

# Minutes of the Open Space Committee

July 23, 2007

Mayor Weinstein called the meeting to order at 7:30 p.m.

**Present:** Superintendent Graff, Wendy Dabney, Joan Goldstein, Mayor Weinstein, Manager Metzler, Benny Salerno, Sharon Rendfrey, Crystal Robbins, Heather Blecher, Maureen Moriarty, and Michael Hakim. Councilmember Trawinski and Ted King arrived late.

**Absent:** Ira Frankel, Jack Susser, Jon Taner, Peter Kortright

**Minutes and Attendance:** Mayor Weinstein explained that Minutes will be prepared and e-mailed to committee members for changes and/or corrections. Final minutes will be posted on the Borough website. There will not be an August meeting due to vacations. The next meeting will be on Monday, September 10, 2007 at 7:30 p.m.

**George Street – Report on July 10<sup>th</sup> visit:** Mayor Weinstein asked for input from members who visited the fire house. Sharon Rendfrey was glad she went and found the visit interesting. She gained a better understanding of the fire department's options. Maureen Moriarty gained a better understanding of which property the Committee was considering. The park land was 190 x 100 feet. Lot sizes depended on which option they chose.

Manager Metzler realized the block and lot numbers were incorrectly listed on the Green Acres inventory when they did the preliminary appraisals. The information will be corrected so the Committee can proceed. They will add the two lots to the south of the parking lot area, which are owned by Fire Company No. 1. The property identified in the Green Acres plan was owned by the Borough. They will add the Second Street property to the inventory list. Manager Metzler stated the paved portion belonged to the Fire Company. The Borough owns the grassy area. The Fire House field on the third priority tier was listed incorrectly. Michael Hakim explained they will identify the lots correctly when the other properties are added to the inventory. The lots are identified properly on the maps.

Wendy Dabney discussed a past issue that came to light when they discussed selling the Heavy Rescue space. The Rescue Squad did not own the entire property and there was discussion that the property would revert back to residential if sold. She inquired if the Fire Department's deed had a similar stipulation. Matt Ahearn, Attorney for Fire Company No. 1, stated there were no stipulations. The only issue was an easement involving a storm water pipe.

Maureen Moriarty questioned the funding amounts listed in the minutes from the June 25<sup>th</sup> meeting. Mayor Weinstein clarified there was \$1.7 million dollars as stated. Manager Metzler stated the funds were certified by the CFO and were available. Wendy Dabney inquired about priorities as this property was on the third tier. Mayor Weinstein explained they cannot wait or they will risk losing the funds. They need to proceed and show Green Acres they are proactive. Wendy questioned if the original application was granted based on the strength of the properties. This location was not at the forefront. Michael Hakim stressed there were many New Jersey communities that lost funding. There is pressure on Green Acres to distribute funds to communities that are ready to move. They received a direct comment from

Green Acres to proceed or risk being placed in that category. Manager Metzler's office was advised by Green Acres in a phone call that they were under review.

Manager Metzler explained the process by which the funds were certified by the CFO. Mayor Weinstein had sent an update letter to Lisa Stern at Green Acres which helped secure their position. Wendy asked if there was formal notification from Green Acres about the review. Michael Hakim explained there was no formal procedure but information could be relayed during the course of a phone conversation. If the situation became serious Green Acres may send a letter.

Michael Hakim addressed the issue of priorities. When they prepared their open space plan they were asked to set priorities. They are not required to adhere to those set of priorities. Green Acres is looking to help communities move proactively towards using the funds. This is done with the understanding that they purchase what is available. It is common for communities to purchase a second or third tier priority first, as that is the property that comes on the market. There will be no repercussions from Green Acres. The downside would be using available funds and have first priority properties become available, but there is also the risk of "use it or lose it".

