

# Borough of Tenafly

## MAYOR AND COUNCIL

### MINUTES

**TUESDAY, NOVEMBER 20, 2012**

PRESENT: Mayor Peter Rustin and Council members Anthony Barzelatto, Barry Honig, Martha Kerge, Nadia LaMastra, Jon Warms, and Mark Zinna

ABSENT: None

ALSO PRESENT: Borough Administrator Jewel Thompson-Chin  
Borough Attorney William R. McClure

At 7:46 p.m. Mayor Rustin read the Open Public Meetings Act Statement: "In compliance with the Open Public Meetings Act P.L. 1975, chapter 231, the notice requirements have been satisfied. Meeting dates for the year are listed in the Annual Agenda; copies are sent to the Record, Suburbanite, and Northern Valley News and posted on the bulletin board in the lobby of the Municipal Center."

The Salute to the Flag was led by Mayor Peter Rustin.

Motion by C. Zinna, second by C. Warms, and all other members voting in favor,

BE IT RESOLVED that the Minutes of the October 23, 2012 Special Work Session, November 1, 2012 Work Session, November 1, 2012 Public Meeting, and November 8, 2012 Work Session are approved as amended.

REVISIONS TO AGENDA:

None.

AUDIENCE REMARKS FOR AGENDA ITEMS:

None.

CONSENT AGENDA:

**#R12-404/**Approve Expenditures as of November 14, 2012.

**#R12-405/**Authorize Renewal of Plenary Retail Distribution License/0261-44-014-004/Special Ruling

**#R12-406/**Authorize Refund/Various Escrows/131 Columbus Drive

**#R12-407/**Authorize Refund/Planning Board Trust Account/PB# 1-11-07

**#R12-408/**Authorize Refund/Planning Board Trust Account/PB# 1-12-10

**#R12-409/**Authorize Budget Transfers

**#R12-410/**Award Contract/Roberts Construction, Inc./Huyler Park Lighting Installation

**#R12-411/**Authorize Refund/Street Opening Bond/18 N. Browning Avenue

**#R12-412/**Amend 2012 Meeting Schedule/November 27, 2012

**#R12-413/**Authorize Refund/Various Escrows/52 Christie Street

**#R12-414/**Request Approval from Director of the Division of Local Government Services/Dedication By Rider/ Mayors Wellness Campaign Trust Fund

**#R12-415/** Waive All Municipal Construction Permit Fees for Construction Repair Work/Hurricane Sandy.

Motion by C. LaMastra, second by C. Barzelatto that the Consent Agenda be approved.

On a roll call, the vote on the Consent Agenda was recorded as follows:

C. Barzelatto:	aye	C. LaMastra:	aye
C. Honig:	aye	C. Warms:	aye
C. Kerge:	aye	C. Zinna:	aye

All members present voting in favor, the Consent Agenda was approved.

Mayor Rustin noted that Resolution #R12-415 gives the Building Department the ability to waive permit fees for work that has resulted from storm.

## COMMITTEE REPORTS:

Councilman Honig

The ADA Committee met Wednesday with Chief Bruno and discussed special ID cards to help the Police Department identify those with special needs. There was also discussion about adding Recreation programs for those with special needs such as a dance class offered by a school in Dumont, the Challenger sports program and activities in which high school students can volunteer.

Councilman Warms

The Chamber of Commerce is holding its annual Holiday Parade on December 6<sup>th</sup> which will begin at the Municipal Center and end in Huyler Park. The parade will feature the Tenaflly Magical Singers and hot chocolate and cookies will be provided.

Councilman Barzelatto

The Tenaflly Fire Department assisted Tenaflly High School in bringing four truckloads of donated items to Little Ferry. They may also be going the next two weekends to Breezy Point to assist their fire department in gutting houses damaged by Hurricane Sandy.

Mr. Barzelatto advised that he has been in contact with FEMA to inquire about a grant program to assist with damages sustained from the storm.

Mayor Rustin

Mayor Rustin reported that he attended a breakfast sponsored by United Way. They discussed the work that they did during the storm and advised that they have a 211 hotline available to those who require social assistance due to the storm.

Councilwoman LaMastra

The Senior Services Committee is finalizing the senior survey to go out in the next newsletter.

