

**MAYOR AND COUNCIL
BOROUGH OF DEMAREST
WORK SESSION
MEETING AGENDA**

April 8, 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.

Pledge of Allegiance

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

Roll Call:

Present:

Absent:

Also Present:

Ordinance (Introduction):

**Ordinance No. 1135-2024 - AN ORDINANCE AMENDING AND MODIFYING
CHAPTER 130 PARKS AND PLAYGROUNDS, ARTICLE III OF THE DEMAREST
BOROUGH CODE**

Mayor Bernstein asks for a motion to introduce on first reading by title Ordinance No. 1135-24 and it published in the Bergen Record with notice of Public Hearing to be held on April 30, 2024.

A motion was made by _____ and seconded by _____

Roll Call:

ORDINANCE 1136 -2024 - AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION-N.J.S. 40A:4-53 FOR THE REVALUATION OF REAL PROPERTY

Mayor Bernstein asks for a motion to introduce on first reading by title Ordinance No. 1136-24 and it published in the Bergen Record with notice of Public Hearing to be held on April 30, 2024.

A motion was made by _____ and seconded by _____

Roll Call:

ORDINANCE 1137 -2024 - CALENDAR YEAR 2024 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Mayor Bernstein asks for a motion to introduce on first reading by title Ordinance No. 1137-24 and it published in the Bergen Record with notice of Public Hearing to be held on April 30, 2024.

A motion was made by _____ and seconded by _____

Roll Call:

Ordinance Public Hearing (Adoption):

Ordinance No. 1130-24 AMENDING AND MODIFYING CHAPTER 27, ARTICLE II BOARD OF ADJUSTMENT, VARIANCE CHECKLIST

Mayor Bernstein asks for a motion to open the public hearing on Ordinance # 1130-2024

A motion was made by _____ and seconded by _____

Roll Call:

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

Speaker(s):

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 _____ and seconded by _____

Roll Call:

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

PUBLIC HEARING WILL BE POSTPONED UNTIL THE MAY 13, 2024 MEETING TO AWAIT PLANNING BOARD REVIEW

Ordinance No. 1132-24 AMENDING AND MODIFYING CHAPTER 32 OFFICERS AND EMPLOYEES

Mayor Bernstein asks for a motion to open the public hearing on Ordinance # 1132-2024

A motion was made by _____ and seconded by _____

Roll Call:

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

Speaker(s):

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 _____ and seconded by _____

Roll Call:

Ordinance No. 1133-24 AMENDING AND MODIFYING CHAPTER 176 RAFFLE AND BINGO LICENSES

Mayor Bernstein asks for a motion to open the public hearing on Ordinance # 1133-2024

A motion was made by _____ and seconded by _____

Roll Call:

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

Speaker(s):

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 _____ and seconded by _____

Roll Call:

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

PUBLIC HEARING WILL BE POSTPONED UNTIL THE MAY 13, 2024 MEETING TO AWAIT PLANNING BOARD REVIEW

Resolution 087-24 Consideration of Appeal of a Film Permit for 287 County Rd.

Work Session Discussion Items:

Engineer's Report

Tree Inspections

Speed Limit on Hardenburgh (County Road)

Consent Agenda

Mayor Bernstein asks if any member would like to have any resolution removed from the consent agenda and voted on separately.

Mayor Bernstein asks if any member would like to abstain from voting on any resolution on the consent agenda.

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

A motion was made by _____ and seconded by _____

Roll Call:

Consent Agenda:

- Resolution No. 084-24 Referring Redevelopment Study to the Borough Planning Board
- Resolution No. 085-24 Emergency Appropriation for Preparation of Tax Map
- Resolution No. 086-24 Authorizing Agreement with BC for Traffic Signal Upgrade
- Resolution No. 088-24 Bill List

A motion was made by _____ and seconded by _____

Approval of Minutes:

March 11, 2024 Work Session

A motion was made by _____ and seconded by _____

Roll Call:

Meeting Open to the Public

Closed Session

Adjournment

BOROUGH OF DEMAREST

COUNTY OF BERGEN

ORDINANCE 1135-2024

ORDINANCE AMENDING AND MODIFYING CHAPTER 130 PARKS AND
PLAYGROUNDS, ARTICLE III OF THE DEMAREST BOROUGH CODE

Section 1. Purpose & Authority. The purpose of this ordinance is to modify and amend Chapter 130 of the Demarest Borough Code, pursuant to N.J.S.A. 40:48-1, and 40:49-2.

Section 2. Amendments. (amendments are highlighted, deletions strikethrough).

ARTICLE III Recreation Programs and Fees

~~[Adopted 9-6-1988 by Ord. No. 658]~~

~~§ 130-19. Recreation Department Fields, Facilities, Programs and Fees Summer recreation program.~~

~~The fees for any permit, use of fields or equipment, and program established through the Recreation Department program shall be set each year by the Governing Body. In the event a new fee schedule is not set in any given calendar year, the fees set forth in the prior years' adopted resolution setting the fee schedule shall remain in effect until such time as a new fee schedule is duly adopted. The fee for the summer recreation program shall be \$30 per child for a six-week period.~~

~~§ 130-20. Collection of fees; deposit in Borough account. [Amended 10-17-1988 by Ord. No.660]~~

~~The Recreation Commission shall collect the fees established by this article and turn all collected moneys over to the Borough Treasurer to be deposited in the Borough account.~~

~~Tennis lessons.~~

~~The fee for tennis lessons shall be \$30 per eight sessions.~~

~~§ 130-21. Tennis permits.~~

~~§ 130-22. Collection of fees; deposit in Borough account. [Amended 10-17-1988 by Ord. No.660]~~

~~The Recreation Commission shall collect the fees established by this article and turn all collected moneys over to the Borough Treasurer to be deposited in the Borough account.~~

Section 3. Repealer. All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

Section 4. Savings and Construction. This ordinance shall be construed consistent with the purpose stated in Section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Demarest Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Demarest Code.

Section 5. Codification. This ordinance shall be codified as amendments to the chapters set forth herein.

Section 6. Effective Date. This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

Attest:

Approved:

Julie Falkenstern
Acting Municipal Clerk

Brian Bernstein
Mayor

Introduced:

2nd Reading: _____

Adopted: _____

**BOROUGH OF DEMAREST
COUNTY OF BERGEN**

ORDINANCE 1136 -2024

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION-N.J.S. 40A:4-53 FOR THE REVALUATION OF REAL PROPERTY

BE IT ORDAINED, by the Borough Council of Borough of Demarest in the County of Bergen, New Jersey, that pursuant to N.J.S. 40A:4-53 the sum of \$200,000 is hereby appropriated for the engagement of the real estate appraiser for the preparation of a revaluation of real property and such appropriation shall be deemed a special emergency appropriation as defined and provided for in N.J.S. 40A:4-53.

