

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

October 14, 2025

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:

Swearing in the Deputy Mayor for the Day

Mayor Bernstein administers the oath of office to Brandon Shore as Deputy Mayor for the Day.

Mayor Bernstein asks for a motion to suspend the regular order of business to issue a Proclamation for Diwali and acknowledge retirement of community member John Canning.

A motion was made by _____ and seconded by _____

Roll Call:

Diwali Proclamation

WHEREAS, Diwali comes from the Sanskrit word 'Deepavali', a row of lights, while the festival is known as 'Festival of Lights', symbolizing the victory of light over darkness, goodness over evil, and knowledge over ignorance, and

WHEREAS, Diwali, is celebrated igniting traditional clay lamps 'Diyas', in the autumn of each year, at the end of harvest season, during 'Hindu Heritage' month, beginning on a New Moon, the darkest night of the Hindu calendar ("Panchanga"), Diwali date being determined by the Lunar calendar each year, and

WHEREAS, Diwali is celebrated over five days by Hindus, Sikhs, Jains, and some Buddhists, throughout Bergen County, and around the world; each with its own significance and traditions, the five days of Diwali being "Dhanteras", "Naraka Chaturdashi", "Diwali", "Govardhan Puja" and "Bhai Dooj"; ,and

WHEREAS, Diwali includes many traditions, such as charitable giving ("dana"), providing selfless service ("seva"), gathering with friends and family for prayer ("Puja"), exchanging gifts, eating sweets, setting off fireworks and decorating homes with colorful rice, sand, chalk or flower patterns ('rangolis'); and

WHEREAS, for Hindus, Diwali marks Lord Rama's return to his home, "Ayodhya", after defeating King Ravana and is therefore a celebration of goodness over evil, and light over darkness; and

WHEREAS, for Sikhs, Diwali is the day when the sixth founding Sikh Guru, Guru Hargobind, was released from confinement by the Mughal Emperor Jehangir; and

WHEREAS, for Jains, Diwali symbolizes the attainment of Self-Realization, ("Nirvana"), by Lord Mahavira, the last of the Tirthankaras, who were the great teachers of Jainism; and

WHEREAS, for Buddhists, Diwali represents the day Emperor Ashoka chose the peaceful path of Buddhism over destruction and carnage; and

WHEREAS, the holiday is a uniting force, as it is celebrated by the majority of people from India, regardless of their faith and is celebrated by more than one billion people worldwide; and

WHEREAS, the Borough of Demarest is the home to many Indian-American residents, who strengthen and enrich our community with their valued history, culture, heritage and vibrant traditions, while diversity represents one of the Borough's greatest strengths, and the Demarest community joins with the people of Asian Indian heritage across New Jersey and those around the world celebrating Diwali; and

NOW, THEREFORE, I, Mayor Brian Bernstein, on behalf of the entire Governing Body of the Borough of Demarest, do hereby recognize and proclaim October 18th through October 22nd as 'FIVE DAYS OF DIWALI' with October 20th, 2025 as DIWALI DAY; and we call this observance to the attention of all our residents in the Borough of Demarest, and call upon our residents to learn and recognize the cultural and historical significance of the festival, observing the holiday with appropriate activities and programs.

Presentation of Plaque congratulating John Callen on his retirement.

Ordinances (Introduction):

ORDINANCE 1169-25 AN ORDINANCE AMENDING CHAPTER 175 – ZONING TO INCREASE THE AFFORDABLE SET-ASIDE IN SECTION 175-46E.(1), AND TO CLARIFY AFFORDABLE PAYMENTS-IN-LIEU IN ORDER TO IMPLEMENT THE RECOMMENDATIONS OF THE 2025 HOUSING ELEMENT & FAIR SHARE PLAN

Mayor Bernstein asks for a motion to introduce on first reading by title Ordinance No.1169-25 and it published as required by law with notice of Public Hearing to be held on October 27, 2025.

A motion was made by _____ and seconded by _____

Roll Call:

Ordinance Public Hearing (Adoption):

ORDINANCE 1166-25 AN ORDINANCE OF THE BOROUGH OF DEMAREST, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR ROAD IMPROVEMENTS, APPROPRIATING \$249,375 THEREFOR, INCLUDING A \$152,040 DOT GRANT, AND AUTHORIZING \$97,335 IN BONDS OR NOTES TO FINANCE THE SAME

Mayor Bernstein asks for a motion to open the Public Hearing on Ordinance No. 1166-25.

A motion was made by _____ and seconded by _____

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.

A motion was made by _____ and seconded by _____

Roll Call:

Mayor Bernstein asks for a motion to adopt Ordinance No. 1166-25 with notice of final passage to be published in the Bergen Record.

A motion was made by _____ and seconded by _____

Roll Call:

ORDINANCE 1167-25 AN ORDINANCE OF THE BOROUGH OF DEMAREST, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE BOROUGH OF DEMAREST AND APPROPRIATING \$1,170,750 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,115,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE SAME

Mayor Bernstein asks for a motion to open the Public Hearing on Ordinance No. 1167-25.

A motion was made by _____ and seconded by _____

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.

A motion was made by _____ and seconded by _____

Roll Call:

Mayor Bernstein asks for a motion to adopt Ordinance No. 1167-25 with notice of final passage to be published in the Bergen Record.

A motion was made by _____ and seconded by _____

Roll Call:

ORDINANCE 1168-25 AN ORDINANCE OF THE BOROUGH OF DEMAREST, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF DEMAREST AND APPROPRIATING \$385,612.50 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$367,250 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE SAME

Mayor Bernstein asks for a motion to open the Public Hearing on Ordinance No. 1168-25.

A motion was made by _____ and seconded by _____

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.

A motion was made by _____ and seconded by _____

Roll Call:

Mayor Bernstein asks for a motion to adopt Ordinance No. 1168-25 with notice of final passage to be published in the Bergen Record.

A motion was made by _____ and seconded by _____

Roll Call:

Mayor Bernstein asks for a motion to adopt Ordinance No. 1168-25 with notice of final passage to be published in the Bergen Record.

A motion was made by _____ and seconded by _____

Roll Call:

Resolution No. 176-25 Capital Budget Amendment

A motion was made by _____ and seconded by _____

Roll Call:

Resolution No. 180-25 Corrective Action Plan – 2024

A motion was made by _____ and seconded by _____

Roll Call:

Work Session Discussion Items:

Engineer's Report

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)

Consent Agenda:

- Resolution No. 177-25 Release of Escrow
- Resolution No. 178-25 Lein Redemption
- Resolution No. 179-25 Release of Performance Bond
- Resolution No. 181-25 Authorizing Engineering Services
- Resolution No. 182-25 Authorizing Seasonal Hire - DPW
- Resolution No. 183-25 Payment of Bills
- Resolution No. 184-25 Soil Moving Permit – 20 Pine Hill Rd.
- Resolution No. 185-25 Approving Junior Firefighter - Turagam

A motion was made by _____ and seconded by _____

Roll Call:

Approval of Minutes:

July 14, 2025 Work Session Minutes

A motion was made by_____ and seconded by_____

Roll Call:

July 14, 2025 Closed Session Minutes

A motion was made by_____ and seconded by_____

Roll Call:

September 19, 2025 Special Meeting Minutes

A motion was made by_____ and seconded by_____

Roll Call:

September 19, 2025 Closed Session Minutes

A motion was made by_____ and seconded by_____

Roll Call:

Meeting Open to the Public

Closed Session (*Resolution 2025-011 if necessary*)

Adjournment

**BOROUGH OF DEMAREST
COUNTY OF BERGEN**

ORDINANCE # 1169-25

**AN ORDINANCE AMENDING CHAPTER 175 – ZONING TO INCREASE THE AFFORDABLE SET-ASIDE
IN SECTION 175-46E.(1), AND TO CLARIFY AFFORDABLE PAYMENTS-IN-LIEU IN ORDER TO
IMPLEMENT THE RECOMMENDATIONS OF THE 2025 HOUSING ELEMENT & FAIR SHARE PLAN**

WHEREAS, the Demarest Planning Board has adopted a 2025 Housing Element & Fair Share Plan for the Fourth Round, which has been endorsed by the Council; and

WHEREAS, the 2025 Housing Element & Fair Share Plan makes recommendations for amendments and updates to the ordinance, which are aimed at encouraging development and/or redevelopment to address the Borough’s constitutional obligation to provide affordable housing; and

WHEREAS, the payment-in-lieu language must also be clarified and updated; and

WHEREAS, the Borough wishes to implement the recommendations provided in the 2025 Housing Element & Fair Share Plan; and

WHEREAS, the Mayor and Borough Council have reviewed the 2025 Housing Element & Fair Share Plan and agree Chapter 175 of the Borough’s Code should be amended to implement the recommendations of the 2025 Housing Element & Fair Share Plan to address the Borough’s affordable housing obligation.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Demarest, County of Bergen, State of New Jersey, that the following amendments be made to the Municipal Code of the Borough of Demarest:

SECTION 1. Amend Chapter 175 “Zoning”, Article IX “Affordable Housing District”, § 175-46 “Affordable housing regulations” to add the following underlined text and delete text in ~~strikeout~~:

E. Borough-wide set-aside.

(1) Any property in the Borough of Demarest that receives a use variance, density variance increasing the permissible density at the site, a rezoning permitting multifamily residential housing where not previously permitted or a new redevelopment plan, to permit multifamily residential development, which would yield five or more additional units (over and above those already permitted as of right), that are developed at a density of six or more units per acre, shall provide a minimum affordable housing set-aside of 20%, regardless of tenure.

~~(a) 15% if the affordable units will be for rent; or~~

~~(b) 20% set aside if the affordable units will be for sale.~~

J. Fractional units and payments in lieu.

- (1) Inclusionary developments that result in a fractional affordable housing obligation of less than 0.50.4 or less may round the number of affordable units down. The application shall make a prorated payment-in-lieu to cover the fraction.
- (2) If the required number of affordable units results in a fraction of 0.5 or greater, the applicant shall round up and provide the additional affordable unit.
- (3) The payment-in-lieu for Demarest shall be \$240,000 \$200,000 for 2025 2019. The payment-in-lieu shall increase by 3% each year. To calculate the payment-in-lieu, the developer shall multiply the fraction by the payment. For example, a fraction of 0.4 triggered in 2025 2020 would require a payment of \$96,000 \$82,400. The payment shall be made to the Borough's Affordable Housing Trust Fund.

SECTION 2. Severability.

If any section, subsection, paragraph, sentence, or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence, or other part of this Ordinance directly involved in the controversy with respect to which said judgment shall have been rendered, and all other provisions of this Ordinance shall remain in full force and effect.

SECTION 3. Inconsistent Ordinances Repealed.

All ordinances or parts of ordinances, which are inconsistent with the provisions of this Ordinance are hereby repealed, but only to the extent of such inconsistencies.

SECTION 4. Effective Date.

This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law, and its provisions shall apply to all building permits applied for on or after the date of adoption and publication hereof as prescribed by law.

Attest:

Approved:

Acting Municipal Clerk

Mayor Brian Bernstein

Introduced:

Adopted:

ORDINANCE NO. 1166-25

AN ORDINANCE OF THE BOROUGH OF DEMAREST, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR ROAD IMPROVEMENTS, APPROPRIATING \$249,375 THEREFOR, INCLUDING A \$152,040 DOT GRANT, AND AUTHORIZING \$97,335 IN BONDS OR NOTES TO FINANCE THE SAME

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF DEMAREST, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Demarest, in the County of Bergen, New Jersey (the "Borough"), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$249,375, including a \$152,040 New Jersey Department of Transportation's Fiscal Year 2025 Municipal Aid Program grant. Pursuant to N.J.S.A. 40A:2-11(c), no down payment is required as this bond ordinance involves a project to be funded by a State grant.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$97,335 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing for which the bonds are to be issued is for the reconstruction of Brenner Place and Evergreen Place and including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than 99% of par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital

budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$97,335, and the issuance of the obligations authorized herein will be within all debt limitations prescribed by that law.

(d) An aggregate amount not exceeding \$49,375 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) The Borough reasonably expects to commence acquisition and/or construction of the project described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof (other than from the grant identified in Section 8 hereof) shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are applied to the payment of obligations issued pursuant to this bond ordinance.

Section 8. As a portion of the total appropriation of \$249,375 made in Section 1 hereof, there is appropriated herein for the improvement or purpose described in Section 3(a) hereof the sum of \$152,040 constituting the amount payable to the Borough from a grant from the State of New Jersey Department of Transportation's Fiscal Year 2025 Municipal Aid Program.

Section 9. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. The Borough Council of the Borough hereby covenants on behalf of the Borough to take any action necessary or refrain from taking such action in order to preserve the

tax-exempt status of the bonds and notes authorized hereunder that are issued as tax-exempt bonds, as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 11. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 12. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 13. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The foregoing bond ordinance is approved.

Introduction: September 29, 2025

Public Hearing / Adoption:

Brian. Bernstein Mayor

AN ORDINANCE OF THE BOROUGH OF DEMAREST, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE BOROUGH OF DEMAREST AND APPROPRIATING \$1,170,750 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,115,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE SAME

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF DEMAREST, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Demarest, in the County of Bergen, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,170,750, including the aggregate sum of \$55,750 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,115,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

- (a) Purpose: Reconstruction and repaving of various roads and properties in the Borough, including Pine Terrace, Northwood Avenue and an ADA ramp improvement on Anderson Avenue in connection with the Borough's participation in the Riverside Co-Op Road Improvement Program and including all work and materials necessary therefor and incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$236,775
<u>Maximum Amount of Bonds or Notes:</u>	\$225,500
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$11,275

- (b) Purpose: Reconstruction of unimproved roads in the Borough, including Orchard and Wellwood Roads, and including all work and materials necessary therefor and incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$933,975
<u>Maximum Amount of Bonds or Notes:</u>	\$889,500
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$44,475

(c) The estimated maximum amount of bonds or notes to be issued for the several improvements or purposes is as stated in Section 2 hereof.

