

**MAYOR AND COUNCIL  
BOROUGH OF DEMAREST**

**REGULAR MEETING AGENDA**

**August 8, 2016**

The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this regular meeting in the annual schedule and notice of regular meetings of this Governing Body. Such annual schedule and notice of regular meetings is posted at Borough Hall, was mailed to the Record and Star Ledger and was filed with the Borough Clerk of Demarest on December 28, 2015.

1. Pledge of Allegiance
2. Roll Call
3. Adoption of Agenda
4. **Review of Consent Agenda Items:** All items with an asterisk are considered to be non-controversial by the Council and will be approved by one motion. There may be further discussion prior to the vote upon request of a member of the public or a Council member. Also, any item may be removed for further discussion or for roll call vote in which case the item will be removed and considered in its normal sequence as part of the general order of business.

**Resolutions**

5. Resolution authorizing the 2015 veteran deduction for 42 Prescott St.\*
6. Resolution authorizing the planning board to conduct study on redevelopment areas\*
7. Resolution authorizing the 2015 LOSAP contribution for Ambulance Corps\*
8. Resolution authorizing the 2015 LOSAP contribution for the fire department\*
9. Resolution approving the dedication by rider for storm recovery\*
10. Resolution cancelling unexpended balances of grant reserves and other misc reserves\*
11. Motion to approve the councils receipt and review of the 2015 Audit\*
12. Request to remove items from Consent Agenda
13. Discussion on items removed from Consent Agenda
14. Motion to open the meeting to the Public
15. Motion to close meeting to Public on Consent Agenda items only
16. Motion approving Consent Agenda items 5-11
  
17. Meeting Open to the Public
18. Closed Session
19. Adjournment

**EXECUTIVE MEETING**

**DATE August 8, 2016**

**ROLL CALL**

Adoption of Agenda

**BOROUGH ATTORNEY'S REPORT**

**BOROUGH ENGINEER'S REPORT**

**BOROUGH TREASURER'S REPORT**

**BOROUGH COORDINATOR'S REPORT**

**PENDING ITEMS**

- |  |                |
|--|----------------|
| 1. Bogert Rd – additional work                   | <u>Council</u> |
| 2. Margaret Court                                | <u>Council</u> |
| 3. 354 Hardenburgh Avenue – zoning issue         | <u>Council</u> |
| 4. Charging Stations – Grant                     | <u>Council</u> |
| 5. Applications for Community Development grants | <u>Council</u> |
| 6. New construction ordinance                    | <u>Mayor</u>   |
| 7. Miele Sanitation                              | <u>Mayor</u>   |
| 8. Shade Tree Ordinance                          | <u>Mayor</u>   |
| 9. Bergen Amazing Race                           | <u>Mayor</u>   |

**PUBLIC PORTION OF MEETING**

**ADJOURNMENT**

**INTRODUCED:**

**SECONDED:**

**BOROUGH OF DEMAREST  
BERGEN COUNTY, NEW JERSEY**

**RESOLUTION AUTHORIZING THE 2015  
\$250 WIDOW OF A VETERAN DEDUCTION FOR  
VIVIEN WOODFORD'S PROPERTY AT 42 PRESCOTT ST**

**WHEREAS**, Vivien Woodford & Richard Hall Tedford were owners & residents of the property at 42 Prescott St in Demarest and the property qualified for the \$250 Veteran's Deduction since Mr. Hall was a veteran of the U.S. military; and

**WHEREAS**, the deduction was incorrectly eliminated when Mr. Hall died in 2011; and

**WHEREAS**, the Borough made adjustments to allow for the Widow of a Veteran deduction for the years 2012, 2013 & 2014 but not for 2015; and

**WHEREAS**, the Borough reinstated the Widow of a Veteran deduction for 2016;

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Demarest that the \$250 Veteran's deduction for 2015 be granted to Vivien's Woodford property at 42 Prescott St via a refund.

	YES	NO	ABSTAIN/ABSENT
Gray:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Davis:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Connolly:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fox:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Iannuzzi:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paster:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I, Susan Crosman, Borough Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Mayor and council at a meeting held on August 8, 2016.

\_\_\_\_\_  
Susan Crosman, RMC  
Borough Clerk/Coordinator

**INTRODUCED:**

**SECONDED:**

**RESOLUTION OF THE BOROUGH OF DEMAREST AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE BOROUGH OF DEMAREST TO CONDUCT A PRELIMINARY INVESTIGATION TO EXAMINE WHETHER CERTAIN PROPERTY WITHIN THE BOROUGH OF DEMAREST, SHOULD BE DETERMINED TO BE AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.**

**WHEREAS**, the Borough of Demarest (the "Borough") has identified certain property within the Borough designated as Block 23, Lots: 9, 10, 12, 13, 14, 15, 16, and 17.01; Block 49.01, Lots: 47.01, 47.02, 43.01, 43.02, 44, and 45, as delineated on the official tax map of the Borough (the "Study Area"), to be considered for designation as a non-condemnation "area in need of redevelopment", pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

**WHEREAS**, before an area may be declared in need of redevelopment, it is legally necessary for the adoption of a resolution authorizing the Planning Board of the Borough to undertake a preliminary study to determine whether the proposed area meets the criteria for designation as a redevelopment area pursuant to N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Borough desires that the Borough Planning Board undertake an examination as to whether the Study Area, may be deemed "an area in need of redevelopment"; and

**WHEREAS**, the Borough hereby states that any redevelopment area determination shall authorize the municipality to use all those powers provided by the Local Redevelopment and Housing Law for use in a redevelopment area; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Demarest that the Borough Planning Board is hereby directed and authorized to examine whether the property comprising of Block 23, Lots: 9, 10, 12, 13, 14, 15, 16, and 17.01; Block 49.01, Lots: 47.01, 47.02, 43.01, 43.02, 44, and 45, as delineated on the official tax map attached hereto and made part of this resolution, should be determined a non-condemnation "area in need of redevelopment" pursuant to Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

**BE IT FURTHER RESOLVED THAT** the Borough hereby states that any redevelopment area determination shall authorize the municipality to use all those powers provided by the Local Redevelopment and Housing Law for use in a redevelopment area.