The Chief Financial Officer is hereby authorized to issue negotiable notes to meet this special emergency appropriation in the manner and method provided for in N.J.S.A. 40A:4-55, and provision for payment thereof shall be provided for in succeeding annual budgets by the inclusion of at least one-fifth (1/5) of the amount authorized pursuant to said act until the appropriation has been fully provided for.

That two (2) certified copies of this ordinance be filed with the Director of the Division of Local Government Services; however, no approval is required by the Division.

This Ordinance shall take effect after publication thereof and final passage as required by law.

Attest:

Approved:

Julie Falkenstern
Acting Municipal Clerk

Brian Bernstein
Mayor

Introduced:

2nd Reading: _____

Adopted: _____

**BOROUGH OF DEMAREST
COUNTY OF BERGEN**

ORDINANCE 1137 -2024

**CALENDAR YEAR 2024 ORDINANCE TO EXCEED
THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Demarest in the County of Bergen finds its advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 1% increase in the budget for said year, amounting to \$91,048 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Demarest, in the County of Bergen, a majority of the full authorized membership of this Governing Body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Borough of Demarest shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$318,668, and that the CY 2024 municipal budget for the Borough of Demarest be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Attest:

Approved:

Introduced: _____

Adopted: _____

Julie Falkenstern
Acting Municipal Clerk

Brian Bernstein
Mayor

**BOROUGH OF DEMAREST
COUNTY OF BERGEN
ORDINANCE 1130-24**

**ORDINANCE AMENDING AND MODIFYING CHAPTER 27, ARTICLE II BOARD OF
ADJUSTMENT, §27-23.1 VARIANCE CHECKLIST OF THE DEMAREST BOROUGH CODE**

Section 1. Purpose & Authority. The purpose of this ordinance is to modify and amend Chapter 27, Article II Board of Adjustment §27-23.1 of the Demarest Borough Code pursuant to N.J.S.A. 40:48-1, and 40:49-2.

Section 2. Amendments. (amendments are highlighted, deletions strikethrough).

§27-23.1 Variance Checklist

The Borough of Demarest hereby adopts the contents of the documents entitled "Board of Adjustment Variance Checklists" and all contents set forth at length herein.

GENERAL REQUIREMENTS

- One Original and 15 copies of all fully execute application forms.*
- One Original signed and sealed set of plans and 15 copies.*
- One original current (within 9 months) signed and sealed survey and 15 copies.*
- Digital copies of all plans.
- Sixteen copies of the Zoning Officer Denial form.*
- Payment in full (with separate checks) of all application fees and escrow deposits with W9.
- One certificate from the Tax Collector stating all taxes are paid and up to date
- One certification of applicant (must be notarized)
- One owners affidavit (must be notarized)

* Additional copies may be required.

ALL SUBMITTED PLANS MUST INCLUDE

- List of requested variances and waivers from any requirements, together with a statement of reasons why same should be granted (if applicable).
- A general description of the proposed development and a brief assessment of its effect on the site, adjacent properties and the neighborhood. Including but not limited to effects upon the natural environment, land use patterns, traffic and circulation, visual factors, utilities, and drainage.
- Zoning district in which parcel is located complete with all zone criteria.
- Title block containing name of applicant and owner, preparer, block and lot numbers and date prepared.
- Scale of map both written and graphic.
- North arrow.
- Location of existing buildings and structures, including fences and retaining walls.
- All existing and proposed impervious surfaces are to be shown.
- All existing and proposed easements or rights-of-way.

- Landscape plan and lighting plan.
- Proposed stormwater management measures (if applicable).
- Existing and proposed contours to determine the natural drainage of the land.

Section 3. Repealer. All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

Section 4. Savings and Construction. This ordinance shall be construed consistent with the purpose stated in Section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Demarest Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Demarest Code.

Section 5. Codification. This ordinance shall be codified as amendments to the chapters set forth herein.

Section 6. Effective Date. This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

Attest:

Approved:

 Julie Falkenstern
 Acting Municipal Clerk

 Brian Bernstein
 Mayor

Introduced: _____

2nd Reading: _____

Adopted: _____

**BOROUGH OF DEMAREST
COUNTY OF BERGEN**

ORDINANCE 1131-24

**ORDINANCE AMENDING AND MODIFYING CHAPTER 175 ZONING §175-15 OF
THE DEMAREST
BOROUGH CODE**

Section 1. Purpose & Authority. The purpose of this ordinance is to modify and amend Chapter 175 Zoning, §175-15 of the Demarest Borough Code pursuant to N.J.S.A. 40:48-1, and 40:49-2.

Section 2. Amendments. (amendments are highlighted, deletions strikethrough).

§175-15 Prohibited Uses

§175-15.1 Sale of Animals

A. Definitions

Animal care facility means an animal control center or animal shelter, maintained by or under contract with any state, county, or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes or rescue organizations.

Animal rescue organization means any not-for-profit organization which has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes. This term does not include an entity that is a breeder or broker or one that obtains animals from a breeder or broker for profit or compensation.

Breeder means a person that maintains a dog or cat for the purpose of breeding and selling their offspring.

Broker means a person that transfers a dog or cat from a breeder for resale by another person.

Offer for sale means to sell, offer for sale or adoption, advertise for the sale of, barter, auction, giveaway or otherwise dispose of a dog or cat.

B. Restrictions on the Sale of Animals

No retail establishment shall sell, deliver, offer for sale, barter, auction, give away, or otherwise transfer or dispose of cats or dogs. Nothing in this section shall prohibit a retail establishment from collaborating with animal care facilities or animal rescue organizations to offer space for such entities to showcase adoptable dogs or cats provided the retail establishment shall not have any ownership interest in the

animals offered for adoption and shall not receive a fee for providing space for the adoption of any of these animals.

C. Penalty.

A retail establishment that violates this section shall be subject to a civil penalty of \$500, and each dog or cat offered for sale in violation of this section shall constitute a separate violation.

Section 3. Repealer. All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

Section 4. Savings and Construction. This ordinance shall be construed consistent with the purpose stated in Section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Demarest Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Demarest Code.

Section 5. Codification. This ordinance shall be codified as amendments to the chapters set forth herein.

