

**MAYOR AND COUNCIL
BOROUGH OF DEMAREST
SPECIAL MEETING MINUTES**

April 28, 2025

5:30 PM

Mayor Bernstein opened the meeting with the following compliance statement:

The notice requirements of the Open Public Meetings Act of the State of New Jersey, P.L. 1975, Chapter 231, have been satisfied by notice of the date, time and place of this Special Meeting posted at Borough Hall, on the Borough website and published in the Record on April 25, 2025 and was filed in the office of the Borough Clerk.

Mayor Bernstein invited all in attendance to join him for the Pledge of Allegiance.

Roll Call:

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

Absent: None

Also Present: Julie Falkenstern, Borough Administrator
Deena Rosendahl, Borough Attorney
Wendy Quiroga, Affordable Housing Counsel
Darlene Green, Borough Planner

RESOLUTION 2025-004

TITLE: TO AUTHORIZE THE CONVENING OF A CLOSED SESSION

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WHEREAS, N.J.S.A. 10:4-12 provides for a Public Body to go into a Closed Session during a Public Meeting; and

WHEREAS, the Governing Body of the Borough of Demarest has deemed it necessary to go into closed session to discuss matters which are exempted from the public.

NOW THEREFORE, BE IT RESOLVED, by the Borough of Demarest that the Governing Body shall go into closed session on April 28, 2025 for the following reasons as outlined in N.J.S.A. 10:4-12:

1. Affordable Housing Legal Update
2. Potential Litigation

A motion was made by Councilmember Collins and seconded by Councilmember Reiss to approve Resolution 2025-004.

Roll Call:

Ayes: Council President Slowikowski, Councilmember Collins, Councilmember Fox, Councilmember Jiang, Councilmember Marks, Councilmember Reiss

Nays: None

Public Meeting Resumed at 6:20 pm

Also in attendance for the public session:

Nick Chelius, Borough Engineer
Jason Gangi, DPW Director

Not in attendance for the public session:

Darlene Green, Borough Planner
Wendy Quiroga, Affordable Housing Counsel

Discussion Item

Road Improvement Project on Stelfox and Stewart Streets

Mayor Bernstein thanked those in attendance for coming to this special meeting to discuss the Council's decision to pave and widen Stelfox St. He noted that the meeting was scheduled in response to feedback from some Demarest residents that they were not happy with the proposed tree removals and the process by which the project was approved. He reported that the project addresses issues including drainage and improvement of conditions of the road. He noted the timeline of the project and the decisions that were made at public meetings by way of resolutions of the Council dating back to 2023. He reviewed the conditions of the trees and noted that not all of the trees are healthy, but the work needed will compromise the trees, even the healthy ones. He reported that the governing body does not take the removal of trees lightly, but the decision to improve the road was in the best interest of maintaining and improving Borough infrastructure. He added that any major change to the design or cancellation of the work could cost the Borough taxpayers up to the entire cost of the approved contract. He further stated that in response to the feedback, he was proposing that the Council dedicate funds from an earlier approved bond ordinance relating to Borough properties to tree replacement along Stelfox. He added that it would be his suggestion that they add mature trees provided the professionals agree they will survive. He reported that he had conferred with bond counsel and the Borough auditor to make sure that these funds could be allocated to tree replacement and was happy to learn that this would work.

Janice Kurys

Ms. Kurys thanked the governing body for pausing the work and letting the residents come and speak tonight. She detailed her objection to the paving of Stelfox due to the design necessitating the removal of several trees along the road. Ms. Kurys believes that the Council did not have enough information when decisions about the paving and the particular design were made. She would like the Council to consider stopping the project all together or commissioning a new design that would save the trees. She noted that she does not believe that drainage improvements or widening of the road is necessary. She noted that the Shade Tree Commission was not involved in the design process and only informed of the removals after the decision was made. Ms. Kurys asked who approved the design and whether or not the condition of the trees was reviewed before the plan was approved. Ms. Kurys does not believe that it was a transparent decision-making process. She would like the Council to reconsider that plan.

Mayor Bernstein noted that the process for this project was not any different than the process had been in the past.

Ms. Kurys asked if the trees were evaluated before the decision was made. Mayor Bernstein responded that the current health of the trees was not a factor since the work necessary to design the street will damage the roots of the trees so they will be compromised no matter the condition before the project.

Council President Slowikowski stated that it has not the practice of the Council to review each engineering detail of a plan. She added that what they have learned from this process is that they may look closer at details such as tree removal. She took exception to Ms. Kurys characterizing the process as “shady”.

Councilmember Dan Marks stated that he visited the street and was at first surprised by the number of trees that are required to come down, but as he reviewed all the information and getting feedback from residents he believes that the best solution is to use money already available to the Borough for tree replacement.

Councilmember Collins asked Ms. Kurys if her experience on Council was different in terms of road improvement projects.

