1971. Those of you who do not know the tragic story be felled Officer Devlin, may ask why we are recognizing an Officer who only served the Police Department for approximately four (4) years. The facts, and I will explain them briefly, justify tonight's ceremony.

On February 10, 1970, Officer Devlin, while working for the Demarest Police Department, responded to an active burglary in progress at the Alpine Country Club. After arriving on scene, Officer Devlin sustained a gunshot wound and was gravely injured. As a direct consequence of that injury, sustained in the line of duty, Officer Devlin lost his left arm and never returned to active duty as a Demarest Police Officer.

This tragic incident, and its aftermath, were brought to my attention last month. After reviewing the matter and records provided to me, I have something to say because silence would be harmful here and exacerbate a prior wrong. I do not stand alone as today's entire Demarest Police Department and the Demarest Council stand with me on this occasion to recognize Officer Devlin and to correct the past. It is my opinion, that The Borough of Demarest failed to act properly from February 10, 1970, when Officer Devlin was shot, until he retired the following year. It is also my opinion that it is never too late to say, "We are sorry" or "Thank You."

The records make clear that the Demarest Police Department and Borough never properly recognized Officer Devlin for his law enforcement service, his courage, his bravery and the substantial loss he suffered in the line of duty. Today, we right that 54-year-old wrong and say, "We are sorry and thank you."

In 2016, the Demarest PBA Local 350, renamed the Purple Shield Medal given to Officers who are severely injured in the line of duty as, the "Richard J. Devlin, Sr. Purple Shield Medal." Tonight, PBA Local 350 awards you with the Richard J. Devlin, Sr. Purple Shield Medal. I am told that a Purple Shield Medal was mailed to Officer Devlin in 2016 by the PBA in an effort to correct an injustice. But that is not how a medal should be bestowed upon an honoree. It is for that reason that I invited you here, with your wife, family, and friends to officially award you with the Richard J. Devlin, Sr. Purple Shield Medal for the devastating injury you sustained in the line of duty serving the residents of the Borough of Demarest.

It is also my privilege, to award you with a Citation for your service as a police officer for the Borough of Demarest, your courage, bravery and willingness to place your life in jeopardy for the benefit of others. These awards rightfully recognize Officer Devlin for his service and bravery and acknowledge that his career as a Demarest Police Officer was abruptly ended at the age of 27, as a result of an injury he sustained in the line of duty.

As shared with me by current and former members of the Demarest Police Department, Officer Devlin loved his job as a police officer, going on patrol, serving the community, helping people, conducting investigations, making arrests and closing cases. Although his public service to Demarest ended in 1971, Officer Devlin later continued a successful and distinguished business career and continued to serve the public. Officer Devlin, Sr. has received lifetime achievement awards from the NY State Mothers Against Drunk Driving, the NY State Division of Criminal Justice Services, the NY State Governor's Traffic Safety Committee and NY State STOP DWI Program.

As my mother used to say, "the apple never falls far from the tree." Richard J. Devlin, Jr., Officer Devlin's son, followed in his father's footsteps and embarked on a law enforcement career. His son served in the U.S. Army and the New York Police Department. I'll mention one particular act of selfless bravery by his son, Officer Devlin, Jr., when he responded to a fire call, rushed into the burning building and rescued a fireman from that burning structure. He was awarded a life-saving medal for his heroic actions. Officer Devlin's grandson, Richard, also followed those very same footsteps into the law enforcement profession. He served as a police officer for the Louisiana Police Department and is currently serving as the First Assistant Chief in a Fire Department in Louisiana. His granddaughter, Devin, also followed his lead and is on the Milford, New York Fire Department.

This evening, we add to the honors previously bestowed upon Richard Devlin, Sr. On behalf of myself, as Mayor, the Demarest Council and The Demarest Police Department, we thank you for your service protecting the residents of The Borough of Demarest and for placing your life on the line to protect others. Please join me in applauding Officer Richard J. Devlin, Sr. Thank you.

Mayor Bernstein presented the award to Acting Police Chief Frank Visaggio to pass it along to Officer Devlin.

