

# Minutes of the Open Space Committee

September 10, 2007

Manager Metzler called the meeting to order as Acting Chair at 7:30 p.m.

**Present:** Manager Metzler, Superintendent Graff, Ira Frankel, Crystal Robbins, Maureen Moriarty, Sharon Rendfrey, Ted King, Joan Goldstein, Benny Salerno, Heather Blecher, Wendy Dabney, Michael Hakim, Councilmember Trawinski (7:40 pm)

**Absent:** Jack Susser, Jon Taner, Peter Kortright, Mayor Weinstein

Upon arriving as Co-chair of the Open Space Committee, Councilmember Trawinski assumed the role of Chair from the Manager.

## **Minutes and Attendance:**

Manager Metzler asked if there were any corrections or additions to the Minutes for the July 23, 2007 meeting. Upon motion by Ted King and second by Sharon Rendfrey the Minutes were unanimously accepted.

## **Status of Grant Applications:**

Manager Metzler reported that two grant applications were completed. One application went to the County for a matching grant request in the amount of \$533,680. The grant will be used for the recreation site improvement at Vander Plaat Field which will change the football and soccer field to a synthetic field. The next step is an application to Green Acres. They will also request a matching grant from the State.

Manager Metzler explained that the County Funding release date will be May, 2008. They will be able to use the funds in 2009. There will be discussion with Council, as the 2008 Capital Budget is being prepared. Council indicated a willingness to commit bonded funds for Open Space. He will also suggest that Council include funding in 2008 for construction projects.

Manager Metzler reported that they have also applied to the County for a matching grant, for the design and architectural work needed to develop a preservation plan for the Naugle House.

## **Status of Potential Properties for Purchase:**

George Street – Manager Metzler reported that Council approved the Green Acres appraiser at the last Work Session. This is one of several steps in the process. RRIC will attend a Council Work Session on October 2<sup>nd</sup> to discuss the shared parking lot. A few RRIC trustees indicated they were still actively negotiating with property owners along River Road to form a cooperative parking agreement, although Don Smartt did not feel RRIC would be able to obtain the cooperation of all the property owners. Manager Metzler reported the northern part of the parking lot with the deed restriction may be able to be separated, enabling the front part to be used for parking by the Fire Department and the back portion used by River Road patrons.

2nd Street – Manager Metzler discussed the FEMA application for the acquisition of the 2<sup>nd</sup> Street property. There has been no decision yet from FEMA nor has there been any effort on

the Borough's part to seek out additional funding. They expect to hear preliminary feedback from FEMA in October.

Naugle House – Manager Metzler reported there was progress on the Naugle House. He applied for a grant at Council's request, which will fund the architect preparing the preservation drawings. Permission was received from the current owner of the Naugle House for a limited number of Historic Committee members to view the home to see if there are any items of historic benefit, which will be given to the Borough. As part of the agreement the Borough will clean out any remaining debris in the home.

Others – Manager Metzler reported that Attorney Rosenberg was working with the attorneys for Lackland. Councilmember Trawinski noted that the land was being obtained at no cost to the Borough, and RRIC will oversee the maintenance of the property for a nominal fee.

Councilmember Trawinski reported that he and Mayor Weinstein attended a meeting with Clariant. Council decided that this property was not an open space acquisition target. They confirmed with Clariant that once the site is remediated and developed, they still have an expectation that Clariant would, as part of any development, donate the property adjacent to the river for the filler portion of the river walk.

Michael Hakim suggested they also attempt to obtain links to easements for pedestrian walkways. Councilmember Trawinski noted that a portion of the property abutted the public right of way on Fair Lawn Avenue. He and Mayor Weinstein spoke with Clariant about the entire perimeter frontage on the Passaic River as being suitable for a river walk. Councilmember Trawinski stated there were a few residents on First Street, adjacent to the River, that they have not spoken with yet who may be willing to give easements along the River portion. Michael Hakim stated the River Walk becomes more valuable with frequent linkages, as it may not be used as often if people had to walk a quarter of a mile for an entrance.

Councilmember Trawinski attended the RRIC meeting as Council Liaison. It was his understanding when they discussed the possibility of the George Street acquisition at a Council work session, that he unwillingness of one property owner to give a cross access easement prevented the George Street parking lot from being viable at the southern end. That gave some impetus to the Borough acquiring a portion of the property and considering the possibility of using the northern side lot for parking. He found out later that RRIC still wanted to move ahead with the George Street parking lot in its current location on the southern side. He is not sure if Council would be willing to do this. He felt it would be best to have RRIC come to the work session and also have Matt Ahearn attend, as no formal request was made by Mr. Ahearn to change the deed restrictions on the north side of the fire house property to the south side. He reported that Council has committed the funds for the appraisal on the George Street pocket park.