Section 6. Effective Date. This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

Attest:

Approved:

Julie Falkenstern
Acting Municipal Clerk

Brian Bernstein
Mayor

Introduced: _____

2nd Reading: _____

Adopted: _____

**BOROUGH OF DEMAREST
COUNTY OF BERGEN**

ORDINANCE 1132-24

**ORDINANCE AMENDING AND MODIFYING CHAPTER 32 OF THE DEMAREST
BOROUGH CODE**

Section 1. Purpose & Authority. The purpose of this ordinance is to modify and amend Chapter 32 of the Demarest Borough Code pursuant to N.J.S.A. 40:48-1, and 40:49-2.

Section 2. Amendments. (amendments are highlighted, deletions strikethrough).

Article IX Municipal Clerk

§ 32-34 Generally

There shall be a Clerk appointed by the Council, who shall serve as provided by N.J.S.A. 40A:9-133.

§ 32-35 Powers and duties.

The Clerk shall:

A. Keep the minutes and records of the proceedings of the Council and of any Council committee upon request of the Chair of the committee. It shall be the duty of the Municipal Clerk to prepare minutes (where such minutes are required) generally within 30 business days following the day in which such meeting took place.

B. Preserve and compile all ordinances and resolutions and not less than once per year, with the advice and assistance of the Borough Attorney; compile, codify and bind all the ordinances and resolutions then in effect, in conformity with the plan and system of the Code; and the Clerk shall annually index the record books, compilation and codification of ordinances and resolutions and provide for their publication.

C. Have custody of the Borough seal and affix it to such books, papers and documents as may be specifically authorized pursuant to law or ordinance or when necessary to

exemplify any document on record in his/her office or to certify any act or paper which, from the records in his/her office, shall appear to have been a public act or document of the Borough.

D. Have and take custody of all official books, papers and documents of the Borough for which no other repository is provided by charter or ordinance and preserve and keep them safely.

E. Provide secretarial and clerical services for the Councilpersons in the discharge of their official duties.

F. Perform the functions required of Municipal Clerks by the General Election Law (Title 19 of the Revised Statutes) and any other state law or ordinance and receive for Borough use the fees prescribed therefor.

G. Administer the licensing provisions of Borough ordinances where no other provision is made for administration thereof and promptly remit to the Tax Collector all fees received in connection therewith.

H. Perform such functions as are vested in the Clerk by state law and ordinances relating to bingo and raffles licensing.

I. Have such other and different functions, powers and duties as may be prescribed by law or ordinance.

§ 32-36 Compensation.

The salary of the Deputy Borough Clerk shall be such as shall from time to time be fixed by resolution of the Borough Council or by the Salary Ordinance of the Borough of Demarest.

Section 3. Repealer. All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

Section 4. Savings and Construction. This ordinance shall be construed consistent with the purpose stated in Section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Demarest Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Demarest Code.

Section 5. Codification. This ordinance shall be codified as amendments to the chapters set forth herein.

This ordinance shall be codified as amendments

Section 6. Effective Date. This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

Attest:

Approved:

Julie Falkenstern
Acting Municipal Clerk

Brian Bernstein
Mayor

Introduced: _____

2nd Reading: _____

Adopted: _____

**BOROUGH OF DEMAREST
COUNTY OF BERGEN**

ORDINANCE 1133-24

**ORDINANCE AMENDING AND MODIFYING CHAPTER PART II, GENERAL
LEGISLATION, CHAPTER 176 RAFFLE AND BINGO LICENSE OF THE DEMAREST
BOROUGH CODE**

Section 1. Purpose & Authority. The purpose of this ordinance is to modify and amend Part II, General Administration, Chapter 176 pursuant to N.J.S.A. 40:48-1, and 40:49-2.

Section 2. Amendments. (amendments are highlighted, deletions strikethrough).

PART II, GENERAL ADMINISTRATION

Chapter 176 Raffle and Bingo license

§ 176-1 Issuance

The Municipal Clerk is hereby delegated the authority to act as the issuing authority to approve the granting of licenses for raffles and bingo games to be held in the Borough of Demarest pursuant to N.J.A.C. 13:47-1.1.

§ 176-2 Investigation of Applications; License Issuance

The Borough Clerk shall make an investigation of the qualifications of each applicant and the merits of each application in accordance with applicable licensing laws. The Borough Clerk is designated as the person having authority to approve the issuance of raffle and bingo licenses.

Section 3. Repealer. All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

Section 4. Savings and Construction. This ordinance shall be construed consistent with the purpose stated in Section 1 hereof. Any ambiguities in this ordinance

shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Part II, General Administration, Chapter 176 of the Demarest Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Borough Code.

Section 5. Codification. This ordinance shall be codified as amendments to the chapters set forth herein.

Section 6. Effective Date. This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

Attest:

Approved:

Julie Falkenstern
Acting Municipal Clerk

Brian Bernstein
Mayor

Introduced: _____

2nd Reading: _____

Adopted: _____

**BOROUGH OF DEMAREST
COUNTY OF BERGEN**

ORDINANCE 1134 -2024

**ORDINANCE AMENDING AND MODIFYING CHAPTER 175 ZONING, ARTICLE VIII.
ADMINISTRATION, 175-33 FEES AND ESCROW DEPOSIT FOR VARIANCE
AND CONDITIONAL USE APPLICATIONS
OF THE DEMAREST BOROUGH CODE**

Section 1. Purpose & Authority. The purpose of this ordinance is to modify and amend Chapter 32 of the Demarest Borough Code pursuant to N.J.S.A. 40:48-1, and 40:49-2.

Section 2. Amendments. (amendments are highlighted, deletions strikethrough).

§ 175-33. Fees and Escrow Deposits for Variance and Conditional Use Applications

- A. An applicant for a variance or conditional use shall remit to the Borough of Demarest the following nonrefundable fees:
- 1) Variance pursuant to N.J.S.A. 40:55D-70a (Appeals) or 40:55D-70b (Interpretations): \$200
 - 2) Variance pursuant to N.J. S.A. 40:55D-70c (C Variances): ~~\$100 per variance requested, with \$200 minimum~~ \$250 + \$100 per additional variance
 - 3) Variance pursuant to N.J. S.A. 40:55D-70d (D Variances): \$500 per variance
 - 4) Conditional Use: \$500
- B. The application shall be accompanied by an escrow deposit to pay Borough Professional fees in the following amount:
- 1) Variance pursuant to N.J.S.A. 40:55D-70a (Appeals) or 40:55D-70b (Interpretations): \$500.
\$2,500
 - 2) Variance pursuant to N.J. S.A. 40:55D-70c (C Variances): ~~\$200 per variance requested, with \$500 minimum.~~ \$2,500 + \$250 per additional variance
 - 3) Variance pursuant to N.J. S.A. 40:55D-70d (D Variances): ~~\$1,000.~~ \$3,000 + \$1,000 per additional variance
 - 4) Conditional Use: ~~\$1,000~~ \$5,000
- C. The escrow deposit posted hereunder shall remain on deposit with the Borough until the Attorney and Engineer for the Zoning Board of Adjustment certifies that all vouchers for services rendered in connection with the ~~preparation and publication of a resolution memorializing the action of the Zoning Board of Adjustment with respect to the application have been paid in full, after which time any balance remaining shall be refunded upon issuance of a building permit.~~ application before the Zoning Board of Adjustment have been paid in full, after which time any balance remaining shall be refunded upon request by the applicant after the issuance of a building permit.

