

OFFICIAL MINUTES
OF THE
MAYOR AND COUNCIL OF THE BOROUGH OF DEMAREST
BERGEN COUNTY, NEW JERSEY

REGULAR MEETING

JUNE 12, 2006

The meeting was called to order by Mayor Carroll at 8:15 P.M.

Mayor Carroll made the following public announcement and directed the Borough Clerk to enter same in the Minutes of this meeting.

The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied with 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 the Borough Hall, was mailed to the Record and Press Journal and was filed with the Borough Clerk of the Borough of Demarest on December 20, 2005.

PRESENT: B. Bernstein, W. Connelly, T. Connolly, A. Costanzo; Borough Attorney, Borough Engineer, Borough Treasurer, Police Chief,

ABSENT: C. Cardinale, R. Cywinski

The following resolution was offered by Mr. Connolly seconded by Mr. Bernstein.

WHEREAS, the Borough of Demarest has endeavored to improve and restore the landmark Duck Pond fed by the Tenakill Brook, with one component thereof having been dredging of the Duck Pond to remove excess soil deposits; and

WHEREAS, the Borough now seeks to deposit the dredged spoil material in a suitable location; and

WHEREAS, the New Jersey Meadowlands Commission (hereinafter 'NJMC' or the 'Commission'), One DeKorte Plaza, Lyndhurst, New Jersey 07071 has advised the Borough that it will accept the dredged soil material at the MSLA 1-E landfill under the NJMC's jurisdiction at a cost of \$10.00 per cubic yard of soil; and

WHEREAS, all necessary tests and reviews have been completed and the soil is ready for transport; and

WHEREAS, the Borough Finance Officer has certified the availability of funds for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Demarest, County of Bergen and State of New Jersey, that the Borough accepts the offer of NJMC for deposit of the aforementioned dredged spoil material, at a cost not to exceed Thirty Five Thousand (\$35,000) Dollars; and

WHEREAS, Cedar Hill Landscaping, 127 Cedar Grove Lane, Somerset, New Jersey 08873, has the requisite resources, manpower and financial responsibility to fulfill the soil transporting requirements, and has consistently been low bidder in connection with this project; and

WHEREAS, the chief financial officer has certified the availability of funds sufficient to fulfill the terms of this resolution;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Demarest, in the County of Bergen, and the State of New Jersey hereby authorizes the award of a contract to Cedar Hill Landscaping, for removal and trucking of the soil to the MSLA 1-E Landfill pursuant to the proposal submitted June 8, 2006, in an amount not to exceed Fifty Seven Thousand (\$57,000) Dollars; and

Mr. Costanzo expressed his concern about reading the resolution for the first time and it not being the way to conduct business or in the best interest of the residents to do it this way. He cited an item in the Suburbanite about the quality of the soil and he expressed concern about the issue of fines associated with this project and if same were going to be discussed. Mayor Carroll indicated that this matter could be discussed later in the meeting. Mr. Connolly said that \$50,000 was approved at the last meeting to truck the soil to Overpeck and because the soil must be trucked to the Meadowlands the cost was increased. This is the responsible thing to do, that he also had received the information this evening and thanked the Mayor and Borough Attorney for taking care of this matter. Mr. Bernstein recapped the history of the dredged soil and questioned why there would be an issue taking the soil to the Meadowlands since it was an appropriate location for the soil and in the Borough's best interest. Mr. Costanzo noted that he had no objection to the soil going to the Meadowlands or to Overpeck. Mayor Carroll said that the DEP was aware of the quality of the soil and it posed no danger, as far as they were concerned, to the public.

Motion by Mr. Connelly seconded by Mr. Connolly to open the meeting to the public. Carried.

No one wished to be heard.

Motion by Mr. Connelly seconded by Mr. Bernstein to close the meeting to the public. Carried.

ROLL CALL VOTE:	Mr. Bernstein	Aye	Mr. Connolly	Aye
	Mr. Connolly	Aye	Mr. Costanzo	Aye

The following resolution was offered by Mr. Bernstein seconded by Mr. Connelly.