Recreation will hold its Visit with Santa on December 19<sup>th</sup> from 3 p.m. until 5 p.m. There will be discussion next month regarding the budget and programming. They have placed a handicap symbol next to applicable programs in the Recreation brochure. Ms. LaMastra suggested that if there is an interest in a dance program, someone from the ADA Committee should come and describe the program so that it can be added and an instructor assigned. Mr. Honig advised that the program is run by a dance school in Dumont and the owner would instruct the classes. The Recreation Board also discussed an issue regarding the use of the basketball courts. There is an individual using the basketball courts for profit and preventing others from using the courts. Ms. LaMastra questioned whether there is a policy regarding the use of the courts for profit and if a letter can be sent to the individual to advise him of said policy. Borough Attorney McClure advised that guidelines for use of the basketball courts would need to be adopted via resolution. Council agreed that the Recreation Board is to create a policy to be reviewed and adopted by the governing body. C. LaMastra questioned the status of the outdoor exercise equipment as Recreation would like to know whether they should proceed. Council agreed to list this item on the November 27<sup>th</sup> Work Session for discussion.

Ms. LaMastra advised that there was a BID meeting last night. They are moving forward with their

nominations. They have also formed subcommittees for various projects.

Mayor Rustin

Mayor Rustin announced that the Mayors Wellness Campaign had a kickoff last night in the McCandless Room. There was a presentation on leading a healthy lifestyle and ended with a 15 minute workout. He advised that they will have a series of events throughout year and these events will be sponsored by local businesses. Information will be posted on the website, message board, and in the newsletter.

Councilwoman LaMastra

Ms. LaMastra reported that she had a meeting with members of TVAC. They are dismayed that although they were active in evacuating County Manor patients to local hospitals during Hurricane Sandy, they were not thanked. Mayor Rustin advised that he was interviewed on the scene and was careful to thank the Police Department, Fire Department, and TVAC. Ms. LaMastra expressed her opinion that a letter should be sent to local communities to thank them for their assistance during the storm.

Councilman Zinna

No report.

Councilwoman Kerge

The Library Board met last night. The Library was closed for 5 days during week of Hurricane Sandy and opened as soon as they were able. The Director's Report indicated that circulation for October was higher this year than the year before. They are conducting survey of the community on uses and services as they are trying to fit the needs of the residents.

Mayor Rustin noted that power was restored to the Library early in morning and the Library Director opened immediately and expanded its hours. They also allowed residents to charge their devices and offered the Library as a place to get warm.

## **PUBLIC HEARINGS**

### **ORDINANCE NO. 12-18:**

The Borough Clerk read into the record:

The following ordinance published herewith was first read by title only on November 1, 2012, and posted on the bulletin board of the lobby of the municipal center.

**ORDINANCE NO. 12-18 - AN ORDINANCE AUTHORIZING THE EXECUTION AND GRANTING OF A LEASE TO THE TENAFLY NATURE CENTER ASSOCIATION, INCORPORATED.**

Public Comments on Ordinance 12-18.

Mayor Rustin advised that the President of the Board of Directors, Michael Neus, and Gerald Nigro will first make presentations and then the public will be given the opportunity to speak. He explained that the purpose of said ordinance is to execute the new 24-year lease for the Nature Center. He advised that should this project move forward, they would need a lease of that length to justify the need for funds which will be raised through donations and not taxpayer money. Mayor Rustin commented that should the lease be approved, the entire project is not yet approved as the board will have to come back with plans and there will be another hearing on those plans before a decision is made whether to go forward. Mayor Rustin noted that some of the information that has been distributed is inaccurate as the flyer stated that the project will use 15 acres; it will consume no more than 1.5 acres. He remarked that comments have been made about transparency and explained that the Nature Center first went to Green Acres and the DEP to see if their proposal was feasible and once they received confirmation that neither organization was

going to oppose said project, the information became public. He expressed his opinion that they showed due diligence.

C. Honig asked the Borough Attorney to clarify whether the lease as written indicates that Tenafly is going to be held harmless. Borough Attorney McClure confirmed that this clause is included in the proposed lease as it was in the prior lease. C. Honig asked for confirmation that the lease requires that the land is to be kept in its natural state and that any plans for this building would have to receive the approval of the governing body. Borough Attorney McClure advised that all of the rules and regulations that had been adopted in connection with Green Acres have been expressed and repeated in this lease and any plans would require governing body approval. He further advised that this lease is for 24 years, but if the project does not begin within the next 5 years, the lease would revert back to a 5-year lease.