Crystal Robbins wondered about the demolition of the macadam on the property. Sharon Rendfrey had inquired about that issue when she visited the fire house and was told there would be many contractors working there and that it would just be removed. Councilmember Trawinski stated that he understood that Fair Lawn High School is transitioning to closed lunches over the next few years for all years except Seniors, which hopefully will prevent the park from being used a hang out during lunch.

Maureen Moriarty inquired about the white trailer on the lot. Manager Metzler explained that was being used for storage as they were preparing to remove the roof.

**TPL Updates:**

Manager Metzler stated there were no new updates. Councilmember Trawinski explained this was fairly typical, and could be months without any news.

A copy of the Bergen County Trust Fund Grant was passed around the table for members to review. Councilmember Trawinski suggested committee members feel free to contact Freeholder Ganz, who has been very helpful, and let him know that an application has been filed with the Bergen County Open Space Trust Fund for one half million dollars in matching funds. He noted that Assemblyman Gordon has also been supportive. Manager Metzler stated that both Freeholder Ganz and Assemblyman Gordon were sent copies of the grants, with a cover letter asking for their support.

Maureen Moriarty wondered if Vander Plaat Field had lights. Manager Metzler confirmed that and stated new lights were also being installed. It is the single most used field in the Borough.

**New Business:**

Manager Metzler discussed the draft letter from Michael Hakim regarding the proposed changes to the Open Space plan, which listed the corrections to the lot and block numbers for the Fire House property and added the Second Street property. He was asked to obtain an appraisal from the Tax Assessor on the property next to the Naugle House at 41-29 Dunkerhook Road. The property is currently assessed at \$472,000 and was purchased on January 25, 2006 for \$735,000. Manager Metzler stated it made sense to add this to the list while they were making changes to the plan.

Wendy Dabney inquired if they could initiate a swap if the house along the river became available. Michael Hakim stated Green Acres would be willing to listen and work with them if they showed they were being creative and the net result would be more open space. The piece of property is an out parcel surrounded on three sides by properties that have already been approved by Green Acres. It would be an ideal piece to obtain if they could reach a deal with the property owner.

Councilmember Trawinski stated that rumors indicating Mr. Neidani owns the property are not true as there are no recorded deeds. He could act as an applicant with the owner's permission. Michael Hakim clarified his earlier remarks. If circumstances occurred that allowed them to acquire the property using Green Acres funds and they wanted to switch it for another property, there would be complications. To remove a property from the inventory requires significant and punitive types of compensation. Green Acres generally requires two-for-one acreage and monetary contributions. It requires State House Commission approval. He suggested they pursue the property and get it pre-approved. He suggested they look at the whole picture before any funds are spent on the properties.

Councilmember Trawinski stated the swap could be made if the Borough acquired the property and made a deal with Mr. Neidani before it was acquired, that would allow an exchange. The deal would be subject to ultimately obtaining Green Acres funding.

Manager Metzler asked if there were any corrections or additions to the draft letter. Michael Hakim will correct a typographical error. Wendy Dabney wondered if they were looking into the property along the front of Fair Lawn Industries. She inquired if they had checked out the property adjacent to Lackland. There is a section of land that RRIC included in their plan that is not owned by Lackland. Councilmember Trawinski recalled discussion about adding Lackland property to the wish list but did not recall suggestions regarding Fair Lawn Industries.

Wendy Dabney clarified that Fair Lawn Industries has a large parking lot along the length of the river. She felt Fair Lawn Industries may be interested in turning over that property. Manager Metzler had dealings with Fair Lawn Industries previously regarding easements. He did not feel they would be inclined to give them the property. Wendy felt this piece might go along with the intersection improvement. Manager Metzler noted that the only things remaining with regards to the intersection improvement was an easement issue with Fair Lawn Industries that was almost completed, and one with Rivera's.

Ms. Dabney stated that the owners of Kem have placed monitoring wells over by the Sub Base. Councilmember Trawinski was not aware that Kem owned any property on the west side of River Road. Manager Metzler agreed. Wendy stated Kem sold their property but were required to put in more monitoring wells. She noted that this property was river front and felt they should try to acquire as much river front property as possible. Wendy thought the property from Wagaraw Road to Maple Avenue was going to be reviewed to see if it was appropriate. Michael Hakim stated those properties were not identified as properties to be included. He did not feel it would make sense to hold up their current request to research this. Wendy agreed. Manager Metzler noted Wendy's request to review all river front property from Lincoln Avenue to Maple Avenue, including the Sub Base.

Manager Metzler reported there was a six unit house on Wagaraw Road was for sale. Wendy felt the parking lot might be an easier acquisition. Manager Metzler stated Open Space funding was available. There is an available house with property that is being proposed as an addition to the Open Space inventory. He asked the Committee if they were interested in pursuing this. Wendy felt they should look at the Fair Lawn Industries property rather than go after the property that would cost more. Joan Goldstein wondered if they should investigate and find out the selling price of the home. There was no doubt that the house flooded.