Section 3. Repealer. All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

Section 4. Savings and Construction. This ordinance shall be construed consistent with the purpose stated in Section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Demarest Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Demarest Code.

Section 5. Codification. This ordinance shall be codified as amendments to the chapters set forth herein.

Section 6. Effective Date. This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

Attest:

Approved:

Julie Falkenstern
Acting Municipal Clerk

Brian Bernstein
Mayor

Introduced: _____

2nd Reading: _____

Adopted: _____

Resolution of the Demarest Governing Body

Resolution No. 087-24

April 8, 2024

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

TITLE: RESOLUTION _____ DENIAL OF BOROUGH CLERK TO ISSUE FILM PERMIT FOR 287 COUNTY ROAD

=====

WHEREAS, Chapter 96 of the Code of the Borough of Demarest permits the Borough Clerk to issue filming permits under certain guidelines ; and

WHEREAS, an application was received for a film permit for 287 County Rd. in Demarest; and

WHEREAS, the Borough Clerk denied the application for filming from the hours of 7:30 am – 8:30 pm on April 15, 2024 and April 16, 2024 per the regulations in Chapter 96; and

WHEREAS, Borough Ordinance allows for an appeal of the denial to the Mayor and Council; and

WHEREAS, the applicant as filed such an appeal in accordance with Borough Code and the Mayor and Council has considered such appeal;

NOW THEREFORE, BE IT RESOLVED, by the Borough of Demarest that the denial of the Acting Borough Clerk is hereby _____ and the permit for Saturday filming shall _____ be issued by the Acting Borough Clerk.

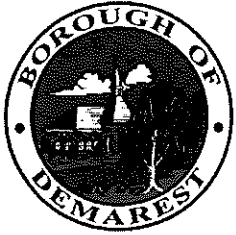
APPROVED:

Mayor Brian Bernstein

CERTIFICATION

I, Julie Falkenstern, Acting Borough 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 April 8, 2024

Julie Falkenstern, Acting Borough Clerk



BOROUGH OF DEMAREST

118 SERPENTINE ROAD, DEMAREST, NJ 07627
(201) 768-0167 x147

Julie Falkenstern
Borough Clerk
boroadmin@demarestnj.gov

FILM PERMIT APPLICATION

A completed and approved permit is required for all filming. This permit must be available for inspection throughout the filming process.

Production Contact: Kat Delaney

Production Company: Millerbymarriage LLC

Production Company Address: 2500 Plaza 5, Harborside Financial Center,, New Jersey

City _____ State _____ Zip Code _____

Phone: 917.209.3977 Email: katherine Delaney

Filming Date(s): Monday April 15th & Tuesday April 16th

Hours of Filming: Shoot Day 1 approx. 7:30a-8:30p, Shoot Day 2 approx.

Filming Location: 287 County Road

Private Land Public Land

**Please supply written proof of owners permission if filming on private land, evidence that neighboring properties have consented to the filming encouraged but not required.*

Scene(s) to be filmed (please describe accurately): Couple arrives for a weekend at thei
They have a dinner party, talk, fight, take phone calls and make up.

Describe use of animals, firearms, special effects, simulated violence, and/or unusual scenes: use of marajuana cigarette on screen / prop "joint" to be used

List Production Equipment: Camera and sound equipment, Lights, stands, flags, sand
equipment carts, hair and make up kits, wadrobe and wardrobe racks/ steamers. Video
and set chairs. Van generator and cable for lights.

Number of Cast: 8 Number of Crew: 50

Number of Vehicles:
Automobiles: 40 Trucks: 6 Other Vehicles: 1 camp

License Plates, Make, Model & Issuing State of All Vehicles:
& 1 food trucks LP/Truck information forthcoming (we are using rentals and need to pick
the up first) Vehicles and crew cars to be parked at St. Joseph's. Crew Catering @ SJ.

Will any street closures be required? List all streets and approximate times of closure:

No

Type of Project: (Please check one of the following)

- Feature Film Television Series Mini-Series
- T.V. Movies Music Video Documentary
- Short Film Commercial Other _____
- Non-profit Student Film

Title of Project: (If commercial, identify product; if music video, identify band and song name)

Miller By Marriage

Producer: Ellen Schwarts

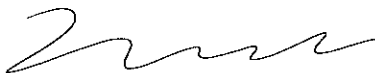
Director: Edward Burns

Location Manager: Katherine Delaney

Prod. Manager: Jamie Buckner

Applicant agrees to comply with all rules and restrictions set forth by the code of the Borough of Demarest, Chapter 96 Filming, Motion-Picture, and Television. Failure to comply with any permit requirements or conditions may result in revocation without refund of permit fees.

03/29/24



Location Manager

Date

Authorized Signature

Title

FEES: Private Property:

\$500 per day for each day or part thereof

Public Land:

\$1,000 per day for each day or part thereof

Non-Profit/Student Film: \$25 per day for each day or part thereof

INSURANCE: No permit shall be issued for filming upon public lands within the Borough of Demarest unless the applicant for such permit:

- (1) Provides proof of insurance coverage as follows: for bodily injury for any one person in the amount of \$500,000 and for any aggregate occurrence in the amount of \$1,000,000.
- (2) Agrees in writing to indemnify and hold harmless the Borough of Demarest from any and all liability or damages from the use of such public lands.

****OFFICIAL USE ONLY****

Application Received: _____

Payment: _____

Approved by: _____

Date: _____

Resolution of the Demarest Governing Body

Resolution No. 084-24

April 8, 2024

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

TITLE: A RESOLUTION OF THE BOROUGH OF DEMAREST, IN THE COUNTY OF BERGEN, AND STATE OF NEW JERSEY, AUTHORIZING AND DIRECTING THE BOROUGH PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREAS CAN BE DESIGNATED AS "AREAS IN NEED OF REDEVELOPMENT" PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.

