

**MAYOR AND COUNCIL  
BOROUGH OF DEMAREST  
WORK SESSION  
MEETING Minutes  
May 13, 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.

The Mayor invited all in attendance to recite the Pledge of Allegiance to open the meeting.

**Roll Call:**

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

Absent: None

Also Present: Julie Falkenstern, Borough Administrator  
Deena Rosendahl, Borough Attorney  
Peter Suh, CFO  
Jason Gangi, DPW Manager  
Nick Chelius, Borough Engineer

Mayor Bernstein began the meeting by offering the below Proclamation acknowledging the Art School at the Old Church for 50 years on service to the Demarest Community.

***Proclamation***

**WHEREAS** The Borough of Demarest is pleased to acknowledge The Art School at Old Church for providing 50 years of distinguished service as an innovative, nonsectarian, nonprofit center for arts and culture in Demarest, New Jersey; and

**WHEREAS** The Art School at Old Church provides individuals of all ages and interests with opportunities to study each semester with more than fifty professional artists who are experts in painting, drawing, sculpture, ceramics, printmaking, jewelry, fiber arts, photography, and filmmaking; and

**WHEREAS** the Art School at Old Church ensures equitable access to its programs by offering senior discounts, family memberships, and need and merit-based scholarships to individuals and families; and

**WHEREAS** The Art School at Old Church provides individuals with varying abilities the accommodations necessary to participate safely and fully in lifelong learning in and through the arts; and

**WHEREAS** The Art School at Old Church provides students with learning differences the arts instruction and exhibition opportunities necessary to establish creative careers; and

**WHEREAS** the Art School at Old Church hosts the nationally acclaimed, Old Church Pottery Show, which inspires more than 1,000 visitors each year to engage directly with renowned, established, and emerging ceramicists from across the United States; and

**WHEREAS** The Art School at Old Church creates free arts and cultural experiences in collaboration with community partners, including Englewood Medical and Health Center, Demarest Free Public Library, The Center for Hope and Safety, The Belskie Museum of Art and Science, Juniper Village Senior Community, Northern Valley Demarest School District, and The Borough of Demarest; and

**WHEREAS** the Art School at Old Church attracts participants from eleven counties in New Jersey; and

**WHEREAS** the Art School at Old Church has inspired more than 250,000 artists, students, and gallery visitors since opening to the public in 1974; and

**WHEREAS** The Art School at Old Church ensures that profound arts and cultural experiences will always be accessible to individuals of all ages, backgrounds, and abilities.

**NOW THEREFORE, I, BRIAN BERNSTEIN, MAYOR OF THE BOROUGH OF DEMAREST**, do hereby proclaim May 5, 2024 as a day to celebrate and recognize the 50-year anniversary of the Art School at Old Church in Demarest, New Jersey and the contributions the School has made to the Demarest Community.

**Ordinance Public Hearing (Adoption):**

**Ordinance No. 1131-24 AMENDING AND MODIFYING CHAPTER 175 ZONING PROHIBITED USES**

A motion was made by Councilmember Fox and seconded by Councilmember Reiss to open the public hearing on Ordinance # 1131-2024

**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):**

Kerry Oliver representing the AKC expressed concern with the ordinance. She noted that it should only apply to retail locations so that puppy mills are addressed and not hobby breeders or any other responsible breeder.

Councilmember Fox asked Ms. Oliver why the AKC and Human Society, who suggested the ordinance, don't agree.

Ms. Oliver said she felt the AKC represents animal welfare and supports responsible breeding, and she feels the Humane Society are animal activists who do not support even responsible breeding.

Councilmember Fox noted that the ordinance would only cover retail locations and not hobby breeders.

Julie O'Connor

Tenafly Councilmember spoke about the Humane Society thoughts on the ordinance. She stated that the ordinance is meant to cover retail locations and does not apply to the responsible breeder, and she supports the ordinance. She noted Tenafly has adopted a similar ordinance with no adverse effects to responsible breeding.

Richard Gretskey

Mr. Gretskey stated that he supports the ordinance and believes that the Humane Society and the AKC actually have the same goal and that is to prevent the proliferation of animal cruelty related to puppy mills.

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 was made by Councilmember Fox and seconded by Councilmember Reiss.

**Roll Call:**

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

**Nays:** None

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**Ordinance No. 1134-24 AMENDING AND MODIFYING CHAPTER 175 ZONING FEES AND ESCROW FOR VARIANCE AND CONDITIONAL USE APPLICATIONS**

**PROHIBITED USES**

A motion was made by Councilmember Fox and seconded by Councilmember Collins to open the public hearing on Ordinance # 1134-2024

**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):

None

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 was made by Councilmember Fox and seconded by Councilmember Marks.