Manager Metzler reiterated his previous question. Since the goal was to establish a River Walk, he felt they should try to acquire a property already on the market. Councilmember Trawinski reminded the Committee that the main topic was the amendment of the Open Space and Recreation Plan. They should do a great deal of thinking before utilizing funds to acquire an existing dwelling and then demolish it. They would need to have a willing seller like they do on Second Street. He felt they needed to look at the resources available. He did not think they should tie up all their resources in the event something becomes available in the Naugle House area or Plaza Road area.

Councilmember Trawinski understood The Open Space Recreation Plan to be a wish list. Michael Hakim explained it was an inventory of pre-approved properties. Councilmember Trawinski felt they could add the properties to their wish list without making any commitments. That action may help bolster the fact that they are serious about the River Walk. He suggested the Committee authorize Manager Metzler to speak with Fair Lawn Industries about the possible donation of property.

Heather Blecher wondered if the River Walk would be affected if they did not buy the house. Councilmember Trawinski noted the possibility that the house may be acquired by someone who wants to use it for commercial reasons. This may present an opportunity to request an easement to the River Walk. There is no downside to adding the property to the wish list. Michael Hakim stated the properties would be likely candidates for approval from Green Acres since they were riverfront.

Michael Hakim inquired if the deal with the Second Street property was eminent. Manager Metzler hopes to hear from FEMA by October. Sharon Rendfrey thought they should submit their list now, gather information on the other properties along the river and then send in the additional list. Michael Hakim felt that was possible. He would need the lot and block numbers and the values of the properties. Joan Goldstein suggested they send the letter as is and make a separate request devoted to the River Walk. Michael Hakim felt this was a consolidated piece and had a definitive objective.

Wendy wondered if they could proceed with this tonight rather than wait for another meeting. Councilmember Trawinski felt Manager Metzler would need time to put this together. He suggested they should wait until the next meeting before proceeding. Michael Hakim reminded the Committee that he would need to do a priority rationale and state the case for each property. The Committee would need to review the report and give input.

Councilmember Trawinski felt they should proceed with what was before them. He suggested the Committee authorize Manager Metzler and Michael Hakim to prepare a further amendment which they could review. Upon motion by Joan Goldstein and second by Wendy Dabney it was unanimously agreed to file the request as is, and create a new request if it is determined that there will be a river front project.

**Next Meeting Date:**

The next meeting date will be Monday, October 29<sup>th</sup> at 7:30 p.m. in Room 201.

**Public Comments:**

Howard Marks, 12-33 Ferry Heights wondered if they were considering one or two lots at the Naugle House. Councilmember Trawinski clarified that the Naugle House itself was one lot. They had discussed trying to obtain a portion of the Vander Plaat house which would be a second lot.

Ray Richter, 19-15 Jordon Road wanted to clarify that they have the Naugle House, which was sub-divided into a separate lot. The Naugle House is in the back and there is the brown house located on Century Road. These are two separate lots. He wondered if they would be acquiring just the lot in the back of the Naugle House. Councilmember Trawinski explained they were referring to the property around the Naugle House which was confined to the lot in the back. The lot in the front would remain with the developer.

Mr. Richter felt that if they were considering going after the white house as well as the Vander Plaat house, they would be missing the piece of land with the brown house. Councilmember Trawinski stated the Vander Plaat house was adjacent to the river. He did not think they would look to acquire the white house closest to Fair Lawn Avenue for purposes of keeping it. They might use that to bargain for the piece in back. There might be a gap between the Naugle

House piece and the Vander Plaat piece as the developer may retain a portion of that property all the way to the river.

Mr. Richter wondered if there was a possibility of obtaining the whole piece. Councilmember Trawinski stated he believed there was not. The Council is unanimous that the current plan presents the best trade off in terms of maximizing dollars and ending up with a realistic probability of saving the Naugle House. He acknowledged that there was small gap as he believed that the County Park easement did not run behind this area.

Howard Marks, 12-33 Ferry Heights spoke with a representative from the DEP, who explained there was stream encroachment due to the flood plain behind that area. The piece between the river and halfway to the Naugle House is Vander Plaat property. The property goes all the way over to Dunkerhook Road. There is a long driveway that comes out to Century Road. Councilmember Trawinski stated that, based on that information, they might be able to try to obtain the whole piece of the Vander Platt property.

Felice Koplick, 6 Reading Road clarified that there was a piece of property along the river, behind the Naugle property, that might be purchased to make a contiguous river front. Councilmember Trawinski confirmed that was correct, based on the information presented by several committee members.

**Adjournment:**

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