Michael Neus, President of the Board of Directors of the Tenafly Nature Center, advised that the current Redfield Building is not adequate and even at a Board of Directors meeting held in 1972, there was discussion regarding the need for a new building or to expand the existing building. He described the unbelievable dedication of the staff, showing that they all care deeply about the land and its preservation. When exploring the idea of constructing a new building, the board looked into which architects are environmentally friendly and chose Randy Croxton. He has provided concept plans and is working with the staff to determine current and future needs. Mr. Neus explained that they hired a hydrologist and civil engineer to map the entire Nature Center and the location of wetlands. As they need to build at least 50 feet away from the wetlands in order to protect the land and Lost Brook Preserve, they learned that the only significant buildable area is off of Clinton Avenue near Kent. He advised that there are 15 acres in total area in which they can build and a detailed survey of 5 of those 15 acres will be conducted to create the best possible site for the new building. They are looking to build in an area that is least impactful on the environment and will be determining which trees can be saved and those that cannot will be reused and repurposed. He advised that they have received the approval of Green Acres for said project as well as the approval of the Environmental Commission and Historic Preservation who have both passed resolutions condoning this project. The board has also met with the Planning Board and received the approval of the two Borough Historians. Mr. Neus advised that increasing the length of the lease to 24 years was recommended by Green Acres and they do not expect the new building to occupy any more than 1.5 acres of land. He explained that they will sign the contract with the architect this week and will receive schematic drawings in the next 6 to 8 weeks. Once received, the Nature Center will provide further information to the Borough and will give at least 60 days before a public hearing. During that period, they will confirm approval with Green Acres and once the public hearing is held, the Council will decide whether to give final approval.

Gerald Nigro, 5 Stonybrook Road, explained that he was advised by a Green Acres compliance officer that any development on virgin land opens the door for future construction of recreational facilities and for this reason, he is opposed to Ordinance 12-18. He believes that the endorsement of a building on this land is not in line with what was intended in 1976 when this land was acquired. He expressed his opinion that the question of whether to place the proposed building in this location should be placed on the ballot as a binding referendum and advised that he has made this request to the President of the Nature Center. Mr. Nigro commented that although the Nature Center has always been open and transparent, he feels that this proposal was discussed in secrecy and they should first be coming to the general public for their consent. He criticized the fact that the first reading of this ordinance was done at a meeting held during the midst of a storm. He again requested that this proposal be submitted to a binding referendum.

C. Honig asked Mr. Nigro to point out where in the lease there are not sufficient protections against the building of recreational facilities such as a soccer field. He noted that in his reading of the lease, it is very clear that this land is to be used for one purpose and cannot be used by the Borough or for profit, guaranteeing its natural state for the length of the lease.

Mr. Nigro responded that although the lease mentions the term recreation, it does not say passive recreation which opens the door to all forms of other activities. He remarked that there is nothing to preclude the Council from including all forms of recreational activities in the lease.

Borough Attorney McClure advised that he used the same exact, word-for-word regulations that came from the 1976 resolution that had been adopted, meaning that what is allowed in this lease has always been allowed.

Mr. Neus explained that Kent Road is the only area with access and a lack of wetlands. He noted that the board will never approve putting anything else on this land, allowing for its protection for at least 24 more years.

Jennifer Kleinbaum, Executive Director of the Tenafly Nature Center, 441 Hudson Avenue, advised that the Nature Center remaining in natural state originated from a document in 1975 that was published by the Borough. She provided background information on the development of the Nature Center. She stated that the board is a part of group entrusted to make sure that the land remains in its natural state. She advised that the way to protect the land in perpetuity is through education. She pointed out that most national and local organizations have similar education centers.

Daniel Malcolm, 99 Oxford Drive, questioned the need for a new center and expressed his concern that East Clinton Avenue is a high traffic area.