**Roll Call:**

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

**Nays:** None

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**Work Session Discussion Items:**

Mayor Bernstein noted that there was some confusion about whether or not the Borough had adopted an anti-idling ordinance. Since it cannot be found he would like Ms. Rosendahl to work on such an ordinance. The Council agreed.

**Engineer's Report**

Mr. Chelius reviewed the monthly engineering report, highlighting the status of the paving projects. He noted that they would begin the design work for Sewart and Stelfox when the resolution to authorize the work was approved this evening. Additionally, he reported that the Forester required by the DEP would be doing his work this week so that the CAP can be finalized.

**Boroughwide Reassessment**

Ms. Falkenstern asked the council if they had any comments on the proposed letter to the residents concerning the boroughwide reassessment. She explained the process. She noted that any residents with questions should reach out to the tax assessor directly. Councilmember Jiang asked what the consequence was for refusing inspection. Ms. Falkenstern explained that they will be reassessed with the information available. Councilmember Reiss asked how long the process would be. Ms. Falkenstern explained that it would be completed by the end of 2024 for reassessment in 2025.

**Consent Agenda**

**Consent Agenda:**

- |                       |   |
|-----------------------|---|
| Resolution No. 097-24 | Awarding Contract for Leaf Removal                      |
| Resolution No. 098-24 | Authorizing Bid- FY2023 NJDOT Paving                    |
| Resolution No. 099-24 | Authorizing Construction Management FY2023 NJDOT Paving |
| Resolution No. 100-24 | Authorizing Design and Bidding FY 2024 NJDOT Paving     |
| Resolution No. 101-24 | Soil Moving Permit – 186 Chestnut                       |
| Resolution No. 102-24 | Soil Moving Permit – 16 Donnybrook                      |
| Resolution No. 103-24 | Escrow Release  |
| Resolution No. 104-24 | Authorize Redevelopment Agreement                       |
| Resolution No. 105-24 | Bill List   |
| Resolution No. 106-24 | Appoint Finance Assistant - Patel                       |
| Resolution No. 107-24 | Authorize Construction Management Riverside Coop        |

A motion to approve the consent agenda was made by Council President Slowikowski and seconded by Councilmember Jiang.

**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 to open the meeting to the public was made by Councilmember Collins, seconded by Councilmember Reiss and approved by all.

**Roberta Hoag**

Ms. Hoag noted that she wanted to make sure that the EMS comments on the size of the elevators for the Affordable Housing project on Hardenburgh were adhered to.

**Noel Pugh**

Mr. Pugh thanked the building department for their professional and immediate attention to some recent issues he had. He noted that work was beginning earlier than allowed at a nearby worksite. He asked if builders were notified of the hours of operation. Ms. Falkenstern stated that they were given that information. Mayor Bernstein noted that when work is done outside of normal working hours it should be reported to the police. Mr. Pugh also noted some other issues with a specific worksite and Ms. Falkenstern said she will inform the building department.

**Roberta Hoag**

Ms. Hoag reported that that next week was EMS Appreciation Week and discussed the history of the Demarest Volunteer Ambulance Corps. Mayor Bernstein asked Ms. Hoag about a recent email detailing the condition of the ambulances and asked if they maintain records. Ms. Hoag stated that the Borough mechanic maintains the vehicle and the EMS has no records on maintenance. The Mayor then noted that her message also said that the Ambulance Corps will not be providing the call records requested and asked whose decision that was. Ms. Hoag stated that she and the President decided together. She noted that they could provide but they chose not to. She stated that she will provide some information but would not be providing the reports. A discussion ensued on what information is on the report and what could be provided vs. what the Ambulance Corps wants to provide. She believes the Borough should only need response times and the Corps will not be providing any information other than response times. The Mayor also asked for the latest mutual aid agreement. Ms. Hoag also noted that they have their own protocols and the Borough should be involved.

Mr. Gangi noted that he never receives any request for regular maintenance of vehicles from the Corps as he does from other departments. Ms. Hoag said that that is the responsibility of Mr. Woods. Mr. Gangi stated that the Corps. Should reach out to the DPW for regular maintenance. Ms. Hoag stated that the vehicles have been taken without the Corps' knowledge. Mr. Gangi stated that the vehicles are only taken when

requested by the Corps. Ms. Rosendahl interjected that the Corps. should reach out for regular maintenance at an agreed upon mileage milestone. Mayor Bernstein asked Mr. Gangi to provide any maintenance records in DPW possession.

**Closed Session - Potential Litigation**

A motion to move to closed session for discussion on potential litigation was made by Council President Slowikowski and seconded by Councilmember Collins and approved by all. It was noted that no action would be taken.

The Council returned to open session at 9:05 pm where a motion to adjourn was offered by Council President Slowikowski. The motion was seconded by Councilmember Fox and approved by all.

Respectfully submitted,

Julie Falkenstern  
Acting Borough Clerk