Mayor Weinstein explained that Manager Metzler was the point person for TPL. He was the only person TPL should speak to. TPL cannot disclose their negotiations. TPL was sent to look at a number of properties. Mayor Weinstein stressed they cannot wait for the top two or three properties to become available. Council agreed to accept the transfer of the Lackland property, which will give them credibility. Michael Hakim explained that this will help them gain credibility within the community as residents will see tangible results. Wendy Dabney felt many residents voted for the Open Space Act with Daly Field or Naugle property in mind. Mayor Weinstein stated George Street residents requested the property be added to the inventory list.

Michael Hakim stated Governor Corzine will add an interim referendum on the November Ballot. He feels there will be a real referendum in 2008 for long term Green Acres bond issues. Funding will be there in the future years with strong competition for the funds. He discussed a scenario where funds are expended on priority three properties and a priority one property becomes available. They would alert Congressman Rothman, the County Executive and Green Acres that they had a planning incentive grant without funds and there was an emergency situation. Emergency appropriations would be requested. It has happened in other communities. He felt they needed to be aggressive. Benny Salerno reminded the Committee that there will still be \$1 million dollars available after the Second and George Street acquisitions.

Heather Blecher inquired about the process to acquire George Street. Michael Hakim explained they would negotiate a deal with the owner and then notify Green Acres. Green Acres requires eight pieces of information which will be supplied.

Crystal Robbins thought residents approved the Open Space Tax with the idea of wider expanse. They need to be sure they were paying a fair price. Michael Hakim stated there is a list of pre-approved appraisers that will be used.

Michael Roney, 14 Burnham Place recalled Mr. Hakim's statement that the acquisition of the Lackland property showed progress and earned credit with Green Acres. Michael Hakim felt

this showed they were working creatively to acquire space. Mr. Roney inquired if this would lessen their need to acquire another property. Mayor Weinstein stated they have been meeting each month based on Michael Hakim's advice that they should not sit and wait for Naugle, Daly or Heywood. The purpose of the meetings was to find a property that would show Green Acres they were moving forward. The \$450,000 grant was awarded one year ago and they have not taken any action. Maureen Moriarty stated that no one has approached the Topps property. She provided information to TPL about the owner and contact will be made. The dirt has been removed from Heywood. She wondered if Topps was a possible acquisition.

Councilmember Trawinski stated that the total amount of dollars available did not include the ability of the revenue stream from last year's Open Space Fund to finance acquisitions. A portion of the Open Space Trust Fund money could be used to bond a borrowing. The CFO provided a figure based on last year's Open Space Trust fund between 2.1 and 2.7 million dollars. There is a \$200,000 revenue stream that could be borrowed. The Open Space tax has doubled. They will realize \$230,000 - \$240,000 from Open Space Tax money. He feels there is enough to do one major acquisition and still acquire a George Street and/or Second Street property.

Mayor Weinstein felt there were several funding opportunities for Second Street such as Green Acres, Blue Acres or FEMA mitigation. George Street is available now. Councilmember Trawinski stated they could not discuss Naugle at this time. It may require funding in the amount of \$45,000.00 and they would use \$91,000. from the County. Freeholder Ganz was able to obtain funding for them. The committee can determine if Topps is a priority but Open Space funds cannot be used until Topps is mitigated. That is still two years away in an optimistic scenario.

Maureen Moriarty questioned two unfunded bond ordinances in the amount of \$400,000. and \$450,000. Manager Metzler explained in year one, prior to obtaining the grant, Council approved bonding \$400,000. They appropriated \$450,000.00 the second year. This is in the capital budget. It is unfunded, which means they did not go out for bonding. Council has indicated they are willing to bond another \$400,000 - \$450,000. in next year's budget. Mayor Weinstein explained their matching funds for the Green Acres grant will come out of bonding. There will be no additional cost to the taxpayers if they use the Open Space Tax to pay the debt service. When the bond is borrowed, debt service will come from general revenue, unless Council targets funds from the Open Space Trust Fund. Two residents spoke in favor of this and no one spoke against it.