(d) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment

of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the several improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts or obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of

the bonds and notes provided in this bond ordinance by \$1,115,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$170,750 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 9. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to

time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 11. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Introduction: September 29, 2025

Public Hearing / Adoption:

Brian Bernstein, Mayor

ORDINANCE NO. 1168-25

AN ORDINANCE OF THE BOROUGH OF DEMAREST, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF DEMAREST AND APPROPRIATING \$385,612.50 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$367,250 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE SAME

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF DEMAREST, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Demarest, in the County of Bergen, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$385,612.50, including the aggregate sum of \$18,362.50 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$367,250 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

- (a) Purpose: Acquisition of equipment for the Department of Public Works, including, but not limited to, a salter and a leaf vacuum machine, and including all work and materials necessary therefor or incidental thereto

<u>Appropriation and Estimated Cost:</u>	\$215,250
<u>Maximum Amount of Bonds or Notes:</u>	\$205,000
<u>Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$10,250

- (b) Purpose: Acquisition of sport utility vehicle for Police Department, including original apparatus and equipment, and including all work and materials necessary therefor or incidental thereto

<u>Appropriation and Estimated Cost:</u>	\$104,737.50
<u>Maximum Amount of Bonds or Notes:</u>	\$99,750
<u>Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$4,987.50

- (c) Purpose: Improvements to public buildings in the Borough, including original apparatus and equipment, without limitation, acquisition of a generator for the Ambulance Building, and including all work and materials necessary therefor and incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$31,500
<u>Maximum Amount of Bonds or Notes:</u>	\$30,000
<u>Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$1,500

- (d) Purpose: Acquisition of equipment for the Fire Company, including, without limitation, turn out gear, and including all work and materials necessary therefor or incidental thereto

<u>Appropriation and Estimated Cost:</u>	\$26,250
<u>Maximum Amount of Bonds or Notes:</u>	\$25,000
<u>Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$1,250

- (e) Purpose: Acquisition of information technology and telecommunications equipment for the Ambulance Department, including equipment with a unit cost less than \$5,000, and including all work and materials necessary therefore or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$7,875
<u>Maximum amount of Bonds or Notes:</u>	\$7,500

Period of Usefulness:
Amount of Down Payment:

5 years
\$375

(f) The estimated maximum amount of bonds or notes to be issued for the several improvements or purposes is as stated in Section 2 hereof.

(g) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by

the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the several improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts or obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11.73 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$367,250, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$23,112.50 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or

improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 9. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 11. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Introduction: September 29, 2025

Public Hearing / Adoption:

Brian Bernstein, Mayor

1 PROJECT	2 Estimated TOTAL COST	3 Budget Appropriations		4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid and Other Funds			7 BONDS AND NOTES		
		Current Year 2025	Future Years			General	Self Liquidating	Assessment	School		
	4,800,000			\$ 240,000		\$ 4,560,000					
TOTAL ALL	\$ 4,800,000	\$ -		\$ 240,000		\$ 4,560,000					

TO
CAPITAL BUDGET (Current Year Action)
2025

1 PROJECT	2 Project Number	3 Estimated Total Cost	4 Amounts Reserved in Prior Years	5 PLANNED FUNDING SERVICES FOR CURRENT YEAR 2025					
				5a 2025 Budget Approp- riations	5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	6 To Be Funded in Future Years
		\$ 4,800,000		\$ 60,000			\$ 152,040	\$ 987,960	\$ -
TOTALS ALL PROJECTS		\$ 4,800,000		\$ 60,000			\$ 152,040	\$ 987,960	\$ -

3 YEAR CAPITAL PROGRAM 2025 - 2027
Anticipated Project Schedule and Funding Requirement

1 PROJECT	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 ESTIMATED COMPLETION TIME	5 FUNDING AMOUNTS PER YEAR					
				Budget Year 2025	2026	2027	2028	2029	2030
		\$ -		1,200,000	1,200,000	1,200,000	1,200,000		
TOTALS ALL PROJECTS		\$ -		\$ 1,200,000	\$ 1,200,000	\$ 1,200,000	\$ 1,200,000		

3 YEAR CAPITAL PROGRAM 2025 - 2027 SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS						
2	3 Budget Appropriations	4 Capital	5	6 Grants in	7 BONDS AND NOTES	

PROJECT	Estimated TOTAL COST	Current Year 2025	Future Years	Improvement Fund	Capital Surplus	Aid and Other Funds	General	Self Liquidating	Assessment	School
	\$ -			\$ 240,000		\$ -	\$ (240,000)			
TOTALS \$	-			\$ 240,000		\$ -	\$ (240,000)			

It is hereby certified that this is a true copy of a resolution amending the capital budget section adopted by the Governing Body on the 29th of September 2025.

Certified by me

(DATE) MUNICIPAL CLERK

Resolution of the Demarest Governing Body

Resolution No. 177-25

October 14, 2025

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

TITLE: RESOLUTION OF AUTHORIZING ACTION TO RELEASE ESCROW

=====

WHEREAS, the following applicant(s) posted escrow monies with the Borough for payment to Borough professionals in conjunction with development and/or tree removal; and

WHEREAS, Borough Professionals have determined that all required improvements have been satisfactorily completed and all fees due for services rendered have been received;

<u>Applicant</u>	<u>Address</u>	<u>Account</u>	<u>Amount</u>
Kamson Corp.	Frick Drive	13-7000-00-7211-04	\$22,417.20
Liam Fox	56 Glenwood Ave.	13-8000-00-8225-16	\$2,000.00
Assaf Harel	83 Pine Terrace	13-6000-00-6222-04	\$7,500.00

NOW THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is and hereby authorized to return the balance of escrow monies to the applicant(s).

Brian Bernstein, Mayor

CERTIFICATION

I, Julie Falkenstern, 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 October 14, 2025

Julie Falkenstern, RMC

Resolution of the Demarest Governing Body

Resolution No. 178-25

October 14, 2025

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

TITLE: AUTHORIZE REDEMPTION AND DISBURSEMENT OF TAX SALE CERTIFICATE

=====

WHEREAS, at the Municipal Tax Sale held on December 12, 2023, Tax Sale Certificate No. 23-00001 was sold to CHRISTIANA T C/F CE1/FIRSTRUST on the property known as 49 Knickerbocker Road, Demarest, NJ 07627, Block 2, Lot 19, assessed to Knickerbocker 49 LLC; and

WHEREAS, CHRISTIANA T C/F CE1/FIRSTRUST, had also paid a premium in the amount of \$31,000.00; and

WHEREAS, Clear Skies Title Agency, 16 Bleeker Street, Suite A, Millburn, NJ 07041, has effected redemption of Tax Sale Certificate No. 23-00001 in the amount of \$50,068.10.

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is hereby authorized to issue a check in the amount of \$81,068.10, payable to CHRISTIANA T C/F CE1/FIRSTRUST, PO Box 5021, Philadelphia, PA 19111-5021 for the redemption of Tax Sale Certificate No. 23-00001 and for the premium.

Brian Bernstein, Mayor

CERTIFICATION

I, Julie Falkenstern, 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 October 14, 2025

Julie Falkenstern, RMC

Resolution of the Demarest Governing Body

Resolution No. 179-25

October 14, 2025

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

TITLE: RESOLUTION OF AUTHORIZING ACTION TO RELEASE PERFORMANCE BOND

=====

WHEREAS, the following applicant(s) posted a performance bond for tree removal mitigation with the Borough; and

WHEREAS, the Shade Tree Commission has determined that all required mitigation plantings have been satisfactorily completed; and

WHEREAS, per Borough Ordinance regarding tree removal the performance bond shall be returned upon completion of required mitigation planting and recommendation of the Shade Tree Commission:

<u>Applicant</u>	<u>Address</u>	<u>Amount</u>
M&M Holding 111 LLC (Property 242 Hardenburgh)	600 Sylvan Ave., Suite 303 Englewood Cliffs, NJ 07632	\$4,000.00

NOW THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is hereby authorized to return performance bonds to the applicants.