**BE IT FURTHER RESOLVED THAT** the Borough Planning Board shall undertake such an investigation in accordance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., including but not limited to issuing all required notices and conducting a public hearing, and shall thereafter submit its report and recommendation to the Borough Council.

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately.

	YES	NO	ABSTAIN/ABSENT
Gray:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Davis:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Connolly:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fox:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Iannuzzi:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paster:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I, Susan Crosman, Borough Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Mayor and council at a meeting held August 8, 2016.

---

Susan Crosman, RMC  
Borough Clerk/Coordinator

**INTRODUCED:**

**SECONDED:**

**BOROUGH OF DEMAREST  
BERGEN COUNTY, NEW JERSEY**

**RESOLUTION AUTHORIZING THE 2015  
LENGTH OF SERVICE AWARD PROGRAM (LOSAP) CONTRIBUTION  
FOR THE DEMAREST VOLUNTEER AMBULANCE CORPS.**

**WHEREAS**, each year, emergency service organizations participating in LOSAP must certify to the sponsoring agency an annual list of all volunteer members who have qualified for credit under the LOSAP for the prior year; and

**WHEREAS**, upon receipt of the certification, the sponsoring agency must review it and approve the final certification; and

**WHEREAS**, the Demarest Volunteer Ambulance Corps. has provided a list of members who are eligible to receive LOSAP awards for the 2015 calendar year;

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Demarest that the attached list of Demarest Volunteer Ambulance Corps. members for the year 2015 be and is hereby approved.

	YES	NO	ABSTAIN/ABSENT
Gray:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Davis:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Connolly:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fox:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Iannuzzi:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paster:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I, Susan Crosman, Borough Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Mayor and council at a meeting held August 8, 2016.

\_\_\_\_\_  
Susan Crosman, RMC  
Borough Clerk/Coordinator

**INTRODUCED:**

**SECONDED:**

**BOROUGH OF DEMAREST  
BERGEN COUNTY, NEW JERSEY**

**RESOLUTION AUTHORIZING THE 2015  
LENGTH OF SERVICE AWARD PROGRAM (LOSAP) CONTRIBUTION  
FOR THE DEMAREST FIRE DEPARTMENT**

**WHEREAS**, each year, emergency service organizations participating in LOSAP must certify to the sponsoring agency an annual list of all volunteer members who have qualified for credit under the LOSAP for the prior year; and

**WHEREAS**, upon receipt of the certification, the sponsoring agency must review it and approve the final certification; and

**WHEREAS**, the Demarest Fire Department has provided a list of members who are eligible to receive LOSAP awards for the 2015 calendar year;

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Demarest that the attached list of Demarest Fire Department members for the year 2015 be and is hereby approved.

	YES	NO	ABSTAIN/ABSENT
Gray:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Davis:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Connolly:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fox:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Iannuzzi:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paster:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I, Susan Crosman, Borough Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Mayor and council at a meeting held August 8, 2016.

\_\_\_\_\_  
Susan Crosman, RMC  
Borough Clerk/Coordinator

**INTRODUCED:**

**SECONDED:**

**BOROUGH OF DEMAREST  
BERGEN COUNTY, NEW JERSEY**

**RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION  
OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST  
BY RIDER FOR STORM RECOVERY, PURSUANT TO P.L. 2001, C.138**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

**WHEREAS**, P.L. 2001, c.138 permits municipalities to transfer unexpended appropriation balances budgeted annually for future storm recovery expenditures; and

**WHEREAS**, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider;

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Demarest, County of Bergen, State of New Jersey as follows:

1. The Governing Body hereby requests permission of the Director of the Division of Local Government Services to pay expenditures for storm recovery created in accordance with the provisions of P.L. 2001, c.138 as per N.J.S.A. 40A-4-39; and
2. The Borough Clerk is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

	YES	NO	ABSTAIN/ABSENT
Gray:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Davis:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Connolly:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fox:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Iannuzzi:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paster:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I, Susan Crosman, Borough Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Mayor and council at a meeting held August 8, 2016.

---

Susan Crosman, RMC  
Borough Clerk/Coordinator

INTRODUCED:

SECONDED:

**BOROUGH OF DEMAREST  
BERGEN COUNTY, NEW JERSEY**

**Resolution: Cancellation of Unexpended Balances of Appropriated Grant Reserves and Other Miscellaneous Reserves**

**WHEREAS**, certain Appropriated Grant Reserve and Miscellaneous Reserve balances remain unexpended for purposes which have been completed, and

**WHEREAS**, the Borough desires to cancel the unexpended appropriated grant reserve and miscellaneous reserve balances,

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Demarest, that the following balances, be canceled of record:

**Appropriated Grant Reserves**

Domestic Violence Training Program	\$7,437
Body Armor Grant	6,853
Green Communities	963
Drunk Driving Enforcement Fund	1,887
Municipal Alliance Program	8,038

**Miscellaneous Reserves**

Master Plan	\$ 175
DCA Fees/Municipal Enforcement	3,892

	YES	NO	ABSTAIN/ABSENT
Gray:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Davis:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Connolly:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fox:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Iannuzzi:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paster:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I, Susan Crosman, Borough Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Mayor and council at a meeting held August 8, 2016.

\_\_\_\_\_  
Susan Crosman, RMC  
Borough Clerk/Coordinator