WHEREAS, Demarest Wines & Liquors has submitted a completed application for renewal of Plenary Retail Distribution License Number 0209-44-002-004; and

WHEREAS, the proper investigation of the aforesaid application has been effected; and

WHEREAS, all of the required State of New Jersey, Division of Alcoholic Beverage Control and Borough of Demarest fees in connection with the aforesaid application have been paid.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Demarest, Bergen County, New Jersey that the renewal of Plenary Retail Distribution

License for Demarest Wines & Liquors for 2006-2007 is hereby approved.

In answer to Mr. Costanzo, Borough Clerk advised that the current liquor licenses expire at the end of this month and it was necessary to adopt the resolution so that the licensees would not be in violation.

Motion by Mr. Bernstein seconded by Mr. Connolly to open the meeting to the public. Carried.

No one wished to be heard.

Motion by Mr. Bernstein seconded by Mr. Connolly to close the meeting to the public. Carried.

ROLL CALL VOTE:	Mr. Bernstein	Aye	Mr. Connolly	Aye
	Mr. Connelly	Aye	Mr. Costanzo	Aye

The following resolution was offered by Mr. Bernstein seconded by Mr. Connolly.

WHEREAS, Alpine Country Club has submitted a completed application for renewal of Plenary Retail Consumption License Number 0209-33-001-002; and

WHEREAS, the proper investigation of the aforesaid application has been effected; and

WHEREAS, all of the required State of New Jersey, Division of Alcoholic Beverage Control and Borough of Demarest fees in connection with the aforesaid application have been paid.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Demarest, Bergen County, New Jersey that the renewal of Plenary Retail Consumption License for Alpine Country Club for 2006-2007 is hereby approved.

Motion by Mr. Bernstein seconded by Mr. Connolly to open the meeting to the public. Carried.

No one wished to be heard.

Motion by Mr. Bernstein seconded by Mr. Connolly to close the meeting to the public. Carried.

ROLL CALL VOTE:	Mr. Bernstein	Aye	Mr. Connolly	Aye
	Mr. Connelly	Aye	Mr. Costanzo	Aye

Motion by Mr. Bernstein seconded by Mr. Connolly to open the meeting to the public. Carried.

No one wished to be heard.

Motion by Mr. Bernstein seconded by Mr. Connolly to close the meeting to the public. Carried.

Mayor Carroll said when we had our last vote on the budget, Mr. Connolly requested if any Council person had any changes or cuts to the budget. The opportunity was given for the record.

After the work session, the Regular Meeting resumed and the following action was taken.

The following resolution was offered by Mr. Bernstein seconded by Mr. Connolly.

WHEREAS, the Borough of Demarest requires police dispatch and emergency response services; and

WHEREAS, the Council has resolved to contract with the Bergen County Police Department (BCPD) to provide such services effective in the fall of 2006; and

WHEREAS, the Borough will continue to use the Interboro Regional Police Dispatch System (Interboro) until the time of the change to BCPD, and that date not being certain at this time; and

WHEREAS, the Borough Treasurer/Finance officer has certified the availability of funds for this purpose;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Demarest, in the County of Bergen, and the State of New Jersey hereby authorizes payment of fees for dispatch services and PSAP/911 emergency response dispatch in the proposed contractual amount for 2006, excluding capital improvements and assessments, in an amount not to exceed Eighty Nine Thousand (\$89,000) Dollars; and

BE IT FURTHER RESOLVED, that the Borough of Demarest expressly rejects the remaining terms of the Interboro contract proposal, and reserves all rights not specifically waived or otherwise addressed herein, and the Borough specifically does not intend to be bound by the terms of said contract proposal except as hereinbefore stated; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be served upon the Closter Police Department, Edward Rogan-Closter Borough Attorney and the Paul Tomasko-Chairman of the Interboro Board immediately.

ROLL CALL VOTE:	Mr. Bernstein	Aye	Mr. Connolly	Aye
	Mrs. Cardinale	Absent	Mr. Costanzo	Aye
	Mr. Connelly	Aye	Mr. Cywinski	Aye

Carol A. Kroepke, RMC
Borough Clerk