Brian Bernstein, Mayor

CERTIFICATION

I, Julie Falkenstern, 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 October 14, 2025

Julie Falkenstern, RMC

Resolution of the Demarest Governing Body

Resolution No. 180-25

October 14, 2025

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

TITLE: RESOLUTION TO APPROVE THE CORRECTIVE ACTION PLAN FOR 2024 AUDIT

=====

WHEREAS, the 2024 Annual Audit of the Borough of Demarest conducted by Lerch, Vinci & Bliss LLC, contained certain recommendations requiring action; and

WHEREAS, these recommendations have been reviewed by the Chief Financial Officer; and

WHEREAS, the Chief Financial Officer in accordance with the requirements promulgated by the New Jersey Division of Local Government Services, has developed a plan to address the recommendations listed by the auditor.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Demarest that the Corrective Action Plan for 2024 for the 2024 Annual Audit, hereto attached, is hereby approved and accepted; and

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby directed to transmit a certified copy of this resolution and its attachments to the Division of Local Government Services.

Brian Bernstein, Mayor

CERTIFICATION

I, Julie Falkenstern, 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 October 14, 2025

Julie Falkenstern, RMC

**Borough of Demarest
Bergen County, New Jersey
118 Serpentine Road
Demarest, New Jersey 07627
Phone 201-768-3611**

Julie Falkenstern
Borough Clerk

CORRECTIVE ACTION PLAN 2024

Prior Years Finding # 1. The Escrow Deposit Ledger was not in agreement with the general ledger, as well as certain Trust Fund Accounts.

Action: The CFO will reconcile the escrow deposit ledger to the general ledger on a monthly basis and review the Trust Fund Accounts to verify funds are available prior to payments of bills.

Implementation Date: September 2025 for the Escrow Deposit Ledger
December 2025 for the Trust Fund Accounts

Prior Years Finding # 2. The Recreation Department Annual Fee Schedule was not submitted to the Governing Body for approval.

Action: The Administrator will prepare Recreation Fee Ordinance and submit it to Governing Body for approval.

Implementation Date: November 2025

Prior Years Finding # 3. Overtime payroll procedures are not standardized for approval by direct supervisor and/or director.

Action: The Borough will standardize payroll procedures regarding approval of employee overtime.

Implementation Date: October 2025

Prior Years Finding # 4. Borough's fixed assets were not updated in a timely manner or in agreement with the Borough's purchasing system.

Action: The Administrator will review the Borough's purchasing system and coordinate with the finance department to update fixed asset accounting system.

Implementation Date: Spring 2026

Prior Years Finding # 5. The Borough's year end cash balances were not in agreement with certain general ledger control accounts nor bank reconciliation balances.

Action: The CFO will review cash balances on the general ledger control accounts in a timely manner and will reconcile bank balances on a monthly basis.

Implementation Date: September 2025

Prior Years Finding # 6. The improvement authorization ledger was not in agreement with audited balances.

Action: The CFO will review and make adjustments accordingly to agree balances.

Implementation Date: October 2025

Prior Years Finding # 7. The Borough had incurred over-expenditures in certain budget appropriations, reserve appropriations and a Trust Fund miscellaneous reserve account.

Action: The CFO will review its internal control procedures to ensure sufficient funds are available prior to payments being made.

Implementation Date: October 2025

Prior Years Finding # 8. Employee Unemployment Insurance payroll withholdings were not deposited into the Unemployment Trust Bank Account.

Action: The CFO will review deductions with the payroll clerk and deposit all Employee Unemployment Insurance withholdings into the Unemployment Trust Bank Account.

Implementation Date: November 2025

Prior Years Finding # 9. Prior year Current and General Capital Fund had uncollectible receivable balances.

Action: The CFO and Administrator will review uncollected grant receivables and either take appropriate action to collect or clear receivables of record.

Implementation Date: December 2025

Prior Years Finding # 10. Payroll tax returns and remittances to federal and state agencies were not independently verified by the Borough's payroll department.

Action: The CFO and payroll department will set up procedures to ensure filings and remittances are verified on returns and payments are made by the required due dates.

Implementation Date: December 2025

Prior Years Finding # 11. The payroll agency ledger by deduction is not maintained by the Borough.

Action: The Borough's payroll department will implement a payroll agency ledger by deduction and will maintain it accordingly. Bank Reconciliation will be done on a monthly basis.

Implementation Date: December 2025

Prior Years Finding # 12. Discrepancy between Annual UCC Report and Borough's budgetary accounting system.

Action: The CFO will conference with the Construction Official to ensure that reported amounts will agree with Borough's budget reports.

Implementation Date: January 2026

Prior Years Finding # 13. Pension withholdings deducted from employee's payroll checks don't agree to reported quarterly pension report amounts filed with the State.

Action: The CFO along with the Payroll Clerk will verify that correct withholdings are being made and reports are filed accordingly.

Implementation Date: December 2025

Prior Years Finding # 14. Required employee health insurance contributions (Chapter 78) were not in agreement with amounts being deducted from employee's salary.

Action: More attention will be paid to the calculation of employee health insurance contribution to be in agreement with the New Jersey statutes.

Implementation Date: December 2025

Current Year Finding # 1. Animal license tags were not issued in sequential order

Action: Department of Health employee is keeping track of sequential numbers being issued.

Implementation Date: Spring 2025

Current Year Finding # 2 The Municipal Open Space Trust Fund incurred operating expenses without adopted budget appropriation lines.

Action: The borough will adopt a budget appropriation line for anticipated Open Space Trust Fund expenditures.

Implementation Date: December 2025

Current Year Finding #3 The Borough's payroll accounts were not in agreement with the payroll registers.

Action: More attention will be paid to the payroll postings to agree amounts from the accounts to the registers.

Implementation Date: December 2025

Current Year Finding #4 Employee overtime calculation were inconsistent with the terms in the labor agreement.

Action: The labor agreements will be reviewed to assure Employee overtime calculations are calculated in accordance with the labor agreements.

Implementation Date: December 2025

Resolution of the Demarest Governing Body

Resolution No. 181-25

October 14, 2025

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

TITLE: RESOLUTION AUTHORIZING ENGINEERING SERVICES FOR TIER-A ANNUAL REPORTING

WHEREAS, the Borough of Demarest has a need for engineering services related to requirements for Tier-A Stormwater Annual Reporting; and

WHEREAS, the Borough received a proposal dated March 20, 2025 from Colliers Engineering & Design to provide those services, identified as Task 3.1, attached, for the sum of \$22,500.00; and

WHEREAS, the vendor is the currently appointed 2025 Borough Engineer for the Borough of Demarest and the Mayor and Council awarded said 2025 contract pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the Chief Financial Officer has certified that funds are available in account C-04-2150-55-106-5009; and

NOW THEREFORE, BE IT RESOLVED, by the Borough of Demarest that the Borough Administrator is authorized to execute the agreement to authorize Colliers Engineering & Design to perform the work described as Task 3.1 on proposal dated March 20, 2025 herein not to exceed \$22,500.00 a copy of which is annexed to this Resolution.