ORDINANCE (PUBLIC HEARING):

Ordinance No. 1144-24 ORDINANCE AMENDING AND MODIFYING CHAPTER 149 OF THE DEMAREST BOROUGH CODE

Mayor Bernstein asks for a motion to open the public hearing on Ordinance # 1144-2024

A motion was made by Councilmember Collins and seconded by Councilmember Marks

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

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

Speaker(s): *None*

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 Councilmember Reiss and seconded by Council President Slowikowski

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

Ordinance No. 1145-24 ILLICIT CONNECTIONS

Mayor Bernstein asks for a motion to open the public hearing on Ordinance # 1145-2024

A motion was made by Councilmember Reiss and seconded by Councilmember Collins

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

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

Speaker(s): *None*

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 Councilmember Collins and seconded by Councilmember Reiss

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

Ordinance No. 1146-24 ORDINANCE AMENDING AND MODIFYING ARTICLE XII SMALL ANIMALS §189-77 OF THE DEMAREST BOROUGH CODE

Mayor Bernstein asks for a motion to open the public hearing on Ordinance # 1146-2024

A motion was made by Councilmember Reiss and seconded by Councilmember Jiang

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

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

Speaker(s): *None*

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 Councilmember Collins and seconded by Councilmember Jiang

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

ORDINANCE 1147-24 - AN ORDINANCE AMENDING AND MODIFYING CHAPTER 149 STORMWATER CONTROL OF THE DEMAREST BOROUGH CODE

Mayor Bernstein asks for a motion to open the public hearing on Ordinance # 1147-2024

A motion was made by Councilmember Jiang and seconded by Councilmember Reiss

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

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

Speaker(s): *None*

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 Councilmember Collins and seconded by Councilmember Jiang

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

ORDINANCE NO. 1148-24 - AN ORDINANCE OF THE BOROUGH OF DEMAREST, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF DEMAREST AND APPROPRIATING \$3,496,403 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$2,982,761 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE SAME

Mayor Bernstein asks for a motion to open the public hearing on Ordinance # 1148-2024

A motion was made by Council President Slowikowski and seconded by Councilmember Jiang

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

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

Speaker(s): *None*

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 Councilmember Collins and seconded by Council President Slowikowski

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

Consent Agenda

Mayor Bernstein asks if any member would like to have any resolution removed from the consent agenda and voted on separately. None did.

Mayor Bernstein asks if any member would like to abstain from voting on any resolution on the consent agenda. None did.

Mayor Bernstein asks for a motion to accept the consent agenda.

Consent Agenda:

Resolution No. 143-24	Separation Agreement
Resolution No. 144-24	Authorizing Planning for Affordable Housing
Resolution No. 145-24	Bills List

A motion was made by Councilmember Collins and seconded by Councilmember Reiss

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

Minutes for Approval

August 12, 2024 Work Session Meeting Minutes

A motion was made by Council President Slowikowski and seconded by Councilmember Jiang

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

Absent: Councilmember Fox

August 12, 2024 Closed Session Minutes

A motion was made by Councilmember Reiss and seconded by Councilmember Collins

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

Nays: None

Absent: Councilmember Fox

Mayor's Report

Mayor Bernstein stated that the Borough is moving forward on the revisions to Ordinances and will continue to do that with the Ordinance Committee as they review the current ordinances to see how we can improve them. He highlighted that currently on the table is the Tree Removal Ordinance related to the Shade Tree Commission and the Noise Ordinance in relation to construction.

Council Committee Reports

Finance & Personnel (Slowikowski): Gave an update on the Swim Club, who ended up with 197 memberships. The majority of these being from Demarest with 113, and with Closter at 36 and Tenafly at 15. The largest type of membership was full family at 85, senior single at 36 and lastly with senior couple. There were about 650 kids enjoying the pool, from the 6 camps, which is 2 more camps than prior years, majority of which are from Demarest and Closter. 106 kids took swim lessons. 61 kids participated in the swim and dive team. Management found guards to open part time on weekdays after school, which is a new addition this year. Safely kept regular hours in August. They hired more guards than usual and implemented a new hiring program. The Swim Club is asking for garbage pickup to be extended through the second week in September. They also asked for assistance from the DPW with moving the dumpster inside the gates after the garbage pickups end.

Mayor Bernstein stated that the Swim Club has been working more closely with himself and the Council and the town to coordinate events and this is a step in the right direction for them.