Crystal Robbins asked for verbal confirmation from Mayor Weinstein and Councilmember Trawinski that they would help them obtain emergency grants if a larger property became available. Mayor Weinstein and Councilmember Trawinski assured the Committee they would help. Manager Metzler explained that Council reached out to the CFO and inquired as to the maximum amount of money they could bond to pay for a large land acquisition and pay it off through the Open Space revenues. They can match \$2 million dollars for a total of \$4 million dollars towards an acquisition in addition to the funds currently in the account.

Michael Hakim explained that Green Acres is in the business of increasing open space throughout the state. When a grant is issued, Green Acres enters into a partnership with the community. Green Acres' mindset is that the community has demonstrated willingness to take

the necessary steps, including volunteer efforts, to make the plan work. The more successful they are and the quicker they spend the funds, the more chance they will have of obtaining additional grants. They will be helping Green Acres achieve their goals. He felt they should wait and collect a few more properties before sending another letter to the State. An update had just been sent.

Benny Salerno clarified that they may soon be obtaining Lackland, the Second Street property, and the George Street location, with Naugle as a fourth possibility. Wendy voiced concern about maintaining the Lackland property. There are United States Agriculture Grants which fund the maintenance of property along rivers. She suggested the grants be used for Lackland. Michael Hakim felt it was a good opportunity for them as both Lackland and Second Street were river front properties.

Sharon Rendfrey felt there was a threat to Naugle, Daly and Heywood at the time of the Open Space vote. There was also a threat to other properties throughout town that has diminished. Although some people voted for Open Space to protect Daly and Naugle, she felt residents in other parts of town were hoping to save open space in their sections of town. She thought residents were concerned about more than just those two properties and wanted to protect as many properties as possible throughout the entire town. She felt that once residents see efforts taking place in their neighborhoods it will only help to move things forward. It may even foster fundraising efforts. Mayor Weinstein felt they had a secure, tangible plan within their reach.

Benny Salerno felt it was time to vote and move forward. Maureen Moriarty asked for clarification on contaminated property. Michael Hakim explained that Green Acres will not invest in contaminated property. Mayor Weinstein reported that no additional property suggestions were received. Upon motion by Heather Blecher and second by Benny Salerno it was the unanimous consensus of the Committee to obtain two certified appraisal for the George Street property.

Mayor Weinstein clarified Maureen's request to receive a copy of the update letter that he sent to Green Acres. A copy will be sent to her electronically.

### **Status of Grant Applications:**

County – Manager Metzler reported all pending applications were due in the County by August 31<sup>st</sup>. Council approved the resolution for the grant agreement and they are now waiting for the final numbers. The grant is specifically for a synthetic field at Vander Plaat field. They are still working out the details of the bond.

State – Mayor Weinstein reported they are still waiting.

### **Status of TPL:**

Mayor Weinstein reiterated that TPL will not disclose which property owners they are having discussions with. Manager Metzler stated it is not unusual for them to do this as a property owner may walk away from the deal. TPL will contact them when they feel they have a firm commitment. He confirmed that a contact has been made. No contact was made with the

Vander Plaat relatives as they were already in active negotiation on several properties. Maureen felt they should reach out to Mrs. Vander Plaat. Mayor Weinstein stated the Committee could take a vote on moving forward with this property.

Sharon Rendfrey inquired if the Naugle property owner, Mr. Neidani had the right of first refusal. Manager Metzler confirmed this. It was the consensus of the Committee to proceed with the Vander Plaat property. Crystal Robbins abstained.

### **Status of Naugle:**

Mayor Weinstein reiterated that they could not discuss this property. He felt it was moving forward in a positive direction. Councilmember Trawinski agreed. Felice Koplick, chairperson of the Historic Preservation Commission, offered the commission's help with grant suggestions regarding technical guidance. The grants would require the use of certified restoration architects. She attended a Bergen County Grant Workshop with Maureen Moriarty and can provide information. She thought that they should submit their information now. She will inquire if an application can be filed for a property in litigation.

