

**BOROUGH OF DEMAREST  
PLANNING BOARD  
SPECIAL MEETING MINUTES  
Thursday, February 27, 2025 @ 7:30 PM  
118 Serpentine Road, Demarest, NJ 0762**



The notice requirements of the Open Public Meetings Act of the State of New Jersey, P.L. 1975, Chapter 231, have been satisfied by special notice of the date, time and place of this Special meeting to the Record and Star Ledger on February 24, 2025, notice posted at Borough Hall, on the Borough website was filed in the office of the Borough Clerk.

At 7:32 pm Chair Tabacchi called the meeting to order and invited those assembled to stand and recite the Pledge of Allegiance.

**PRESENT:** Theodore Alevrontas, Mayor Brian Bernstein, Vice Chair Jodi Brenner, Kiran Chin, Blake Chroman, Camille DiSclafani, Councilmember Daryl Fox, Fatemah Mamdani, Chair James Tabacchi, Mary Hamilton

**ABSENT:** None

**ALSO PRESENT:** Julie Falkenstern, Acting Borough Clerk for the Board Secretary

Chair Tabacchi indicated that he would like to change the order of the agenda in order for the Board to review and discuss the Ordinance Committee of the Governing Body's report on the proposed Joint Planning Board.

He then asked the new members of the Board to introduce themselves before they began the discussion.

Members Chin, Chroman and DeSclafani introduced themselves and gave brief descriptions of their backgrounds.

Chair Tabacchi then stated that he would like to review the report of the Ordinance Committee regarding the proposal of a Joint Planning Board. He stated that the idea had been proposed in the past and after their analysis the Planning Board had advised against such a consolidation. He further stated that a sub committee of Planning and Zoning Board members had met with the Ordinance Committee and provided feedback. Mayor Bernstein asked for clarification on who was on the subcommittee. Mr. Tabacchi stated that the group included current and former members of both boards, a couple of former Mayors. A discussion ensued on how the committee was chosen and who was included. Mayor Bernstein stated that he was concerned that only

certain current members asked to participate. Mr. Tabacchi answered that he felt it was important to include long tenured members.

Mayor Bernstein then asked why a special meeting was called on short notice to have this discussion. Chair Tabacchi stated that he felt compelled to meet quickly so that the Planning Board could provide feedback to the Governing Body to use in their decision on whether to adopt an ordinance to effectuate the consolidation of the land use boards. A heated discussion ensued on whether a special meeting was necessary.

Chair Tabacchi then offered his comments on the report and the possible consolidation of the boards. In his opinion, cost savings would be minimal if realized at all, that the boards have different specialties and skills and he does not believe it has been difficult in Demaret to find qualified volunteers. He further stated that if the board was consolidated into a planning board that has the power of a zoning board, council consent for the Mayor's appointments would no longer be needed. Lastly, he believes that the need for consistency discussed in the report could be achieved by both boards retaining the same Counsel. In conclusion he does not believe there is a compelling reason to consolidate and believes there will be an increase in work for the Planning Board related to possible redevelopment and Affordable Housing requirements.

Ms. Mamdani asked if the lack of council consent of the Mayor's appointments could lead to conflict of interest issues.

Mayor Bernstein discussed how personal conflicts of interest are handled by recusal and does not believe there is any evidence that this would be an issue.

Ms. Brenner offered that she believes consolidation could lead to a better understanding of the board on both big broad picture issues and individual property issues. She added that staggered terms mean the Mayor would not be making many appointments every year and that would help with council consent issues.

Ms. Hamilton noted that she is opposed to consolidation and disappointed that some members whose terms expired were not reappointed given her belief that they were knowledgeable volunteers.

Councilmember Fox, who is the Chair of the Committee that prepared the report then highlighted the findings. She noted that a very thorough review of all issues was done and while the committee ultimately recommended consolidation, she felt strongly enough that it was not necessary, she included her dissent in the report. She then discussed her concerns, which included the anticipated workload for the volunteers if the boards were consolidated. She further stated that she believes some of the issues with the performance of the Zoning Board were related to the need to update the Zoning Ordinance. She believes when that update is done, some of the negative feedback received in relation to the Zoning Board will be corrected. She concluded by stating that she feels the lack of consistency that the report notes could be solved by appointing the long-term Zoning Board Attorney as the Planning Board Attorney as well.