=====

WHEREAS, the Borough of Demarest (the "Borough") has identified the properties designated as Block 23, Lots 15, 16, and 17.01 and Block 49.01, Lots 43.01, 43.02, 44, 45, 47.02 on the Tax Map of the Borough of Demarest (the "Redevelopment Area") to be considered for designation as an "area in need of redevelopment" pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 49A:12A-2 et. seq.; and

WHEREAS, pursuant to the required redevelopment procedures specifically set forth in N.J.S.A. 49A:12A-6, no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting criteria set forth in N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, the New Jersey Legislature adopted, and the Governor signed P.L. 2013, Chapter 159, which amended the Redevelopment Law, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, pursuant to P.L. 2013, Chapter 159, "[t]he resolution authorizing the Planning Board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condensation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a "Condensation Redevelopment Area"); and

WHEREAS, it is in the best interest of the Borough to authorize the Planning Board to undertake a preliminary investigation of the Redevelopment Area and to use all of those powers provided by the Legislature for use in a Non-Condensation Redevelopment Area; and

WHEREAS, the Borough's planner, Colliers Engineering & Design, has submitted a proposal for Professional Planning Services to provide professional planning services to prepare a Non-Condensation Area in Need of Redevelopment Study for Block 23, Lots 15, 16, and 17.01 and Block 49.01, Lots 43.01, 43.02, 44, 45, 47.02 on the Tax Map of the Borough of Demarest for a fee of Ten Thousand Four Hundred Ninety Five Dollars (\$10,495.00); and

WHEREAS, the Mayor and Borough Council find it to be in the best interest of the Borough to authorize the Planning Board to undertake such preliminary investigation of the Redevelopment Area as a Non-Condensation Redevelopment Area.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Demarest, County of Bergen, and State of New Jersey, that it hereby directs and authorizes the Planning Board of the Borough of Demarest to determine whether the property known as Block 23, Lots 15, 16, and 17.01 and Block 49.01, Lots 43.01, 43.02, 44, 45, 47.02 on the Tax Map of the Borough of Demarest qualifies as a Non-Condensation Area in Need of Redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A: 12A-1, et. seq.; and

BE IT FURTHER RESOLVED, the prior to the public hearing, as part of its preliminary investigation, the Planning Board shall prepare a map showing the boundaries of the proposed redevelopment areas and the location of the various parcels contained herein; and

BE IT FURTHER RESOLVED, that the Planning Board shall specify a date for and give notice of the public hearing for the purpose of hearing persons who are interested in or would be affected by the determination of the Study Area as a Non-Condensation Area in Need of Redevelopment; and

BE IT FURTHER RESOLVED, that the Hearing Notice shall set forth the boundaries of the Study Area and state that a map has been prepared and can be inspected at the Office of the Borough Clerk, and that a copy of the notice shall be published in an official newspaper as previously designated by the Borough Clerk, once a week for two consecutive weeks, and the last publication shall not be less than ten (10) days prior to the date set for the hearing, and that a copy of the notice shall be mailed ten (10) days prior to the date set for the hearing to property owners of each parcel of property within the Study Area, and within 200-feet of the Study Area, according to the assessment records of the Borough of Demarest, as well as person at their last known address, if any, whose names re noted on the assessment records as claimants of the interest of any such parcel; and

BE IT FURTHER RESOLVED, that the Planning Board shall make a recommendation to the Mayor and Borough Council in the form of a report as to whether the Borough should designate all or part of the Study Areas as Non-Condensation Redevelopment Areas, with supporting documentation; and

BE IT FURTHER RESOLVED, that Colliers Engineering & Design's proposal for Professional Planning Services to provide professional planning services to prepare a Non-Condensation Area in Need of Redevelopment Study for Block 23, Lots 15, 16, and 17.01 and Block 49.01, Lots 43.01, 43.02, 44, 45, 47.02 on the Tax Map of the Borough of Demarest is hereby accepted and the Mayor is hereby authorized to sign the proposal; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be available for public inspection at the office of the Borough Clerk and a certified copy of this Resolution is to be forwarded to the Planning Board.

APPROVED:

Mayor Brian Bernstein

CERTIFICATION OF AVAILABLE FUNDS

I, Peter Suh, do hereby certify the availability of funds for the expenditure set forth above and herein to Colliers Engineering and Design.

Peter Suh, CFO

CERTIFICATION

I, Julie Falkenstern, Acting Borough 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 April 8, 2024

Julie Falkenstern, Acting Borough Clerk

Resolution of the Demarest Governing Body

Resolution No. 085-24

April 8, 2024

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

TITLE: SPECIAL EMERGENCY APPROPRIATION- PREPARATION OF A TAX MAP

=====

WHEREAS, an ordinance has been introduced creating a special emergency appropriation of \$75,000 to meet certain extraordinary expenses to be incurred for the engagement of the Township Engineer for the preparation of a tax map, and N.J.S.A. 40A:4-53 provides for the creation of a special emergency appropriation for the purpose above mentioned, and

WHEREAS, the total amount of the special emergency appropriation created including the appropriation to be created by this resolution is: \$75,000

NOW, THEREFORE, BE IT RESOLVED by the Township Committee, of the Township of South Hackensack in the County of Bergen, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring) as follows:

1. A Special Emergency Appropriation be and the same is hereby made for:
Preparation of a Tax Map: \$75,000
2. Total amount of the resolution and ordinance is for \$75,000 and the Township of South Hackensack hereby requests that an exclusion from the "CAP" be granted by the Director of Local Government Services in accordance with P.L. 1981, Chapter 56, in the amount of \$15,000 per year in the budgets of the next five succeeding years commencing with the budget of 2023 in accordance with 40A:4-55(c).
3. That a special emergency note be authorized not in excess of \$75,000, the amount appropriated by ordinance as stated above.
4. That said note may be renewed from time to time and at least 1/5 of all such notes and renewals thereof shall mature and be paid in each year thereafter until all are paid.
5. The Mayor and Chief Financial Officer is hereby authorized to execute said notes, and the Township Clerk is hereby authorized to affix the seal of the Township to such notes and to

attest such seal and said notes, and said officers are hereby authorized to issue said notes in such form as they may adopt in conformity with law and to recite therein that all requirements and conditions of law have been complied with in the issuance of said notes, and that said notes are within every debt and other limit prescribed by the Constitution or statutes of New Jersey.

6. The Chief Financial Officer is hereby authorized to sell said notes and any renewals thereof from time to time, at not less than par and accrued interest and to determine within the limitations prescribed by this resolution, the date, principal amount, maturity date, and denomination of said notes, and the rate of interest said notes shall bear and to deliver such notes upon receiving the purchase price to be paid therefore.
7. That two (2) certified copies of this Resolution be filed with the Director of the Division of Local Government Services.
8. This resolution shall take effect immediately.