### **Additions of Properties to O.S.R.P.:**

Sharon Rendfrey wondered about the white house near the Naugle and Vander Plaat homes that is for sale by owner. The house is on Century Road. Wendy suggested they add the parking area of Fair Lawn Industries. Mayor Weinstein will add this to a Council agenda and have the Borough Engineer look along the entire river walk. Joan Goldstein felt the engineer should also walk Saddle River. Felice Koplick inquired if they had a grant writer. Mayor Weinstein stated they will be doing a Request for Proposal (RFP). They have received several letters from Grant writers.

### **New Business:**

The next meeting will be Monday, September 10<sup>th</sup> at 7:30 p.m. in the Card Room at the Community Center.

Upon motion by Wendy Dabney and second by Joan Goldstein it was the unanimous consensus of Council that Michael Hakim send a letter to Green Acres amending the property addresses and add the Second Street property to the inventory. Councilmember Trawinski hoped to have a report back from the Assessor by the August 14<sup>th</sup> Council meeting. Michael Hakim clarified that the Committee voted only to proceed with an appraisal. Once the figures are received the Committee can decide if they want to proceed. Councilmember Trawinski stated the appraisals they authorized were two-fold. One will be internal, done by the Assessor for the purposes of negotiating a deal, as they either needed to move quickly or not at all. If the number makes sense Council can chose to authorize Manager Metzler or Attorney Rosenberg to negotiate. They will make sure the appraisals from Green Acres justify maximum dollars from Green Acres. It is a two process step. The Open Space Committee will be kept apprised.

Suzanne DiGeronimo, 16 Beekman Place questioned why general estimates were not available for each of the potential properties. Mayor Weinstein explained this was in the OSRP already. The main issue was that the Committee needed to take action now. They cannot

wait two years for Daly, Topps, or Heywood. This will help them obtain more credibility and increase the possibility of additional funds in the future. There will be options for emergency appropriations if necessary.

Ms. DiGeronimo stated the newspapers seemed to imply there would not be Open Space money. Trenton has placed caps. Mayor Weinstein stressed this was why they needed to proceed. Green Acres was taking back funds from towns that did not use them. Ms. DiGeronimo felt when the Open Space Trust Fund was initially established, the pitch was for a central park on the Daly and Heywood field. Mayor Weinstein questioned her statement. He felt Sharon made a good point as residents in different parts of town will see benefits. He hopes that they will eventually be able to do it all. They need to take action or risk losing everything. Ms. DiGeronimo wondered how the residents on George Street felt about the plan. Mayor Weinstein stated it was a George Street resident who asked to have this added. Some residents objected to the parking lot near River Road exiting onto George Street. This area will now be used for a pocket park which would be a plus for the neighborhood.

Ms. DiGeronimo inquired if there was a master plan connected to the various properties being purchased. Mayor Weinstein stated the Open Space Plan was incorporated into the Master Plan. There was input from the public and all the properties were included.

Wendy Dabney suggested scheduling four fixed meetings next year so people could plan in advance. Additional meetings could be scheduled monthly as needed. Mayor Weinstein stated they will set up a schedule of meetings in November or December.

Councilmember Trawinski responded to Ms. DiGeronimo's question about the Master Plan. He explained the properties were listed with dollar amounts and a brief description of the property. The plan can be downloaded. Ms. DiGeronimo inquired why the Manager could not discuss the TPL issues. Manager Metzler reiterated this information could not be released. Councilmember Trawinski stressed the importance of adhering to this policy. He knows of a town that lost TPL's help because the issue was pushed.

**Adjournment:**

Upon a motion by Benny Salerno and second by Maureen Moriarty the meeting was adjourned  
At 8:50 p.m.