Brian Bernstein, Mayor

CERTIFICATION

I, Julie Falkenstern, 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 October 14, 2025

Julie Falkenstern, RMC

400 Valley Road Suite 304
Mt. Arlington, NJ 07856
Main: 973 398 3110



March 20, 2025

Julie Falkenstern, Borough Administrator
Borough of Demarest
118 Serpentine Road
Demarest, NJ 07627

Agreement for Professional Services
Tier-A Municipal Separate Storm Sewer System (MS4) Permitting Annual Reporting
Colliers Engineering & Design Agreement No.: DEB0075P

Dear Ms. Falkenstern;

Colliers Engineering & Design, Inc. (CED) is pleased to submit this agreement to provide professional engineering services for implementing the conditions of the Borough's Tier-A Municipal Storm Sewer Systems (MS4) and New Jersey Pollutant Discharge Elimination System (NJPDDES) permit. The current Tier-A permit was implemented on January 1, 2023, and expires on December 31, 2027. CED will assist the Borough to prepare and submit an Annual Report to the NJDEP which is due May 1 of each year. Annual reporting is required for compliance with the Boroughs Tier-A permit.

As part of our scope of services within this proposal, CED will meet with the necessary municipal personnel, gather the information required for the annual report, review any instances of non-compliance, and submit the finalized report to the DEP.

Also included in this scope of work is the preparation of the Township's Watershed Improvement Plan (WIP) as outlined in the 2023 NJDEP MS4 Tier A Stormwater Permit. This plan requires a multi-year effort on the part of the Township to prepare the WIP in three phases as specified in the permit.

Scope of Services

Based on our previous conversations with the Borough and coupled with the information as noted above, we propose to complete the following three (3) Tasks:

Task 1.0 – Annual Report and Supplemental Questionnaire

CED will Prepare and electronically submit the Annual Report and Supplemental Questionnaire, as required by the Borough's Tier-A permit. CED will review past operational procedures and verify documentation of permit responsibilities. This information will be used to formulate the submission of the Annual Report and Supplemental Questionnaire. To facilitate this task, our office will meet with representatives of the Department of Public Works (DPW) as well as the Clerk's Office, Health Department and various personnel from the Borough to ensure activities required by the permit were addressed.

As in the past, this report and questionnaire will be completed electronically through the New Jersey Department of Environmental Protection's (NJDEP) website. As a result of our coordination with the representatives as noted above, CED will complete and submit the report and questionnaire on the municipality's behalf. Once submitted and confirmation from the NJDEP is received, CED will formalize a package of the submission based off of referenced documentation and provide the same to the municipality for their records.

CED will review the Municipality's current Tier-A Permit and supporting documentation to ensure compliance with the current regulations. We will identify areas where current operations and measures may be at risk of being out of compliance and identify where additional measures may be needed to comply with the updated regulations. A review of the municipality's Public Education and Outreach Program will be conducted in accordance with Attachment A of the Permit. A summary report detailing areas of concern and corrective actions will be prepared and submitted for the municipality's use and review. We will coordinate with the DPW and other Borough Personnel to make recommendations on training material to ensure that training is being conducted and documented.

Task 2.0 Facility Inspections – Outfalls

The NDJEP MS4 Tier A Permit requires that all outfalls are inspected a minimum of once every five years. CED proposes to inspect a minimum of 20% of the outfalls each year on a rotating basis to achieve compliance with this requirement.

CED will perform inspections of each stormwater outfall using a GIS based inspection form created with the ArcGIS Survey123 software and mobile application. The outfall inspections will be completed in accordance with the criteria outlined in Chapter 3.6 of the Tier A Municipal Stormwater Guidance Document (October 2018) and will focus on identifying potential illicit discharges or stream scouring associated with stormwater outfalls. The outfall inspection will be performed during dry-weather conditions (less than 0.1 inch of rain is observed across a minimum of 72 hours). The following information will be captured during our inspection:

- What is the type of outfall?
- Where does the outfall discharge?
- Is the outfall suspended?
- What is the outfall cover?
- What is the type of protection at the outfall?
- What is the shape of the pipe?
- What is the material?
- Measured pipe height
- Measured pipe width
- Is there flow during dry conditions?
- Is there intermittent flow?
- Is there an odor emanating from the outfall?
- What color is the discharge?
- What is the turbidity?
- What kind of floatables are found in the discharge?
- Has the discharge stained the discharge point?
- What is the amount of vegetation?
- Is there any damage?
- Does the outfall have possible illicit connections?
- What is the overall condition of the outfall?
- Photo of outfall
- Outfall ID

Outfall inspection results will be stored as "related records" that are linked to the outfall GIS point data within the GIS. Utilizing GIS for outfall inspections will allow the Borough to view current and

historic outfall inspections from within the GIS. These outfall inspection results will also be printed to a digital portable document format (PDF) file. Complete outfall inspections will be provided to the Borough for review.

Water sampling necessary to identify potential illicit discharges has not been included in this agreement. Our team will prepare a list of outfalls that we recommend for water sampling. Outfalls will be recommended for water sampling if dry weather flow combined with one potential illicit discharge indicator, such as odor or floatables are observed.

The New Jersey Department of Environmental Protection (NJDEP) requires that each municipal separate storm sewer system (MS4) permit holder develop, update, and maintain an outfall pipe map showing the location of the end of all MS4 pipes that are owned or operated by the municipality. Our team will use this data information as the basis in which to perform our outfall inspections. Please note that as per the most recent NJDEP definition for outfalls there are a total of approximately 38 outfalls in the Borough of Demarest. This agreement includes the inspection and reporting of up to ten (10) outfalls.

Outfalls that are submerged in water or have restricted access may not be able to be inspected or completed. Our team will notify the Borough of any outfalls that cannot be accessed due to heavy vegetation, locked gates, etc. and request assistance with accessing these outfall locations. We have assumed that we will revisit these outfalls one (1) additional time after the outfall has been made accessible.

Task 3.0 Watershed Improvement Plan

The 2023 NJDEP MS4 Tier A Stormwater Permit includes a requirement for the preparation of a Watershed Improvement Plan (WIP). This plan will be prepared in accordance with the guidance contained within the permit.

The development of the WIP is a three (3) year implementation schedule with portions of the plan due each year. This includes:

- The Watershed Inventory Report – Due December 31, 2025
- The Watershed Assessment Report – Due December 31, 2026
- The Watershed Improvement Plan Report – Due December 31, 2027

The Goals of the WIP are as follows:

- Improve water quality by reducing the contribution of pollutant parameters for all receiving waters within and bordering the Township that have percent reductions listed for stormwater in the Total Maximum Daily Loads;
- Improve water quality by reducing the contribution of pollutant parameters for all receiving waters within and bordering the Township that have water quality impairments as per the Department's Integrated Report.; and
- Reduce and/or eliminate stormwater flooding in the municipality, prioritizing the areas of flooding for corrective actions based on threat to human health and safety, environmental impacts, and frequency of occurrence.