APPROVED:

Mayor Brian Bernstein

CERTIFICATION

I, Julie Falkenstern, Acting Borough 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 April 8, 2024

Julie Falkenstern, Acting Borough Clerk

Resolution of the Demarest Governing Body

Resolution No. 086-24

April 8, 2024

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

TITLE: APPROVAL TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF BERGEN FOR INTERSECTION IMPROVEMENT AND RE-SIGNALIZATION OF COUNTY ROAD AND HARDENBURGH AVENUE

=====

WHEREAS, the Borough of Demarest and the County of Bergen share responsibility for the signaling of traffic at the intersection of two County Roads located in the Borough of Demarest, specifically County Road & Hardenburgh Avenue; and

WHEREAS, the Borough of Demarest and the County of Bergen have determined that the signaling of traffic at such intersection requires improvement and re-signalization to improve safety; and

WHEREAS, in cooperation with the County of Bergen, the Borough of Demarest previously engaged the Borough of Demarest’s Special Projects Engineer, Neglia Engineering to conduct traffic studies and create engineering designs which have submitted to the County of Bergen Engineering Department; and

WHEREAS, an agreement is necessary to delineate the responsibilities of the County of Bergen and the Borough of Demarest for the intersection improvement and re-signalization of County Road & Hardenburgh Avenue; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Demarest is hereby authorized to enter into an agreement with the County of Bergen with the following conditions:

RESPONSIBILITIES:

- a. **COUNTY OF BERGEN:** The County of Bergen is solely responsible for the performance and cost of the following:
 - 1. Design the intersection layout including road alignment, lane configuration, traffic signal design, electrical plans, and signing and striping plans, in accordance

with all applicable Federal, State and County guidelines. Consideration will be given to municipal input in the design process.

2. Prepare the bid specifications for the intersection improvement project.
3. Review and approve the final construction drawings, advertise for bids, award construction contracts, and make payments to the contractor.
4. Undertake the construction and signalization of the intersection of County Road & Hardenburgh Avenue in accordance with the design plans.
5. Perform construction management and inspection.
6. Upon project completion and acceptance of the intersection improvement project, maintain all traffic signs (other than parking signs) and pavement markings on the County Road and Borough road approaches within the limits shown on the plan.
7. Upon completion and acceptance of traffic signal, own, operate and maintain the traffic signal system.
8. The County will only install topsoil/grass seed or macadam within disturbed areas of the existing and proposed easements or rights-of-way within the project limits.

b. **BOROUGH OF DEMAREST:** The Borough of Demarest is solely responsible for the performance and cost of the following:

1. Perform all necessary survey and field work, certified by a licensed surveyor, for the preparation of the topographic plan which shall be submitted to the County, in AutoCAD format, for its use in designing the project. Also perform all necessary survey and field work required for the relocation of the utility poles prior to the curb sets.
2. Provide the County with individual acquisition maps showing the land to be acquired, together with description of same.
3. Acquire any necessary property, slope rights, temporary and permanent construction easements, as well as any rights of entry, in the name of the municipality, and, if necessary, convey same to the County.
4. Prepare final construction plans based on the field survey and the County's conceptual design plans. Reproduce sets of the construction plans and specifications, as requested by the County, for bidding and for contractor use. Documents shall be of a suitable quality and size as requested by the County.
5. Prepare and submit plans and application fee to Bergen County Soil Conservation District for Soil Erosion and Sediment Control permit as required for the project. Obtain all other permits required to perform the project.
6. Be responsible for restoration, modification, alteration, relocation or removal of any appurtenances located within the easements or rights-of-way, including but not limited to landscaping, planters, walls, fences, signs, building structures, awnings, underground storage tanks, utilities, fire hydrants, monitoring wells, parking lots, etc.
7. If any structure within and/or adjacent to the easement or right-of-way is not currently in compliance with the High Voltage Proximity Act or would not be in compliance with the High Voltage Proximity Act as measured from the existing and/or proposed overhead utility line location, the structures shall be relocated so that they will be in compliance with the High Voltage Proximity Act (NJSA 34:6-47.1 (b), "High voltage lines; and NJSA 34:6-4.2 Prohibited Activity).
8. If stamped crosswalks are used, the Borough is responsible for the difference in cost between textured bituminous concrete surface course (crosswalks) and bituminous concrete surface. The cost of proposed sidewalk (concrete or

decorative) in areas that do not currently have sidewalk is the responsibility of the Borough.

9. If any type of enhanced sidewalk design is used including scored concrete, brick pavers, etc., the difference in cost between enhanced sidewalk and concrete sidewalk is the responsibility of the Borough.
10. If decorative (powder coated or otherwise) traffic signal poles are used, the difference in cost between standard steel traffic signal poles and arms, and decorative steel poles and arms is a municipal responsibility. The municipality is also required to stock replacement decorative poles and arms in the event of an emergency repair.
11. Own and maintain any shade trees placed within the easements or rights-of-way. The County prefers that trees be placed outside of the rights-of-way.
12. Provide uniform police officers, at the Borough's sole expense, for the maintenance and protection of traffic in accordance with the following;
 - a. It is mandatory to have municipal police present when intersecting roadways cannot be fully closed to traffic during the following construction phases: Installation of underground traffic signal conduit in the intersection; installation of underground storm-water drainage systems in the intersection; installation of new overhead traffic signal hardware or removal of existing traffic signal hardware; performing work within 100' of a signalized intersection; pavement milling operations; final paving operations; signal "turn-on".
 - b. The municipality shall provide police when the Chief of Police deems their presence necessary on any County or Municipal road or signalized intersection within the municipality, either during construction, or continued maintenance by the County or the County's contractors.
 - c. The municipality shall provide police when requested by the County Engineering Division.
13. The Americans with Disabilities Act Accessibility Guidelines require all pedestrian facilities within the project scope to be reconstructed in strict compliance with ADA guidelines. The municipality agrees to provide signed and sealed handicap ramp plans to be incorporated into the construction plans, as well as signed and sealed County "Compliant Design Certification" forms. Upon completion of the intersection improvement project, the municipality agrees to provide signed and sealed "as-built" plans for the handicap ramps, and County "Compliant Construction Certification" forms. The municipality also acknowledges and agrees that, per State Statute, ownership and maintenance of the sidewalk, handicap ramps, and curbs are the responsibility of the municipality. The municipality shall hold the County harmless with respect to any action arising out of the design and construction of the municipality's sidewalks, handicap ramps and curbs.
14. Own and maintain any island constructed within the intersection, with the exception of any traffic signal equipment, which will be maintained by the County. Per state statute, the County is only responsible for road maintenance from curb face to curb face.
15. Provide the County with any survey information necessary for the construction layout of the intersection, as well as provide "as-built" construction plans (including the signing and striping) at project completion.
16. Adopt by ordinance the necessary traffic regulations as determined by the finalized intersection layout and traffic signal plans. The municipality agrees to submit a certified copy of the ordinance, resolution, and/or regulations to the County.

