

**MAYOR AND COUNCIL  
BOROUGH OF DEMAREST  
WORK SESSION MINUTES  
November 10, 2025  
6:30 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**

**Roll Call:**

Present: Mayor Bernstein, Council President Slowikowski, Councilmember Collins, Councilmember Fox (*by phone*), Councilmember Jiang, Councilmember Marks, Councilmember Reiss

Absent:

Also Present: Julie Falkenstern, Borough Administrator  
Deena Rosendahl, Borough Attorney (*arrived 7:15pm*)  
Wendy Rubenstein Quiroga, Affordable Housing Counsel  
Darlene Green, Affordable Housing Planner

A motion was made by Councilmember Collins and seconded by Council President Slowikowski to suspend the regular order of business to convene an Executive Session.

**Roll Call:**

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

**Nays:** None

**Absent:** None

**Resolution 2025-012 TO AUTHORIZE THE CONVENING OF A CLOSED SESSION**

*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 November 10, 2025 for the following reasons as outlined in N.J.S.A. 10:4-12:*

1. *Affordable Housing Legal Update*

A motion was made by Council President Slowikowski and seconded by Councilmember Marks to approve Resolution 2025-012 to adjourn to Executive Session

**Roll Call:**

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

**Nays:** None

**Absent:** None

The Council returned to Open Session and continued with the public meeting.

The Borough Clerk confirmed that while Councilmember Fox was present in the Closed Session, she was no longer on the phone and unavailable for the rest of the meeting.

Mayor Bernstein asked for a motion to open the meeting to the public noting that he believes most people in the audience are here to discuss 232 County Rd. so they will open to the public on that topic only at this time. Councilmember Collins made the motion to open to the public on the topic of 232 County Rd. The motion was seconded by Councilmember Jiang and approved by all on a voice vote.

Robert Holzer

Mr. Holzer noted that he became aware of the topic by reading the Suburbanite and that an anonymous letter was received by some residents with some information about the topic. He stated that the property is zoned for single family homes and he is unaware if a subdivision for more than one single family home is allowable. He stated that he is opposed to multifamily housing of any kind and is concerned about traffic, flooding and the loss of trees.

Mayor Bernstein then asked Ms. Rubenstein-Quiroga to give an overview noting that she is unavailable after 7:15pm as she has to attend another meeting this evening.

Ms. Rubenstein-Quiroga gave an overview of the 4<sup>th</sup> Round Affordable Housing legislation and the obligations of the Borough. She noted that when the Borough adopted their timely housing plan, they did not include 232 County Rd. property, however they received a challenge to the plan from the 232 County Rd contract purchaser that is proposing a ten-townhouse development that includes 2 affordable units.

Robert Holzer

Mr. Holzer stated that he questions whether 10 units would be appropriate for the lot. He does not believe 10 units would fit on the already disturbed portion of the property as their challenge states.

Mayor Bernstein then reviewed the anonymous letter that was received. He noted the inaccuracies of the information, including the upgraded traffic light that is being installed by the County being somehow related to the proposed development. He noted this is false. The letter also states that dozens of units are being contemplated. He reminded everyone that the challenge asks for ten units total and the Borough has not agreed to that number. He then stated that the letter states that trees would be removed. He stated

that the Council agrees that as many trees as possible should be preserved and any trees affected by any eventual development should be mitigated.

Mr. Holzer then asked if the pool area is included in current footprint. Ms. Green discussed the DEP requirements for tree preservation and keeping a buffer area. She noted that any development would need local and County planning board review as well as DEP review. Mr. Holzer then asked if there was any opportunity to put this development anywhere else such as at 127 Hardenburgh. Mayor Bernstein and Councilmember Marks explained that the United Way already has site plan approval to build 17 affordable units on the site. Ms. Green explained how unmet need and RDP numbers are achieved in each round of affordable housing requirements. She noted that our plan recognizes that there is no vacant and developable land, so our proposed RDP is 0. She explained that the process allows anyone with already developed land to propose inclusionary development on their property therefore essentially creating RDP.

Ms. Rubenstein-Quiroga left the meeting at 7:15 pm.

Andrew Woods

Mr. Woods asked if the property is zoned for townhouses and would the Borough Council be fighting the zoning change required. Ms. Green explained that we are compelled to participate in mediation. Councilmember Collins explained that the Borough was fighting as best we can under the law. Mr. Woods stated that he believes traffic will be made worse by development at the site.