Ordinance (Fox):

In the absence of Councilmember Fox, Councilmember Reiss stated that the committee met and began their discussions on the ordinances mentioned, and that they are meeting again this week and after this they will have more to share.

DPW & Recreation (Marks): Councilmember Marks stated that the concerts are winding down and that one of the cancelled concerts will be held on Demarest Day. He continued that Demarest Day lineup is expanding with the additions of VR gaming truck, photobooth, dunk tank, face painting with the art school participating, craft table, music with Marley and fireworks at the end. They are also having a watermelon eating contest and a baking competition. They raised about \$10,000, so they are on budget.

Mr. Gangi, Public Works Manager, stated that they are working on fixing and updating the leaf vacs in preparation for leaf season. For now, they are working on fixing streets. Mayor Bernstein added that they do more than this and thanked the DPW for their work. He reported on the success in the removal of the bamboo. Mr. Gangi stated that they also requested a quote for the removal of the root system of the bamboo on the Borough property.

Economic Development (Jiang): Councilmember Jiang stated that the planning board is working through the process of designating the area in need of redevelopment, and that they should be coming close to sending it back to the board. Mayor Bernstein added that the planning board has already voted to recommend the area, and they are just waiting for the resolution. Mayor

Bernstein also added that he and Councilmember Jiang have a meeting with some residents who have some interest in participating in the development of downtown.

Mayor Bernstein also asked Councilmember Reiss if he could add to his ordinances the Vacant Property ordinance and compare it with other towns in how it can relate to vacant commercial properties.

Police and OEM (Reiss): Councilmember Reiss stated that the Demarest PTO is holding a back-to-school blast with fun activities including a rock wall and a dunk tank. This will be held at Luther Lee. The police department has spoken with the school about a ride your bike to school event in town. Councilman Reiss thanked the Demarest Police and EMS for handling a call involving his family.

Fire and EMS (Collins): Councilmember Collins stated that the EMS had 5 cadets that will be going to the Bergen County EMT training. Roberta did not provide any monthly statistics at this time, but he reiterated his thanks to them for their response to the call at Councilmember Reiss' home. He also thanked the Fire Department for responding to a call at his home.

Reports of Borough Officials

Borough Attorney: No report

Borough Treasurer: Absent

Ambulance: Absent

Police Chief: Acting Chief Frank Visaggio stated that the Demarest Police Department responded to 506 calls this month. He gave a report on the calls. He added that there was 1 arrest last night on a perp with an active warrant from Atlantic County. 182 motor vehicle stops and 109 summons issued. Following up on numerous investigations and handling numerous firearm applications. SRO Don Cho successfully completed a training course last week. He added that the new recruits are doing very well at the police academy. Next week all five schools will be open. He spoke on a program brought to their attention where an autistic person can give the police department a card to make them aware of their condition. He thanked the DPW, Fire Department and EMS for their assistance.

Fire Chief: Carl Pavlik, Assistant Fire Chief, gave a report on the calls for the month.

Mayor Bernstein asked about the Touch-a-Truck event and stated that it is Labor Day weekend and that it is a tough weekend to lend support.

Meeting Open to the Public

A motion was made to open the meeting to the public by Council President Slowikowski and seconded by Councilmember Collins

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

Nays: None

Absent: Councilmember Fox

A motion was made to close the meeting to the public by Councilmember Collins and seconded by Council President Slowikowski

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

Nays: None

Absent: Councilmember Fox

Closed Session Resolution 2024-005

A motion was made to enter closed session by Councilmember Marks and seconded by Councilmember Collins

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

Nays: None

Absent: Councilmember Fox

A motion was made to leave closed session by Councilmember Reiss and seconded by Councilmember Jiang

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

Nays: None

Absent: Councilmember Fox

A motion was made to Authorize Deena Rosendahl, Borough Attorney to perform a title search on the property located at Block 99, Lot 1 by Councilmember Reiss and seconded by Councilmember Jiang

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

Nays: None

Absent: Councilmember Fox

Adjournment

A motion was made to adjourn the meeting by Councilmember Reiss and seconded by Councilmember Jiang

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

Nays: None

Absent: Councilmember Fox

The meeting was Adjourned at 9:00 PM.

Respectfully submitted,

Michael Greco, Deputy Borough Clerk