17. Grant permission to the County to install, maintain, and repair any portion of the traffic signal equipment located in or adjacent to the intersection.
18. Maintain all parking regulatory signs on the County and Borough road approaches to the intersection. The Borough will require the property owner to maintain the one way, stop, turn prohibitions, and do not enter signs on the commercial driveway approaches (the County will maintain the far side turn prohibition signs).
19. Provide continued electrical power for traffic signals and street lights.
20. Conduct a street lighting survey and provide additional lighting facilities, as indicated by the survey.
21. Provide to the County, prior to the construction contract award, the funding necessary for any construction items deemed to be a municipal responsibility, either in accordance with the responsibilities outlined above or as deemed by the County Engineer if items are not addressed herein. The cost estimate of same will be as determined by the Engineer's estimate. Upon knowing final project costs and the actual municipal share of the project, the municipality shall either provide additional funding to the County to cover the actual cost of items that are municipal responsibility, or be reimbursed the difference between actual cost and the estimated cost for municipal items if actual costs were less than estimated costs.
22. The municipality's design engineer shall be available through the bidding process and completion of construction in order to address design related issues that may arise, including but not limited to: design related Requests for Information (RFI's) from potential bidders or the contractor; field conflicts; field modifications; design changes, etc.

BE IT FURTHER RESOLVED, that this agreement is contingent upon receipt of a concurring resolution from the County of Bergen; and

BE IT FURTHER RESOLVED, that upon receipt of said concurring resolution, the Mayor be and is hereby authorized to execute the necessary agreement in a form to be prepared by Bergen County Counsel and approved by the Borough Attorney.

APPROVED:

Mayor Brian Bernstein

CERTIFICATION

I, Julie Falkenstern, Acting Borough 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 April 8, 2024

Julie Falkenstern, Acting Borough Clerk

Resolution of the Demarest Governing Body

Resolution No. 088 -24

April 8, 2024

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

TITLE: PAYMENT OF BILLS

=====

BE IT RESOLVED, by the Mayor and Council of the Borough of Demarest that the following bills in the sum of \$ 1,093,759.61 on bill list dated April 4, 2024 have been approved and authorized for payment and the that the Mayor, Borough Clerk and Borough Treasurer are hereby authorized to issue warrants in payment of same.

APPROVED:

Mayor Brian Bernstein

CERTIFICATION

I, Julie Falkenstern, Acting Borough 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 April 8, 2024

Julie Falkenstern, Acting Borough Clerk

P.O. Type: All
 Range: First
 Format: Condensed
 Vendors: All
 Rcvd Batch Id Range: First to Last

Include Project Line Items: Yes
 to Last
 Paid Date Range: 03/27/24 to 12/31/24
 Include Non-Budgeted: Y