Darcy Verbest

Ms. Verbest voiced her objections to any development at 232 County Rd. and asked if the Council was fighting against the development. Councilmember Reiss stated that while yes, the Council is going to object, they are tasked with participating in mandated mediation. He continued that they would fight for the best possible outcome given the constraints of the law and the Borough's obligations under the Affordable Housing legislation. Council President Slowikowski noted that she believes the Council has been clear that they are not in favor of the townhouse development and that the questions the public is asking are the questions that the Council asked their professionals. Ms. Verbest spoke about the letter that was received. Councilmember Reiss stated many of the items in the letters were false.

Mayor Bernstein stated that no one on the Council wants the townhouse development and they would all like it to remain a single-family home. He further noted that our housing plan did not include development at that site, but an objection was filed so the Council is fighting the objection, but they need to consider the best use of tax dollars to get the best outcome. He noted that while they have all been clear on not wanting the development as proposed it may not be up to them if the court mandates the development so they will have to try and get the best result.

Ms. Verbest stated she believes that it is an historic building. Mayor Bernstein stated that the home does not have that designation. Ms. Verbest said that she feels the governing body is not sharing information. Mayor Bernstein explained that they were answering as many questions as they are allowed given the legal issues. Ms. Verbest asked each Councilmember if they wanted townhouses on that property. All the Councilmembers agreed they do not want townhouses built on that property. Mayor Bernstein stated that

the entire Council will oppose the development, but the outcome is not likely to be a one family home.

Sanjay Sachdeva

Mr. Sachdeva believes it is unfair that he had to adhere to zoning regulations and this property owner is using litigation to get more. He also believes that the contract purchaser may be hesitant if there is push back. He stated that if it is approved, he will ask for the same for his property.

Tim Woods

Mr. Woods asked if mediation considers site issues or just number of units. Ms. Green noted that all issues can potentially be discussed but it will be up to the judge. She explained that because our plan includes a vacant land adjustment that says the Borough does not have any vacant developable land that allows a property owner to offer their property as developable. She noted that the legislation favors builders. She again explained that the Borough will bring up all site suitability issues.

Sanjay Sachdeva

Mr. Sachdeva asked about costs and traffic. It was explained that those issues would be explored, but Ms. Green explained that the program is unlikely to take traffic into consideration. Mayor Bernstein explained that while he doesn't disagree there are potential issues, ultimately the County and the Program don't necessarily agree.

Angie Ziagos

Ms. Ziagos asked for clarification on why the Borough isn't allowing the lot to be subdivided. Ms. Falkenstern explained that it was the NJDEP not the Borough that is prohibiting subdivision.

Heather Simokowa

Ms. Simokowa thanked the Council for their time and asked for clarification on the process of mediation. Ms. Green explained that a decision by the program judge is due by 12/31/25. That decision will then be sent as an order to County Judge. Ms. Simokowa asked if the community had any opportunity to offer an alternate location. It was explained to her that no unfortunately by the end of December an order will be entered. Ms. Green explained that the legislation explicitly does not provide for public participation in this process.

Alex Fulin

Mr. Fulin asked if this challenge wasn't filed would we have to build somewhere else. Mayor Bernstein explained that the challenge wouldn't exist if the builder wasn't proposing it. Mr. Fulin asked what the requirements are for building affordable units. Ms. Green explained zoning requirements. Ms. Green explained that towns will likely be forced to change their zoning and that if we do not participate, we would also lose control of all site plan issues.

Council President Slowikowski noted that the Affordable Housing mandates are the root of the issue.

Mr. Fulin believes that children growing up in affluent neighborhoods in affordable housing suffer from not having the same advantages as their neighbors and peers.

Joanna Fried

Ms. Fried stated that she is in favor of affordable housing mandates and noted that studies show that property values are not lowered and children are not hurt by it and that in fact it builds stronger communities. She asked if the Borough had built more would the Borough be immune to this litigation. Mayor Bernstein explained that his is not a builder's remedy and the Borough has complied. This challenge is the result of a builder offering to create vacant land that doesn't otherwise exist. She then asked Councilmember Marks to clarify his previous public comments that 95 County Rd. project would not have happened in the same way if the current Council had been involved. He explained that he does not believe the previous administration properly negotiated. Mayor Bernstein then gave a history of the 95 County situation explaining that the litigation was the result of a rejection of a much smaller project so he doesn't know if they would get a different result, but he feels that they would have handled it differently.

Robert Holzer

Mr. Holzer stated that he believes that the economics are driving the issue and that he hopes ultimately that a single-family home is built.

Ray Cwynski

Mr. Cwynski questioned the time of the meeting and Mayor Bernstein advised that proper notice was provided. He then stated that he believes traffic is an issue at the site.

Jeanne Nonemacher

Ms. Nonnenmacher asked if other people could also challenge. Ms. Green explained that no, the challenge window closed on 8/31/25.

