

**JOINT MEETING OF THE MAYOR AND COUNCIL & PLANNING BOARD
BOROUGH OF DEMAREST
SPECIAL MEETING AGENDA**

**June 5, 2025
6:00 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 notice of the date, time and place of this Special Joint Meeting of the Mayor and Council and Planning Board has been posted at Borough Hall, on the Borough website and published in the Record and was filed in the office of the Borough Clerk.

Pledge of Allegiance

Governing Body:

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

Roll Call:

Present:

Absent:

Planning Board:

Chairman Woods, Vice Chair Brenner, Mayor Bernstein, Councilmember Fox, Mr. Adelman, Mr. Alevrontas, Ms. Chin, Ms. DiSciafani, Ms. Mamdani, Ms. Hamilton

Roll Call:

Present:

Absent:

Public Hearing on Fourth Round Housing Element and Fair Share Plan

Mayor Bernstein invites Borough Planner Darlene Green to present the proposed Fourth Round Housing Element and Fair Share Plan.

Resolution No. JPB-009-25 Planning Board Resolution to adopt Fourth Round Housing Element and Fair Share Plan

Motion:

Second:

Roll Call:

Resolution No. 115-25 Governing Body Resolution to adopt Fourth Round Housing Element and Fair Share Plan

Motion:

Second:

Roll Call:

Adjournment

**JOINT PLANNING BOARD OF THE
BOROUGH OF DEMAREST**

RESOLUTION JPB-009-25

Adopting 2025 Housing Element and Fair Share Plan

WHEREAS, the Planning Board of the Borough of Demarest (the “Planning Board”) is a municipal agency created and organized under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. (“MLUL”), and, among other duties and obligations, is responsible for adopting the Housing Element and Fair Share Plan (“HEFSP”) of the Master Plan for the Borough of Demarest (the “Borough”); and

WHEREAS, on March 20, 2024, Governor Philip D. Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the “Amended Fair Housing Act”); and

WHEREAS, the Borough adopted a resolution on January 27, 2025 committing to a present need obligation of 0 and Round 4 prospective need obligation of 94 and thereafter filing a declaratory judgment action within 48 hours of the adoption of the Resolution; and

WHEREAS, in accordance with the Amended Fair Housing Act and the Administrative Office of the Court’s Directive No. 14-24, the Borough filed a timely Fourth Round Declaratory Judgment complaint (“DJ Complaint”) with the Affordable Housing Dispute Resolution Program (“the Program”), along with its binding resolution, on January 29, 2025; and

WHEREAS, the Borough received an objection to its Present and Prospective Need numbers from the New Jersey Builders Association on or about February 25, 2025; and

WHEREAS, the Borough ultimately secured a determination by Order dated May 5, 2025 that its Present Need obligation is 0 and its Round 4 Prospective Need is 100; and

WHEREAS, pursuant the Amended Fair Housing Act, a HEFSP addressing the period

beginning July 1, 2025 and ending June 30, 2035, must be adopted by the Planning Board and filed with the Program by June 30, 2025; and

WHEREAS, the Borough has prepared a HEFSP in accordance with the MLUL, the Amended Fair Housing Act and the applicable affordable housing regulations (N.J.A.C. 5:91-1 et seq., N.J.A.C. 5:93-1 et seq., and N.J.A.C. 5:97 et seq.); and

WHEREAS, on June 5, 2025, upon notice duly provided pursuant to N.J.S.A. 10:4-6 et seq. and N.J.S.A. 40:55D-13, the Planning Board held a public hearing on the proposed 2025 Housing Element & Fair Share Plan prepared by Darlene A. Green, P.P., AICP of Colliers Engineering & Design, dated May 16, 2025; and

WHEREAS, upon the conclusion of the public hearing held on the proposed 2025 Housing Element and Fair Share Plan on June 5, 2025, the Planning Board determined that the proposed 2025 Housing Element and Fair Share Plan: (1) is consistent with the goals and objectives of the Borough Master Plan; (2) will guide the use of lands in the municipality in a manner which protects public health and safety and promotes the general welfare in accordance with N.J.S.A. 40:55D-28; and (3) is designed to achieve, and its adoption and implementation will achieve, access to affordable housing to meet present and prospective housing needs in accordance with N.J.S.A. 52:27D-301.

NOW THEREFORE BE IT RESOLVED by the Planning Board of the Borough of Demarest that the Planning Board hereby adopts the 2025 Housing Plan Element and Fair Share Plan as referenced herein and recommends that it be adopted by the Governing Body of the Borough of Demarest.

BE IT FURTHER RESOLVED, that a copy of this Resolution and the 2025 HEFSP shall be filed promptly with the Bergen County Planning Board and the Office of Planning Advocacy.