Mr. Neus responded that the current building is one large room that is 41 years old and only has one bathroom. When there are summer camp programs or multiple groups and there is inclement weather, he explained that they have to cancel meetings due to insufficient space. Mr. Neus advised that they are trying to create an inviting, residential scale, 7,000 square foot building that will allow multiple organizations to use the facility at one time.

Risa Rosenberg, 149 Newcomb Road, stated that she has been in close contact with Green Acres and has been authorized to read statement from a compliance officer. This officer stated that from beginning, the Nature Center has been transparent with both the public and Green Acres, going above and beyond the requirements of Green Acres.

Quentin Kennedy, Old Smith Road, referred to the lease and noted that there is only one mention of acreage included in the whereas clause which is not binding. He pointed out that the language on page 5 is binding and if the Nature Center is going to be restricted to no more than 2 acres, this language should be included on this page. He questioned whether Council has any information on how this project will be financed and if there will be any obligation with respect to operating expenses once the new building is finished.

Mayor Rustin commented that there is an understanding between the board and Council that there will be no municipal funds for this project. He advised that the Borough's financial support is a budgetary item that is discussed every year and there is no anticipation that there will be any increase in support in future. He noted that with more space and more classes, there will be more revenue generated to cover costs.

C. Honig asked for confirmation from the Borough Attorney that the lease states that the Borough is not financially obligated to this building or the maintenance of the property. Borough Attorney McClure responded that although it is stated in the lease, if a landlord permits a structure to be constructed and the tenant can no longer continue in that business, the landlord would be responsible for that building. In response to Mr. Kennedy's comment regarding the whereas clause, he advised that this clause uses the short form and the Education Center is defined as 2 acres.

C. Honig advised that last year, the Nature Center requested a budget increase and the Borough opted not to approve their request due to budgetary constraints.

Rohan Kingan, 164 W. Clinton Avenue, advised that he is in Boy Scout Troop 86 and is a member of the graduating class of Tenafly High School. He stated that he has been doing Eagle projects at the Nature Center and has a strong connection with the center. He commented that Tenafly is steeped with history, but does not want see that stagnate. He asked that people not be afraid to change and plan for future.

Marian Malcolm, 99 Oxford Drive, expressed her opinion that it is not possible to build what the Nature Center is proposing on that site as she believes that it will require a much larger site. She also commented that she is horrified by all of the downed trees along E. Clinton Avenue which is a mandate of the Nature Center.

Alice Rigney, Borough Historian, 48 Knoll Road, commented that Tenafly has come a long way since the citizens put together the Nature Center and believes that the educational building is a magnificent idea. She also pointed out that senior citizens will be able to enjoy the new center whereas it difficult for them to do at the current center.

Richard White, 20 Hodskin Place, advised that he is a trustee of the Nature Center and had been president of the board. He recalled that the Redfield Building had had a tenant and questioned what was done with that space. Mr. Neus advised that it is being used as an

administrative office. He does not feel that the new center needs to be built where proposed as there is the education pavilion and the space where the tenant had been. He believes that parking can be expanded and questioned why the building cannot be placed further east.

Byron "Gus" Allen, 76 Forest Road, advised that he has been a member of the Nature Center for quite a few years and has lived in town for almost 50 years. He expressed his opinion that the town is well-built out and there is the need for more recreational spaces. He believes that Tenafly has intelligent people who think well ahead of what future needs will be and gave the turf field by the Library as one example. He feels that the current board is thinking about what their needs will be down the road and expressed his strong support for them and their proposal.

Anna Manos, Stonehurst Drive, advised that her husband was former Mayor John Manos who was mayor during the time that the Lost Brook Preserve was purchased. She stated that she is not against Green Acres, the Nature Center, or the Boy Scouts, but is against the destruction of trees. She criticized the Board of Directors for failing to provide notice of the proposed building as it was discussed during the summer when people are away. She noted that \$106,000 has been spent on architectural work so far and they are proposing an additional \$5 million. She questioned who gave them permission to do this work. She remarked that Pfister's Pond is clogged and does not believe that the Nature Center has kept up with their responsibilities. She noted that this new facility will require additional Borough services. She believes that they should expand and renovate the current facility.

Ryan Woo, 143 Hudson Avenue, advised that he is a member of Boy Scout Troop 86 and expressed his opinion that this new development would be a benefit as it will allow more opportunities to do Eagle projects and give accessibility to a more modern area.