Jeff Shaari

Mr. Shaari asked if the public has any recourse if they disagree with the project. Ms. Green explained that no public input is not a part of the process.

Ray Cwynski

Mr. Cwynski asked for an explanation of "changed circumstance" and if the Borough does not do what is promised in the housing plan would a private property owner have an opportunity to challenge the plan. Ms. Green explained that "changed circumstances" relate to specific property not to the plan and that challenges to the plan were due by 10/31/25.

Jane Fried

Ms. Fried explained that the letter that some people received was effective in getting people's attention. She thanked the Mayor for his weekly email but suggested he provide more information similar to the letter. Mayor Bernstein explained that he feels the letter got people's attention by scaring people with untrue information so he would not use that tactic. He also said that the information she is looking for has been shared in his emails and they will consider offering more digestible information on the website.

Councilmember Marks noted that the information in the letter the Mayor was accused of being involved in an approval at 30 Hardenburgh and he wanted to note that he was not involved in that approval and in fact was recused from any participation in any approval at 30 Hardenburgh.

Anita Gatto

Ms. Gatto asked how 5 townhouses turned into a 3-lot subdivision at 30 Hardenburgh. Mayor Bernstein noted that the application was always for a 3-lot subdivision and that is what was granted. Ms. Gatto asked if she would be able to do something similar on her property. It was explained that the challenge window is closed. Ms. Green explained the accessory apartment opportunity available to all residents.

There being no other members of the public wishing to speak on the issue, Council President Slowikowski made a motion to close to the public and continue with the regular agenda. The motion was seconded by Councilmember Reiss and approved by all on a voice vote.

**Ordinance Public Hearing (Adoption):**

**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

A motion was made by Councilmember Collins and seconded by Councilmember Marks to open the Public Hearing on Ordinance No. 1169-25. The motion was approved by all present on a voice vote.

Speaker(s):

Marian Hayden

Ms. Hayden asked what change was made. It was explained that the primary change was to implement the changes required set-aside for rental units from 15% to 20%.

There being no other members of the public wishing to speak, a motion to close the Public Hearing was made by Councilmember Collins and seconded by Councilmember Marks to close the public hearing. The motion was approved by all present on a voice vote.

Councilmember Reiss made a motion to adopt Ordinance No. 1169-25 with notice of final passage to be published as required by law. The motion was seconded by Council President Slowikowski.

**Roll Call:**

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

**Nays:** None

**Absent:** Councilmember Fox

**ORDINANCE 1170-25** ORDINANCE OF THE BOROUGH OF DEMAREST ADOPTING THE AMENDED REDEVELOPMENT PLAN PRODUCED BY COLLIERS ENGINEERING ON BEHALF OF THE BOROUGH OF DEMAREST

A motion was made by Councilmember Collins and seconded by Councilmember Jiang to open the Public Hearing on Ordinance No. 1170-25. The motion was approved by all present on a voice vote.

There being no members of the public wishing to speak, a motion to close the Public Hearing was made by Councilmember Jiang and seconded by Councilmember Reiss to close the public hearing. The motion was approved by all present on a voice vote.

Councilmember Jiang made a motion to adopt Ordinance No. 1170-25 with notice of final passage to be published as required by law. The motion was seconded by Council President Slowikowski.

**Roll Call:**

**Ayes:** Council President Slowikowski, Councilmember Collins,  
Councilmember Jiang, Councilmember Marks, Councilmember Reiss  
**Nays:** None  
**Absent:** Councilmember Fox

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**ORDINANCE 1171-25** AN ORDINANCE CREATING A LENGTH OF SERVICE AWARD PROGRAM FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE CORP MEMBERS

A motion was made by Councilmember Collins and seconded by Council President Slowikowski to open the Public Hearing on Ordinance No. 1171-25. The motion was approved by all present on a voice vote.

**Speaker(s):**

Ray Cwynski

Mr. Cwynski asked for clarification of the changes since LOSAP was approved in the past.

Councilmember Collins explained that the metrics to achieve eligibility have been updated and clarified to ensure that those volunteers giving their time to serve are being rewarded.

There being no other members of the public wishing to speak, a motion to close the Public Hearing was made by Councilmember Jiang and seconded by Councilmember Marks to close the public hearing. The motion was approved by all present on a voice vote.

Councilmember Collins made a motion to adopt Ordinance No. 1171-25 with notice of final passage to be published as required by law. The motion was seconded by Councilmember Marks.