She responded that she does not believe any road improvement project during her tenure necessitated taking down 9 trees. She also stated that she believes the Borough Administrator overstepped her authority by approving the design that included tree removals without expressly calling out the removals to the Council so that they could have made a more informed decision.

Mayor Bernstein clarified the process of how projects are approved.

Ms. Falkenstern clarified that while the Council approved each step along the way, she was aware of the tree removals from participation in design meetings and she did not specifically alert the Council to review that item. She indicated that she would be highlighting tree removals for the Council in the future.

A discussion ensued on the approval process.

Ray Cywinski

Mr. Cywinski asked for clarification on the proposed funding of tree replacement. He added that he does not agree with the Arborist report. He asked if there are any reports in regard to safety of the road. Mayor Bernstein responded that it is the opinion of the engineer that road improvement design was appropriate. Mr. Cywinski asked if sidewalks are contemplated on the plan. The engineer said other than the improvements to the existing sidewalk in front of the library no sidewalks are included. Mr. Cywinski believes that widening the road will increase speeding. Mr. Cywinski spoke in opposition to the project and to the process in which it was approved.

Maria Belamide

Ms. Belamide noted that she spoke to Councilmember Marks and she detailed flood damage she has received over the years. Mayor Bernstein noted that it is a County Rd. and generally unrelated to the Stelfox paving issue and the Borough will reach out to the County to see if they can get her some assistance with the issue.

Jim Carroll

Mr. Carroll suggested that the Borough can just execute a change order with the contractor to change the scope of the project instead of cancelling the project to lessen any economic impact. Mr. Carroll advised that he thinks the Council should do a better job of reviewing plans.

Voula Solonos

Ms. Solonos sated that she is a longtime resident of Stelfox St. and spoke in opposition of the project. She said she did not receive notice the project before it was approved. She noted that traffic and parking are an issue on the block.

Iliana Mitiliski

Ms. Mitalisi is a resident of Stelfox and asked how the residents would be assured of tree replacement. She was told that the Council would approve by resolution a tree replacement plan, but they would need recommendations of a plan and the cost first. The Mayor noted that it could not happen tonight because the plan was not yet in place. The Borough Attorney suggested that the Council could pass a resolution at the next meeting committing them to the use of bond funds to complete a tree replacement project.

A resident of Stewart asked how his street was affected since there was no tree removal proposed on Stewart. The Borough Administrator noted that there is one tree marked for removal on Stewart. Mayor Bernstein noted that the two streets are part of one project, but if the Council decides to continue the project with the added tree replacement plan that he is proposing the work on Stewart St. would continue as well since it is being done as one project.

Mayor Bernstein noted that it was time to start the regular meeting and that he believes the Council understands the thoughts of the crowd, but the regular meeting will be open to the public on any subject if anyone wishes to speak during that meeting's public portion on this issue.

Councilmember Fox suggested that the order of the agenda of the regular meeting be changed to accommodate more public comment at the beginning of that meeting. Mayor Bernstein noted that the regular meeting was to begin with children getting an award, so he does not want keep them waiting until the end of the evening and he feels the business on the regular meeting needs to get accomplished, however during the meeting they can decide if it is appropriate to change the order of the agenda.

John Muller

Mr. Muller is a lifelong resident of Stelfox St. He believes that the Borough is overestimating how many trees need to be removed and the look of the street will be destroyed by the continuation of the project. He does not understand why the street needs to be widened. He objects to the project due to the damage to the trees.

Bill Connolly

Mr. Connolly asked if the residents were consulted. He believes Shade Tree should have been involved.

Ryan Blasberg

Mr. Blasberg said he has lived on the street for 12 years and he often works from home, so he knows the street well. He said while he respects his neighbors, he disagrees with their assessment, and he is in full support of the project going forward as designed and looks forward to the improvement. He further believes that the project will improve the area and improve safety in regard to traffic and large branches falling from trees.

Michael Sorvino

Mr. Sorvino is a resident on Stelfox, and he asked how the curbs will affect residents with walkways. The Borough Engineer confirmed that access to walkways is accounted for in the design and access will not be impeded. He does not want the road widened.

The meeting was closed to the public.

Councilmember Slowikowski made a motion to proceed with the project and honor the contract with the tree replacement funded by capital funds suggested. The motion was seconded by Councilmember Jiang. Councilmember Fox asked for a discussion before a vote..

Councilmember Fox believes the Council should continue the halt on the project and negotiate with the contractor and she questioned the timing and result of the arborist's report. She would like to explore other options before deciding to proceed.

Mayor Bernstein then asked for a roll call.

Roll Call:

Ayes: Council President Slowikowski, Councilmember Collins, Councilmember Jiang, Councilmember Marks, Councilmember Reiss

Nays: Councilmember Fox

Mayor Bernstein noted that the Council would discuss mitigation at the next meeting.

Councilmember Collins made a motion to adjourn the special meeting. The motion was seconded by Council President Slowikowski and approved by all.

The meeting was therefore adjourned.

Respectfully submitted,

Julie Falkenstern
Acting Borough Clerk