TASK 3.1 – Watershed Inventory Report (Due 12/31/25)

Utilizing the GIS MS4 Infrastructure Map prepared in Phase 1 above our office with work with the Township to prepare a report and supplemental mapping identifying the following items:

- Prepare electronic map of the following:
 - Drainage Areas of MS4 Outfalls and Interconnections;
 - Identifications of receiving waterbodies for MS4 outfalls;
 - Water quality classification of waterbody segments within the Township;
 - Areas associated with Total Maximum Daily Loads (TMDLs) for waters within or bordering the Township;
 - Overburdened communities within the Township;
 - Impervious areas within the Township;
 - Location and ownership of privately owned stormwater facilities.
- Prepare report summarizing the electronic map:
 - Provide basic statistics regarding sub-watersheds delineated by electronic mapping;
 - Identify candidate sub-watersheds for water quality improvement projects;
 - Identify potential sources of pollutant loading within candidate sub-watersheds;
 - Identify candidate sub-watersheds for flood control projects;
 - Identify potential locations for flood damage prevention projects.
- Conduct semi-annual public information sessions in order to solicit feedback related to stormwater runoff, erosion or repeated fluvial and/or intermittent areas of flooding in the Township.

Deliverable: Provide report and supporting mapping to the NJDEP for review and approval prior to introduction and adoption by the Township Committee.

Task 3.2 – Watershed Assessment Report (Due 12/31/26)

Following the preparation of the Watershed Inventory Report, further analysis shall be conducted in order to prepare the Watershed Assessment Report. This work will include a review of the mapping and relevant impairments and known areas of intermittent and fluvial flooding and erosion in the Township. Additionally, the Township and our office will hold additional public information sessions with stakeholders in the Township including residents, watershed associations and various Township Boards and Committees to review and discuss potential projects which can be implemented to address flooding, erosion and water quality impairments impacting the Township. These items are outlined as follows:

- Prepare a report addressing the following:
 - Assessment of potential water quality improvements by sub-watershed and parameter;
 - Identify potential projects to be constructed to address the goals of the Watershed Improvement Plan
 - Estimate the reduction in TMDL loading or impaired parameters from potential projects;
 - Summarize the feedback received from public information sessions;

- Estimate funding needs for potential projects;
- Identify funding sources for potential projects;
- Prepare preliminary implementation schedule.
- Conduct semi-annual public information sessions in order to solicit feedback related to the goals of the Watershed Assessment report, including conceptual capital projects which could be implemented by the Township to address flooding, erosion and water quality impairments.
- Provide a 60-day public comment period on the Watershed Assessment Report.

Deliverable: Provide report and supporting documentation to the NJDEP for review and approval prior to introduction and adoption by the Township Committee.

Task 3.3 – Watershed Improvement Plan Report (Due 12/31/27)

Upon completion of the Watershed Inventory Mapping and Report, and Watershed Assessment Report the final task of the Watershed Improvement Plan shall summarize the conclusions and determinations made during the prior two years of efforts.

The Watershed Improvement Plan Report will identify and outline the proposed projects that the Township, along with all stakeholders, have determined are the most feasible to implement and have the greatest impact upon flooding, erosion and the water quality impairments identified. Further, conceptual projects will be developed. Permitting and implementation schedules shall be established along with funding sources identified in order to complete the improvements decided upon by the Township in the course of the preparation of the Watershed Improvement Plan. These items are outlined as follows:

- Prepare report including the following:
 - Summarize proposed locations and load reductions of water quality improvement projects to be implemented;
 - Summarize public comments received during comment periods;
 - Summarize changes to the plan resulting from public comments;
 - Prepare a permitting approach for the proposed projects;
 - Prepare an implementation schedule for the proposed projects;
 - Summarize feedback received during public information sessions;
 - Identify any problems outside of Township jurisdiction;
 - Summarize annual costs;
 - Summarize funding sources for projects;
 - Describe how stormwater problems in overburdened communities were prioritized/addressed.

Deliverable: Provide final report to the NJDEP for review and approval prior to introduction and adoption by the Township Committee.

ASSUMPTIONS

CED assumes that throughout the Tasks as listed above, access to various municipal records will be made available for inspection and Borough personnel will be made available in order to complete the necessary reporting and documentation for the Tier-A Permit. Additionally, it is assumed that the



Borough will provide any necessary assistance for accessing any facility and/or structure, including but not limited to outlet structures and basins both Borough owned and private facilities. This assistance includes providing police traffic control, opening of manholes and inlets when needed and clearing of debris so that certain aspects of the various facilities may be properly inspected.

SCHEDULING

The following is the scheduling for completion of the tasks noted above:

Facility Inspections	Summer/Fall 2025
MS4 Tier A – Annual Report and Supplemental Questionnaire	May 2025
Watershed Improvement Plan – Inventory Report	By December 31, 2025
Watershed Improvement Plan – Assessment Report	By December 31, 2026
Watershed Improvement Plan – Improvement Plan	By December 31, 2027

Note, completion dates may vary depending on availability of information and access to facilities and personnel as well as authorization dates on part or all the tasks noted.

SCHEDULE OF FEES

For your convenience, we have broken down the total estimated cost of the project into the categories identified within the scope of services as provided above.

Task Name	Fee
Task 1.0 – Annual Report and Supplemental Questionnaire	\$11,000.00
Task 2.0 – Facility Inspections - Outfalls	\$3,500.00
Task 3.0 – Watershed Improvement Plan	
3.1: Watershed Inventory Report	\$22,500.00
3.2: Watershed Assessment Report	\$32,500.00
3.3: Watershed Improvement Plan Report	\$22,500.00
TOTAL Lump Sum Fee	\$92,000.00

The above services will be provided on a lump sum basis not to exceed the listed amount unless otherwise authorized. This Contract and Fee Schedule is based upon the Borough Engineering Contract authorized by the Borough of Demarest (Resolution #016-25).

REIMBURSABLE EXPENSES

Reimbursable expenses including delivery, printing, copying, postage, and other reproducible costs for the above-mentioned deliverables are included within this agreement and are included in the project cost.

EXCLUSIONS AND UNDERSTANDINGS

If any item listed herein or otherwise not specifically mentioned within this agreement or the Borough Engineering Agreement is deemed necessary, then CED may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees with regard to the extra services. Therefore, any service associated with the following items is specifically excluded from the scope of professional services within this agreement:

- Services not specifically outlined in the above tasks;
- Modifications of or additions to the completed reports and documents after distribution;
- Preparation of additional or other associative Tier-A MS4 permit requirements or tasks not included within this agreement;
- Applications or submissions to any Jurisdictional Agencies other than the NJDEP;
- Traffic safety costs.
- Professional and/or Expert Testimony;
- Public Meeting attendance and/or presentations; and
- Permit application fees.

Unanticipated additional services or revisions that is not an error or omission on the part of CED shall be in accordance with the authorized Schedule of Hourly Rates. No extra services will be performed without authorization from the Borough. Please forward a copy of the Resolution of Approval or approved Purchase Order to this office. This will constitute approval of the proposed services and we shall initiate the engineering design services as discussed within this correspondence.

We thank you very much for the opportunity to offer our services and look forward to working with you on this and future projects. In the meantime, should you have any questions regarding this agreement, please feel free to contact me.