## **Work Session Discussion Items:**

### Engineer's Report

Borough Engineer Nick Chelius reviewed the monthly engineering report and highlighted the status of Borough Projects. He noted that the plan for the Compost Site is out to bid with responses due back November 25, 2025. He advised that there is an issue with an underground drainage pipe on Carol Ct. that he is working with the DPW to repair and make recommendations for upgrading once the investigation of the damage is complete.

### Shade Tree – Stelfox Mitigation Plan

Linda Cetta asked the Council if there were any questions about the list of trees that were sent to the Council in relation to Stelfox Mitigation. Mayor Bernstein and some members of the Council asked if the 3 trees recommended for planting in the ROW of 67 Stelfox could be adjusted so as not to plant trees that will interfere with the electrical wires. Ms. Cetta said the wires should be at 30 feet, but she did not check, as promised the last time she appeared at a Council meeting on this subject, if the wires were in fact at 30 feet. Mayor Bernstein said that he visited the site and believes the wires are not at 30 feet is concerned about the trees growing into the wires. Mayor Bernstein said that all the advice he read concerning safety recommend not planting trees where they would be a hazard. Mr. Bernstein asked if the three trees in question could be planted elsewhere so that they could approve all ten trees. Ms. Cetta noted that there were no other locations on Stelfox since most of the residents on the street do not want trees in the right of way in front of their homes. Councilman Marks asked if the trees were planted there could they be trimmed. Ms. Cetta said yes, Orange and Rockland would trim the trees in the wire. She noted however that they routinely did a "hideous job". Council President Slowikowski suggested that the trees in question should not be planted. Ms. Cetta stated that while there were no trees removed from 67 Stelfox, the resident wants trees. Ms. Cetta invited Mr. Cywinski from the audience for a suggestion. Mr. Cywinski stated that he believes there is a solution by choosing to plant trees that would not grow as high. Ms. Cetta said she will not recommend another location or shorter trees and she was done discussing this project and would like to Council to vote. Ms. Falkenstern asked for an approximate cost so that the Council knew approximately how much money they would be approving. The estimate is approximately \$500 a tree including planting. Ms. Cetta noted that there are also no appropriate locations on Stewart to plant any trees. Mayor Bernstein suggested that the Council vote separately on the seven trees so that the seven trees are not held up by any further information that may be required for the 67 Stelfox trees.

Councilmember Collins made a motion to approve the plan for the seven trees that do not interfere with wires. The approximate cost be \$4,000. The motion was seconded by Councilmember Jiang.

### **Roll Call:**

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

**Nays:** None

**Absent:** Councilmember Fox

Councilmember Reiss wanted clarification if there is another option for the other three trees. A discussion ensued on whether planting the three trees on 67 Stelfox was advisable. Mayor Bernstein asked Ms. Cetta if planting the trees elsewhere in the Borough might be an option to accomplish mitigation. Ms. Cetta then ended the discussion and said the Council should vote.

Councilmember Marks made a motion to approve the planting of the three trees under the wires per the plan. Councilmember Collins seconded the motion.

**Roll Call:**

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

**Consent Agenda**

Mayor Bernstein asked if any member would like to have any resolution removed from the consent agenda and voted on separately. (none)

Mayor Bernstein asked if any member would like to abstain from voting on any resolution on the consent agenda. (none)

Mayor Bernstein asked for a motion to accept the consent agenda (with any abstentions noted)

**Consent Agenda:**

Resolution No. 198-25	Authorizing RFQs for 2026 Professional Appointments
Resolution No. 199-25	Release of Performance Bond
Resolution No. 200-25	Authorizing Payment #1 DLS
Resolution No. 201-25	Soil Moving Permit – 17 Duck Pond Rd.
Resolution No. 202-25	Approving Updated Personnel Manual
Resolution No. 203-25	Approving Veolia Fire Hydrant Installation
Resolution No. 204-25	Authorizing Payment for Emergency Bridge Repair
Resolution No. 205-25	Payment of Bills

A motion was made by Councilmember Reiss and seconded by Councilmember Marks to approve the consent agenda.

**Roll Call:**

**Ayes:** Council President Slowikowski, Councilmember Collins,  
Councilmember Jiang, Councilmember Marks, Councilmember Reiss  
**Nays:** None  
**Absent:** Councilmember Fox

**Meeting Open to the Public**

Councilmember Collins made a motion to open the meeting to the public. The motion was seconded by Council President Slowikowski and approved by all on a voice vote.