Ms. Disclafani asked if there was feedback from other towns that had tackled this issue.

Councilmember Fox reported that feedback from some towns was received from the Borough Administrator, but they were awaiting further feedback from the former Chair of the Planning Board who was gathering information from all surrounding towns with joint boards.

Chair Tabacchi noted that while 23 towns of 40 eligible in Bergen County do have successful joint boards, he does not find that percentage compelling and noted that he believes it is more important to look at contiguous towns such as Tenafly, Closter and Cresskill who have similar flooding and drainage issues. He noted that those towns have elected to maintain separate boards.

Mr. Chroman stated that he believes the relative size of Demarest is important. He noted that Demarest is a much smaller town (by population) than the others noted and that he feels a single board would be efficient and feels it is time for the Borough to look forward.

Ms. Chin explained that when she recently moved to town, she got a great deal of negative feedback on people's experiences being heard by the Zoning Board.

Ms. Mandami noted that she has heard the same feedback but doesn't necessarily agree that a joint board is the answer to that issue.

The process of the Zoning Board reporting to the Planning Board was discussed.

Ms. Chin suggested that a joint board could streamline the reporting process. Ms. Brenner agreed that the Board would be aware of issues or concerns with the ordinances sooner with a joint board.

Mayor Bernstein addressed the negative experiences reported to him and noted that the complaints didn't stem from the decision making but how the board was treating the residents. The feedback was that the board was making hearings more adversarial than necessary so the ordinance or the decisions of the Zoning Board, in his opinion, were irrelevant to that complaint.

The Board then discussed the RFQ process and candidates for the position of Board Attorney. Councilmember Fox noted that at the last meeting she suggested that the Zoning Board Attorney, Mark Madaio, be appointed as the Planning Board attorney and she was again making that suggestion to achieve consistency between the boards.

Mayor Bernstein noted that Mr. Madaio had not responded to the RFQ for Planning Board attorney, and he felt it was inappropriate to consider him for the position given that two qualified applicants had responded. He believes they should be considered.

A discussion ensued on what constitutes "qualified" and the RFQ process.

Mayor Bernstein made a motion to appoint Danielle Federico as the Board Attorney. The motion was seconded by Ms. Brenner.

Discussion on motion: Councilmember Fox asserted that Mr. Madaio was the better choice given his experience representing boards and knowledge of Demarest in particular given his appointment as the Zoning Board Attorney. She also noted that according to her RFQ response, Ms. Federico had not been the appointed attorney to any land use boards.

Mayor Bernstein noted that he had spoken to Ms. Federico and one of her partners. He said he learned that Ms. Federico was the one doing the lion's share of the work despite not being the appointed attorney. He added that she did represent many boards by covering the appointed attorney and he feels that she is more than prepared to be appointed.

Ms. Brenner asked Councilmember Fox if she knew why Mr. Madaio has many appointments on his resume that were short-term.

Councilmember Fox answered that it is a function of local politics and not necessarily a reflection on his work and reiterated that he has been appointed in Demarest to the Zoning Board for many years.

Chair Tabacchi then called for a roll call on the motion to appoint Ms. Federico

**Roll Call:**

Ayes: , Mayor Brian Bernstein, Vice Chair Jodi Brenner, Kiran Chin, Blake Chroman, Camille DiSclafani, Fatemah Mamdani,

Nays: Theodore Alevrontas, Councilmember Fox, Chair James Tabacchi

Absent: None

Mayor Bernstein then made a motion to open the meeting to the public. The motion was seconded by Councilmember Fox and approved by all.

There being no members of the public present, Councilmember Fox made a motion to close the meeting to the public. The motion was seconded by Mr. Alevrontas and approved by all.

The Board confirmed that there was no business for the March 5, 2025 regularly scheduled meeting and as such the meeting should be cancelled.

A motion was made by Councilmember Fox and seconded Mayor Bernstein to adjourn the meeting. The motion was approved by all and the meeting was therefore adjourned was therefore adjourned at 9:00pm.

Respectfully submitted,

Julie Falkenstern  
Acting Borough Clerk