Sincerely,

Colliers Engineering & Design, Inc.
(DBA Maser Consulting)



Nick Chelius, P.E.
Borough Engineer Representative



Carl O'Brien, P.E.
Geographic Discipline Leader

Project No. DEB0075p
March 20, 2025
Page 8 | 8



cc: Michael Greco, Deputy Borough Clerk (via email)
Deena Rosendahl, Esq. Borough Attorney (via email)
Peter Suh, Borough CFO (via email)
Ken DeGennaro (CED via email)
Robert Culvert (CED via email)
Julia Wolanski (CED via email)
James Priolo (CED via email)

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Resolution of the Demarest Governing Body

Resolution No. 182-25

October 14, 2025

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

TITLE: RESOLUTION TO AUTHORIZE CASUAL LABOR

WHEREAS, the Borough of Demarest is in need of Part Time Casual Labor employee to assist the Department of Public Works during leaf season; and

WHEREAS, the Public Works Director has recommended the following individual be hired as Casual Labor employee working no more than 30 hours per week;

Nicholas Reuter Rate \$20.00 per hour

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Demarest that said employees be hired as casual laborer with a starting date on or about October 14, 2025 and concluding on December 31, 2025.

Brian Bernstein, Mayor

CERTIFICATION

I, Julie Falkenstern, 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 October 14, 2025

Julie Falkenstern, RMC

Resolution of the Demarest Governing Body

Resolution No. 183-25

October 14, 2025

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

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 \$ on bill list dated 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.

Brian Bernstein, Mayor

CERTIFICATION

I, Julie Falkenstern, 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 October 14, 2025

Julie Falkenstern, RMC

**Resolution of the Demarest Governing Body
Resolution No. 184-25**

October 14, 2025

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

TITLE: RESOLUTION APPROVING SOIL MOVING PERMIT FOR 20 PINE HILL ROAD

BE IT RESOLVED by the Borough Council of the Borough of Demarest that the Soil Moving Application and Soil Erosion Control Plan for 20 Pine Hill Rd., Block 84.07, Lot 12 prepared by Sean P. McClellan P.E., is hereby approved subject to the following conditions:

1. No topsoil shall be removed from the site.
2. The applicant shall indicate the location to which excess soil will be exported.
3. The applicant shall indicate the route of travel within the Borough.
4. The applicant shall provide for the cleaning of the streets used in the route of travel within the Borough.
5. The applicant shall provide the name of the person responsible for the soil movement.
6. The applicant shall be responsible for any damage done to Borough streets during the soil removal process.
7. The applicant shall ensure that the site is maintained in a safe and secure manner.
8. The applicant shall deposit, with the Borough, escrow in the amount of \$1,050.70 for inspection services of the Borough Engineer.
9. The applicant shall provide a performance guarantee to the Borough in the amount of \$25,302.00.

APPROVED:

Brian Bernstein, Mayor

CERTIFICATION

I, Julie Falkenstem, Municipal 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 October 14, 2025.

Julie Falkenstem, RMC

400 Valley Road Suite 304
Mt. Arlington, NJ 07856
Main: 877 627 3772



October 8, 2025

Dot Haight
Building Department
Borough of Demarest
118 Serpentine Road
Demarest, NJ 07627

20 Pine Hill Road
Block 84.07, Lot 12
Borough of Demarest, Bergen County, NJ
Soil Moving Application **Review #2** - Proposed Dwelling
Colliers Engineering & Design Project No. DEP0237

Dear Ms. Haight,

Pursuant to your request, our office has reviewed the following plans and other documents filed by the Applicant in support of a soil moving application in relation to the construction a new two-story dwelling, pool, covered patio, vinyl fence, walkway, a new macadam driveway, drainage improvements, and other related improvements on the property:

- a) Site plans consisting of one (1) sheet, prepared and signed by Sean P. McClellan, PE, of McClellan Engineering, dated October 23, 2024, **last revised October 2, 2025;**
- b) Architectural Plans consisting of twelve (12) sheets, prepared and signed by Uri Rapaport AIA, dated May 19, 2024, last revised July 30, 2025;
- c) Demarest Zoning Board Resolution ZB-006-25, dated February 18, 2025, approving the application.
- d) Soil Moving Application for the subject property, signed and dated June 23, 2025; and
- e) **Cost estimate prepared by McClellan Engineering dated October 2, 2025.**

After our review of these documents, we offer the following comments in this matter:

General

1. The Applicant/Owner in this matter is:

Darrin Blumenthal
20 Pine Hill Road
Demarest, NJ 07627

The Applicant/Owner shall notify the Borough of Demarest Building Department of any changes to the above information.

2. The site is currently occupied by single-family dwelling with associated driveway, walkways, patio, and other related improvements which are to be demolished. The Applicant is proposing

to construct a new 2 ½ story dwelling, driveway, rear patio, pool, walkways, retaining walls, drainage improvements and other related improvements.

3. The project site is located in the residential BB Zone according to the Borough Zoning Map, where the construction of a single-family dwelling is permitted.
4. The property is a rectangular shaped parcel consisting of 28,000 SF. The property is located on the west side of Pine Hill Road. The Applicant proposes to locate the driveway access on Pine Hill Road with the front of the dwelling facing Pine Hill Road. The property is located in Zone X (Areas outside the 0.2% chance annual floodplain) according to the FIRM map.
5. The Applicant is proposing to increase improved lot coverage from 5,380 SF (19.2%) to 6,946 SF (24.8%) with a net increase in coverage of 1,566 SF.
6. The Applicant previously appeared before the Demarest Zoning Board, seeking the following variances:
 - a. Minimum Lot Area – There is a pre-existing non-conformance for lot area of 28,000 SF where a minimum of 30,000 SF is required.
 - b. Accessory Structure Location – The Applicant is proposing a 3-foot maximum height keystone wall in the front yard area. Retaining walls with height of 2-feet or greater are considered accessory structures and are only permitted in the rear yard.

The Applicant was approved for the above variances. The approval was memorialized by resolution adopted on 2/18/25 (Resolution ZB-006-25).

Resolution Compliance

Below is a summary of conditions outlined in the resolution of approval. Commentary on compliance with conditions is provided in **bold**:

1. The Applicant shall be required to obtain all necessary permits and approvals from the Construction Official and such other municipal departments as may be necessary. **Continuing comment.**
2. The Applicant shall comply with all comments contained in B-1 and other directives from the Board Engineer. **Continuing comment. See below engineering comments.**
3. The Applicant shall coordinate all drainage proposals with the Board Engineer and shall amend and revise same to his satisfaction. **Continuing comment, see below engineering comments regarding drainage.**

Based on our review of the above conditions outlined in the resolution of approval, we find that the Applicant **does comply** with the conditions outlined in the resolution.

Site Plan

4. The Applicant is proposing two (2) precast concrete drywells in the front yard area to collect and store stormwater runoff from what appears to be the roof area of the proposed dwelling. We offer the following comments related to the drainage design:
 - a. The Applicant has provided design calculations which indicate approximately 3,322 SF of roof area being collected and conveyed to the proposed drywells. The Applicant has provided adequate storage for this drainage area. We take no exception to the calculations provided.
 - b. A soil test shall be provided prior to the installation of the proposed seepage pits. Soil test shall include information regarding the location of the seasonal high-water table (SHWT) and percolation rate of the soil. **Continuing comment.**
 - c. The Applicant has provided an at-grade 6-inch PVC observation port cap for future maintenance in the seepage pit detail.
 - d. The Borough Engineer shall be notified to inspect the seepage pits prior to backfilling. **Continuing comment.**
5. The Applicant has depicted existing and proposed contours on the property. We offer the following comments related to grading:
 - a. Under existing conditions, the site drains from southeast to northwest. The highest point of the property is in the southeastern side where elevations are approximately 112 and the lowest point of the property is in the northwestern corner, where elevations are approximately 97.
 - b. Under proposed conditions, the high and low points are generally maintained, and drainage patterns should not be substantially impacted. Grading changes do not appear to exceed more than one (1) foot in most locations.
 - c. Retaining walls are proposed along the driveway area (implying changes in grade) but no proposed contours are shown.
6. The dimensions of the proposed driveway including apron and length of proposed drop curb should be noted on the site plan. **Driveway and apron dimensions have been provided on the site plan. Comment addressed.**
7. The Applicant must provide a pool fence enclosure and self locking gate as required by Borough Ordinance and pool code requirements. A detail should be provided of the same. **The site plans have been updated to provide a 6 foot high PVC pool fence with associated details. Comment addressed.**
8. The Applicant proposes to remove seven (7) trees to construct the proposed improvements. We defer to the Shade Tree Commission for final comment and approval of the proposed removal and replacement of trees. **Continuing comment.**