Jeanne Noneemacher

Ms. Nonnenmacher asked about the lease for the train station and asked when the public would have input. She noted that at a previous meeting there was a discussion about a liquor license. She asked for details on the use and what costs are involved. Mayor Bernstein noted that all expenses would be paid by the lessee and that the lease is being negotiated and would be signed soon. Ms. Rosendahl reviewed the process and what provisions are included in the lease. Mayor Bernstein explained the process of obtaining the concessioner's license. Ms. Nonnenmacher commented that the residents haven't had an opportunity to comment. Ms. Rosendahl noted that it has been discussed and that the provisions were included in the bid. She said that she can't find the bid documents. Ms. Falkenstern noted that the bid is on the website and was actually out to bid twice and reminded Ms. Nonnenmacher that she was in attendance at these meetings. Ms. Nonnenmacher asked about the empty storefronts on Hardenburgh. Mayor Bernstein informed the public that while those are privately owned, the owner recently reached out, and he hopes that is a positive step toward his renting those empty stores. Ms. Nonnenmacher asked if the Demarest building and Zoning Officials would be involved and Mayor Bernstein told her that they would. Ms. Nonnenmacher then asked about the recently adopted Shared Service agreement with the Borough of Haworth for the services of the Construction Code Official and Building Inspector. She asked about the hours in the agreement. Ms. Falkenstern clarified that those are the minimum hours he is required to be at Borough Hall even if there is no work, in practice he is in the Borough every day. She asked for an explanation of who is in charge of enforcement. Ms. Falkenstern explained that for UCC enforcement it is the construction official, for property maintenance issues it is the Code enforcement officer and for Zoning it is the Zoning Officer. Mayor Bernstein noted that the Police Department is also available to enforce any Borough Ordinance. Ms. Nonnenmacher said she doesn't like to bother the police. Ms. Nonnenmacher stated that she believes the restaurant will be a surprise to the residents. Mayor Bernstein, Ms. Rosendahl and other members of the Council all noted that it has been discussed at many meetings and included in many communications with the residents so they would not expect anyone to be surprised. Mayor Bernstein advised that if she wanted to see the bid documents, they are available in Ms. Falkenstern's office. Ms. Nonnenmacher said she wanted to know what was in the bid request and Ms. Falkenstern noted that it was advertised many times and is online or available in her office.

Mike Clark

Mr. Clark stated that someone knocked on his door to offer to buy his home and he does not like that it happened. He then asked about the recently acquired Westwood property. Mayor Bernstein explained that it was donated from a developer that did not have a use for the property and then we paid only legal and closing costs. The property will help satisfy the DEP violations that would have otherwise cost approximately \$1M. He asked if the compost site would be used when the work was done. Mayor Bernstein stated that a decision would be made after the site was restored as per the DEP. He asked about the signage and hours of operation of the restaurant. Ms. Rosendahl noted that these issues are all covered in the zoning code. He asked about parking. Ms. Rosendahl noted that the lease does not provide exclusive parking for the restaurant and would be governed by zoning. Ms. Falkenstern noted that our zoning

code does not specify hours of operation so Ms. Rosendahl thanked Mr. Clark for the suggestion and said she would revisit this provision in the lease. A discussion ensued on parking and Ms. Rosendahl noted that the lease does not give the restaurant exclusive parking. Mayor Bernstein advised that they would consider the comments on parking.

Ray Cwinski

Mr. Cywinski echoed Mr. Clark's concerns about parking in relation to the train station use. He asked if we had permission had been obtained from Historic Preservation. Ms. Falkenstern informed him that there was preliminary approval when the bid was prepared and a second application was submitted when the bid was awarded. The bidder is aware of the restrictions on altering the structure. Mr. Cywinski then stated he believes the Borough should exercise their right to plant in the Borough of Right of Way even if the residents don't want them. He noted that he agrees trees shouldn't be planted where they will interfere with the wires, but believes more trees should be planted elsewhere. He suggested that a resident that wants a tree would probably be amendable to a tree being planted on their property if that makes sense to avoid wires and sidewalks. Mayor Bernstein noted that he agreed, but Shade Tree Commission doesn't agree.

Marian Hayden

Ms. Hayden asked about the historic restriction on the train station. Mayor Bernstein explained that the Historic Preservation easement is expired.

Ray Cywinski then asked about the Borough's use of the Baptist Church. He stated that he heard that a driveway was being installed from County Rd. to the Baptist Church. Mayor Bernstein stated that while parking at the Catholic Church and other ideas have been discussed, a roadway to County Rd. was not discussed.

Councilmember Collins made a motion to close the meeting to the public seconded by Council President Slowikowski and approved by all.

There being no more business before the Council, Council member Collins made a motion to adjourn. The motion was seconded by Councilmember Jiang and approved by all.

Respectfully submitted,

Julie Falkenstern, RMC  
Borough Clerk