BE IT FURTHER RESOLVED, that a copy of this resolution and the 2025 HEFSP be sent to the municipal clerk of each adjoining municipality who requests a copy of same; and

BE IT FURTHER RESOLVED, that the Planning Board secretary shall transmit a certified, electronic copy of the 2025 HEFSP and this resolution to the Borough's affordable housing counsel for further disposition; and

IT IS HEREBY CERTIFIED that this is a true and correct copy of a Resolution adopted by the Joint Planning Board of the Borough of Demarest upon a roll call vote at its regular meeting held on June 5, 2025.

ATTEST:

SO APPROVED:

Jodi Brenner, VICE CHAIR

BOROUGH OF DEMAREST JOINT PLANNING BOARD

VOTING

| <u>BOARD MEMBER</u> | <u>MOTION</u> | <u>SECOND</u> | <u>YES</u> | <u>NO</u> | <u>ABSTAIN</u> | <u>ABSENT</u> |
|-------------------------|---------------|---------------|------------|-----------|----------------|---------------|
| Mr. Todd Adelman | | | | | | |
| Mr. Theodore Alevrontas | | | | | | |
| Mayor Brian Bernstein | | | | | | |
| Vice Chair Jodi Brenner | | | | | | |
| Ms. Kiran Chin | | | | | | |
| Ms. Camille DiSclafani | | | | | | |
| Councilwoman Daryl Fox | | | | | | |
| Ms. Fatemah Mamdani | | | | | | |
| Ms. Mary Hamilton | | | | | | |
| Mr. Timothy Woods | | | | | | |

Date of Adoption: June 5, 2025

Resolution of the Demarest Governing Body

Resolution No. 115-25

June 5, 2025

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

**TITLE: RESOLUTION ENDORSING THE 2025 HOUSING ELEMENT
AND FAIR SHARE PLAN**

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WHEREAS, the Borough of Demarest, County of Bergen, State of New Jersey, (hereinafter, "Borough") has a demonstrated history of voluntary compliance with its constitutional affordable housing obligations; and

WHEREAS, on March 20, 2024, Governor Phil Murphy signed into law P.L. 2024, c.2, an Amendment to the 1985 Fair Housing Act (hereinafter "Amended FHA" or "Act"); and

WHEREAS, among other things, the Act abolished the Council on Affordable Housing (hereinafter, "COAH"), and replaced it with seven retired, on recall judges designated as the Program and authorized the Director of the Administrative Office of the Courts, (hereinafter, respectively, "Director" and "AOC") to create a framework to process applications for affordable housing compliance certification; and

WHEREAS, pursuant to the Act and to Directive #14-24 issued by the Director on December 13, 2024, a municipality desiring to participate in the Program was obligated to take the following actions by

January 31, 2025: (1) adopt a “binding resolution” determining its present and prospective need affordable housing obligations and (2) to file an action in the form of a declaratory judgment complaint in the County in which the municipality is located within 48 hours after the municipality’s adoption of a binding resolution; and

WHEREAS, the Borough adopted a resolution on January 27, 2025 committing to a present need obligation of 0 and Round 4 prospective need obligation of 94 and thereafter filing a declaratory judgment action within 48 hours of the adoption of the Resolution; and

WHEREAS, the Borough filed a timely Fourth Round Declaratory Judgment complaint (“DJ Complaint”) with the Affordable Housing Dispute Resolution Program (“the Program”), along with its binding resolution, on January 29, 2025; and

WHEREAS, the Borough received an objection to its Present and Prospective Need numbers from the New Jersey Builders Association on or about February 25, 2025; and

WHEREAS, the Borough ultimately secured a determination by Order dated May 5, 2025 that its Present Need obligation is 0 and its Round 4 Prospective Need is 100; and

WHEREAS, pursuant the Amended Fair Housing Act, a HEFSP addressing the period beginning July 1, 2025 and ending June 30, 2035, must be adopted by the Planning Board and filed with the Program by June 30, 2025; and

WHEREAS, the Planning Board adopted the HEFSP entitled Housing Element and Fair Share Plan prepared by Darlene A. Green, P.P., AICP of Colliers Engineering & Design, dated May 16, 2025 (“2025 HEFSP”), as an amendment to Borough’s Master Plan on June 5, 2025; and

WHEREAS, the Governing Body desires to endorse 2025 HEFSP adopted by the Planning Board on June 5, 2025.

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

1. The Governing Body does hereby endorse the 2025 HEFSP adopted by the Planning Board on June 5, 2025.
2. The Governing Body does hereby authorize the filing of this Resolution endorsing the 2025 HEFSP adopted by the Planning Board on eCourts for review by the Program.
3. The Mayor and Clerk, together with other appropriate officers and employees of the Borough of Demarest, are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.
4. 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 June 5, 2025

Julie Falkenstern, Acting Borough Clerk