9. An as-built survey with a coverage breakdown and final grades will be required prior to the issuance of a C.O. **Continuing comment.**

Soil Moving Application

10. The Applicant has indicated a total cut of 659 CY, a total fill of 154 CY and a net export of 505 CY of soil is anticipated to complete the proposed improvements. The Applicant should be aware that any soil movement quantity in excess of 250 CY will require Mayor and Council approval pursuant to Chapter 147 of Borough Ordinance.
11. The Applicant will require a soil moving permit in accordance with Chapter 147 (§147-1) of the Borough Ordinance as the posted values of soil movement are greater than 250 cubic yards. As a result, the following provisions apply:
 - a. As per Borough Ordinance Section 147-7, the Applicant shall move the soil, in accordance with the soil permit, under the supervision of the Building Inspector and Borough Engineer and shall pay a reasonable fee for such services in the amount determined by the Mayor and Council.
 - b. As per Borough Ordinance Section 147-8, the owner of the premises or the person in charge of relocation of the soil, when permission has been duly granted, shall not take away the top layer of soil for a depth of eight inches, but such top layer of soil to a depth of eight inches shall be set aside for retention on the premises and shall be respread over the premises when the rest of the soil has been moved pursuant to levels of contour lines approved by the Mayor and Council of the Borough of Demarest.
 - c. As per Borough Ordinance Section 147-9, no permission or soil permit shall be issued unless and until the Applicant therefore shall have filed with the Borough of Demarest a performance bond, in form, amount and surety acceptable to the Borough of Demarest, conditioned upon full and faithful performance of the soil's being moved in accordance with the provisions of the Borough's Soil Moving Ordinance and permission of the Mayor and Council granted pursuant hereto.
 - d. An engineer's cost estimate shall be submitted by the Applicant to determine the performance guaranty to be submitted to the Borough. The cost estimate for bonding should include all cost associated with soil erosion and sediment control measures, seepage pit installation, drainage structures / piping, and soil moving (on-site and export).

The Applicant has provided an estimate in the amount of \$21,090.00. Performance guarantee and engineering escrow amounts are as follows:

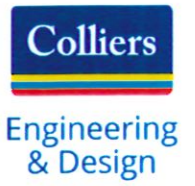
- **Performance guarantee: \$25,302.00**
- **Engineering Escrow: \$1,050.70**

Miscellaneous

12. The Applicant is responsible for procuring all applicable federal, state, and county approvals necessary to complete the proposed improvements. **Continuing comment.**
13. If drainage issues arise during or after construction, the Applicant will be responsible for remedying any drainage issues caused by the proposed construction and/or demolition activities. In addition, water runoff directed to neighboring properties is prohibited. If stormwater runoff does adversely impact neighboring properties, the Applicant will be responsible for remedying that situation at no additional cost to the Borough. **Continuing comment.**
14. Sediment shall be removed from the upstream face of the silt fence when it has reached a depth of ½ the silt fence height or when the silt fence is leaning or buckling from the collected sediment and debris. Silt fence shall be inspected daily for signs of deterioration and sediment removal. When damaged, the silt fence shall be repaired or replaced immediately. Soil erosion and sediment control measures, including silt fence, shall be installed prior to the start of construction. **Continuing comment.**
15. The Applicant should place a silt fence downgrade on all areas where the existing ground disturbance will occur. In addition, the disturbed areas must be stabilized with seed and straw as soon as construction is completed. These recommendations/requirements are made to prevent sediment-laden water from entering municipal streets and neighboring properties. **Continuing comment.**
16. The Applicant will inevitably mobilize construction equipment and/or will have deliveries of material from the Borough Right-of-Way, which could damage municipal infrastructure. Therefore, the Applicant will be responsible for any damages to the curb, drainage infrastructure, and/or pavement in the Borough's Right-of-Way. **Continuing comment.**
17. A signed and sealed "As-Built" site plan should be submitted as a requirement for this office to "sign off" on the issuance of the Certificate of Occupancy (C.O.). The "As-Built" should accurately show site features, including grading, spot elevations, coverage quantities, etc. **Continuing comment.**

Our office has reviewed the application, and based on the above, this office **does recommend** permits be issued at this time.

Project No. DEP0237
October 8, 2025
Page 6 | 6



Should you have any questions, you may contact me at (201) 775-1283.

Sincerely,

Colliers Engineering & Design

A handwritten signature in blue ink, appearing to read "NChelius".

Nick Chelius, P.E.
Borough Engineer

CC: Michael Greco, Zoning Officer (via e-mail)
Sean McClellan, PE, Applicant's Engineer (r_ventura_23@yahoo.com)
Darrin Blumenthal, Applicant (DarrinBlumenthal@gmail.com)

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McCLELLAN ENGINEERING

Sean P. McClellan P.E. | 84 Gettysburg Way Lincoln Park, New Jersey 07035 | Phone: 862-668-1160 |
McClellanEngineering@gmail.com

October 2, 2025

COST ESTIMATE

TOWN: Demarest

PROJECT: 20 Pine Hill Road – New Dwelling

Costs for work performed per Building Department request

Item	Description	Quantity	Unit	Unit Price	Total
1	Soil Erosion & Control Measures	-	-	-	2,000
2	Seepage Pit installation	2	1000 gal	3,500	7,000
3	Roof Leaders	1	-	1,000	1,000
4	Soil Moving from site	505	Yds	15	7,575
		Subtotal			17,575
		Contingency @ 20%			3,515
		Estimated Construction Cost			\$21,090

Prepared By:



Sean P. McClellan, PE

OCT 03 2025

Resolution of the Demarest Governing Body

Resolution No. 185-25

October 14, 2025

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

TITLE: RESOLUTION AUTHORIZING PRITISH TURAGAM AS A JUNIOR MEMBER OF THE DEMAREST VOLUNTEER FIRE DEPARTMENT

=====

WHEREAS, John McLoughlin, Chief of the Demarest Fire Department has recommended Pritish Turagam, 27 Belmar St. Demarest, NJ be accepted as a junior member of the Volunteer Fire Department; and

WHEREAS, Mr. Cho has all the qualifications necessary per Chapter 20 of Demarest Borough Ordinance; and

NOW THEREFORE, BE IT RESOLVED, by the Borough of Demarest that Pritish Turagam is accepted as a member of the Demarest Volunteer Fire Department and the Borough Clerk and Fire Chief are authorized to process his application.

APPROVED:

Brian Bernstein, Mayor

CERTIFICATION

I, Julie Falkenstern, Municipal 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 October 14, 2025

Julie Falkenstern, RMC