Open: N
 Rcvd: Y
 Bid: Y

Paid: Y
 Held: N
 State: Y

Void: N
 Aprv: N
 Other: Y
 Exempt: Y

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
200CL005	200 CLUB	24-00261	04/02/24	Annual Dues	Open	250.00	0.00		
AAAEM005	AAA EMERGENCY SUPPLY CO INC	24-00224	03/25/24	AIRPAK TEST	Open	202.64	0.00		
AGLWE005	AGL WELDING SUPPLY CO., INC.	24-00243	03/28/24	ARGON INDUSTRIAL	Open	153.41	0.00		
AMGRA005	AM GRAPHICS CO INC	24-00235	03/28/24	BUSINESS CARDS PAUL SCHMIDIG	Open	85.00	0.00		
ANJEC005	ANJEC	24-00219	03/25/24	2024 ANNUAL MEMBERSHIP	Open	425.00	0.00		
BELLA010	BELLAIRE CONDOMINIUM ASSOCIATI	24-00241	03/28/24	4th Qtr 2023 Trash removal	Open	4,757.45	0.00		
BERGE175	BERGEN COUNTY ASSOCIATION OF A	24-00218	03/25/24	DUES FOR MEMBERSHIP	Open	130.00	0.00		
COLLI010	COLLIERS ENGINEERING & DESIGN	24-00249	04/02/24	DEP0164 95 COUNTY ROAD	Open	185.00	0.00		
		24-00250	04/02/24	DEP0164 95 COUNTY ROAD	Open	693.75	0.00		
		24-00251	04/02/24	DEZ0035 77 PINE TERRACE	Open	2,745.00	0.00		
		24-00252	04/02/24	DEP0171 127-129 HARDENBURG AVE	Open	135.00	0.00		
		24-00253	04/02/24	DEP0171 127-129 HARDENBURG AVE	Open	317.50	0.00		
		24-00254	04/02/24	DEP0171 127-129 HARDENBURG AVE	Open	138.75	0.00		
		24-00255	04/02/24	DEP0171A 127 HARDENBURGH AVE	Open	1,577.50	0.00		
		24-00256	04/02/24	DEP0171A 127 HARDENBURGH AVE	Open	2,960.00	0.00		
		24-00257	04/02/24	DEP084 9 BRENNER PLACE	Open	664.00	0.00		
		24-00258	04/02/24	DEB001A GENERAL PLANNING	Open	878.75	0.00		
		24-00262	04/02/24	DEZ0040 63 CENTRAL AVE	Open	192.50	0.00		
		24-00263	04/02/24	DEZ0039 74 PINE TERRACE	Open	625.00	0.00		
		24-00276	04/04/24	DEZ0037 38 SUNSET ROAD	Open	1,208.75	0.00		
		24-00277	04/04/24	DEP0171A 127 HARDENBURGH AVE	Open	293.75	0.00		
		24-00278	04/04/24	DEZ0040 63 CENTRAL AVE	Open	1,630.00	0.00		
		24-00279	04/04/24	DEZ0039 74 PINE TERRACE	Open	1,180.00	0.00		
		24-00280	04/04/24	DEP0195 ROSS AVENUE PSEG ROAD	Open	92.50	0.00		
		24-00281	04/04/24	DEP0194 BLANCHE AVE PSEG ROAD	Open	92.50	0.00		
		24-00282	04/04/24	DEB0063 2024 GENERAL ENGINEER	Open	2,627.50	0.00		
		24-00283	04/04/24	DEB041B NJDEP VIOLATIONS DPW C	Open	1,738.75	0.00		
						19,976.50			
DECAR005	DECARLO TREE MASTERS	24-00268	04/03/24	Tree Removal&StumpGrinding	Open	5,325.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
DECOT005	DECOTIIS, FITZPATRICK, COLE &	24-00265	04/02/24	blanket po 2024	Open	11,787.02	0.00		B
DEMAR095	DEMAREST GARDEN CLUB	24-00220	03/25/24	MEMORIAL DAY PLANTINGS	Open	425.00	0.00		
EPICS005	EPIC SIGNS AND AWNINGS LLC	24-00248	04/02/24	2ND HLAF (FINAL) PAYMENT	Open	1,233.13	0.00		
GFOA005	GFOA OF NJ	24-00275	04/04/24	2024 ANNUAL FALL CONFERENCE	Open	550.00	0.00		
IMPAC005	IMPAC FLEET	24-00216	03/25/24	I#SQLIM-927136 Fuel Feb 2024	Open	6,292.15	0.00		
		24-00266	04/02/24	I#SQLIM-942682 March 2024 Fuel	Open	6,239.11	0.00		
						<u>12,531.26</u>			
LAWOF015	LAW OFFICES OF MARK D. MADAIO	24-00242	03/28/24	BOARD OF ADJ MEETING	Open	250.00	0.00		
MICHA005	MICHAEL SHIELDS	24-00221	03/25/24	APRIL REIMBURSEMENT FOR PERS	Open	3,797.32	0.00		
MUNID005	MUNIDEX INC	24-00225	03/26/24	MAINT PET LICENSE,VITAL STATS	Open	1,150.00	0.00		
		24-00226	03/26/24	SOFTWARE MAINT FINANCE PACKAGE	Open	14,094.00	0.00		
		24-00227	03/26/24	2023 MAINT PET LIC,VITAL STATS	Open	1,128.00	0.00		
						<u>16,372.00</u>			
NJDEP005	NJ DEPT OF HEALTH	24-00269	04/04/24	MARCH MONTHLY DOG LICENSE	Open	171.00	0.00		
NJSHB005	NJSHBP	24-00274	04/04/24	JAN2024 PAYMENT	Open	78,666.51	0.00		
NORTH070	NORTHERN VALLEY ELEC CO INC	24-00223	03/25/24	REPLACE OUTLETS EMS BUILDING	Open	349.00	0.00		
ONECA005	ONE CALL CONCEPTS	24-00247	04/01/24	MARCH2024 payment	Open	14.30	0.00		
PETER040	PETER SUH	24-00231	03/28/24	AMAZON REIMBURSEMENT	Open	157.17	0.00		
		24-00245	04/01/24	STAPLERS	Open	47.60	0.00		
		24-00246	04/01/24	AMAZON ORDER	Open	45.02	0.00		
						<u>249.79</u>			
PUBLI005	PUBLIC SERVICE GAS & ELECTRIC	24-00240	03/28/24	A#6532685801 March 2024	Open	239.16	0.00		
QUADI010	QUADIENT FINANCE USA, INC.	24-00222	03/25/24	A#7900044919169213 Postage	Open	600.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
RAYSL005	RAY SLAMAN ARBORIST	24-00285	04/04/24	arborist duck pond inspection	Open	420.00	0.00		
READY005	READYREFRESH BY NESTLE	24-00232	03/28/24	I#04C0444045116 2/15-3/14/24	Open	193.65	0.00		
SAFEK005	SAFE KIDS WORLDWIDE	24-00028	03/06/24	CERT COURSE REGISTRATION FEE	Open	95.00	0.00		
STAPL005	STAPLES BUSINESS ADVANTAGE	24-00264	04/02/24	BORO/PD SUPPLIES	Open	1,016.22	0.00		
STATE010	STATE OF N.J. DIVISION OF	24-00272	04/04/24	PFRS PAYMENT	Open	691,272.00	0.00		
		24-00273	04/04/24	PERS PAYMENT	Open	235,285.00	0.00		
						<u>926,557.00</u>			
STATE040	STATE OF NEW JERSEY	24-00267	04/03/24	EIN#0-226-001-746/000-00 9-30	Open	1,036.00	0.00		
SY6TR005	SY6 TRAINING LLC	24-00214	03/25/24	TACTICAL BCON	Open	725.00	0.00		
		24-00215	03/25/24	SY6 MEDICAL IFAK	Open	433.50	0.00		
						<u>1,158.50</u>			
TMOBI005	T-MOBILE	24-00284	04/04/24	A#990625644 02/21-03/20/24	Open	460.16	0.00		
TREAS020	TREASURER, STATE OF NEW JERSEY	24-00270	04/04/24	1ST QTR MARRIAGE REPORT	Open	25.00	0.00		
ULINE005	ULINE SHIPPING SUPPLY	24-00244	03/28/24	TWO WAY RADIOS SET	Open	74.85	0.00		
VERIZ030	VERIZON (CALL FORWARDING)	24-00234	03/28/24	A#755-939-643-0001-08 dtd 3/17	Open	164.14	0.00		
VERIZ045	VERIZON - FIRE -INTERNET	24-00260	04/02/24	March 26-April 25 Internet	Open	274.00	0.00		
VINCE015	VINCENT SIGNS & LETTERING	24-00217	03/25/24	18X24 SIGNS	Open	160.00	0.00		
WEINE005	WEINER LAW GROUP	24-00233	03/28/24	SPECIAL COUNSEL AH	Open	2,476.50	0.00		
WHALE005	WHALEN & IVES	24-00236	03/28/24	NO HEAT DPW BUILDING	Open	90.00	0.00		
		24-00237	03/28/24	SERVICE REPAIR SUPPLY DUCT	Open	857.00	0.00		
		24-00238	03/28/24	MSC COOLING AIR FILTER	Open	72.00	0.00		
		24-00239	03/28/24	AIR FILTER MATERIALS	Open	89.10	0.00		
						<u>1,108.10</u>			

Vendor #	Name						
PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type

Total Purchase Orders:	68	Total P.O. Line Items:	0	Total List Amount:	1,093,759.61	Total Void Amount:	0.00
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Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
	4-01	1,076,565.61	0.00	0.00	1,076,565.61
	4-05	0.00	0.00	171.00	171.00
	4-12	0.00	0.00	2,476.50	2,476.50
Year Total:		1,076,565.61	0.00	2,647.50	1,079,213.11
	T-13	14,546.50	0.00	0.00	14,546.50
Total of All Funds:		1,091,112.11	0.00	2,647.50	1,093,759.61