Ernest Kollitides, 164 East Clinton Avenue, criticized the fact that although the Nature Center has said that it would like the input of the public, they have been working on this proposal for two years and did not seek input from the public at any point. He does not believe that the proposed building will fit on 1.5 acres. He questioned why the current location is no longer adequate. He believes that the \$5 million could be spent more wisely in completely renovating or reconstructing the current building. He also noted that there will be hidden expenses such as police and fire services. He criticized the Mayor for sounding like an advocate of this project and asked the Council not to approve this ordinance.

C. Honig stated that he is confused about the comments made about the lack of transparency. He advised that last March, the Nature Center came before Council and requested that a letter be submitted to Green Acres regarding the proposed building. They then introduced the ordinance a few weeks ago and are now holding this hearing. He advised that even if the lease passes, the center will still need permission to build.

Jack Neus, 330 Engle Street, advised that he is a freshman and has been going to the Nature Center for a long time. He commented that he was watching his father go through this process and believes that the new building is a good idea.

Ruth Bernstein, Tenafly resident, feels that there have not been enough public hearings for such an important issue. She believes that there are too many unanswered questions and people need to learn more about this project before a vote is taken. She asked Council to consider a non-binding referendum. She also thanked the DPW for the terrific job that they did in cleaning up after the storm.

Elizabeth Scott, Windsor Road, advised that she was a past member of board. She noted that at the annual meetings for the past seven years, there have been discussions about what to do about the Redfield Building, its inadequacies, and the need for programs that far outreach the capabilities of the current facility. She stated that this decision did not take place overnight and the board has looked at why the new building cannot be placed at the current location. She advised that at the new location, the access will be better and they will be in ADA compliance. She questioned why people would oppose those who want to preserve the land.

Nick Pituras, 246 Woodland Street, stated that he has been a resident for 45 years. He pointed out that the location of the proposed building is a very busy area. He feels that it is impossible that the proposed building will only use 1.5 acres. He expressed his opinion that it would be best to renovate and expand the current building, making it more modern while keeping a rustic and natural look.

Malcolm LeClair, 73 Park Street, commented that as both a student and Boy Scout, he is duly blessed by the Nature Center. He expressed his opinion that no one can deny that the Nature Center is hindered by the current building. He believes that a new building is the

only way to continue providing the best service and allow people to be educated on the value of the Nature Center.

C. Honig questioned whether the Nature Center will need to go before the Planning Board to present traffic and engineering studies and if Chief Bruno has been consulted about traffic patterns and safety issues. Borough Attorney McClure responded that the Nature Center will be subject to the same requirements as everybody else and it will depend on the scope of the project. He advised that the entire project will require approval and conditions for that approval can be imposed.

Steve Savas, 40 S. Park Drive, questioned why the old site cannot be revamped and fixed up. He asked when a business plan will be submitted and expressed his opinion that the new facility will be much a more expensive operation in future. He inquired whether the center will be kept local or if it will be made into a regional or county center as he would not be in favor of making it regional. Although he does believe that the people involved are well-intentioned, he does not feel it is clear that town will benefit from having a larger scheme.

Debora Davidson, staff member of the Nature Center, stated that she is a biologist, ecologist, and a naturalist. She responded to the comment made about the condition of Pfister's Pond and explained that all ponds eventually become part of forest.

Edythe Kornfeld, 258 Highwood Avenue, advised that she has been a Tenafly resident for more than 40 years and both contributed to the Green Acres fund and supported the referendum. She stated that she is opposed to this development and believes that the board has a moral and ethical obligation to respect that the intent of purchasing this land was to have it remain in its natural state. She urged the Council not to go forward.

Ellen Kuhn, Tenafly resident, commented that that the board did investigate the possibility of replacing the current building and as Hudson Avenue is a residential street not built for large scale traffic and a dead end with no other outlets, it is a problem to expand parking. She noted that there are approximately 23,000 visitors each year and it is tough for school buses to turn around with terrain that is rocky and steep. She also pointed out that trying to rebuild would cause the center to lose program income for a year and affect runoff to the pond whereas building off of Clinton Avenue would open up the larger part of site and the result will be a new building that is more accessible to more groups. She expressed her opinion that the proposed plans are the center's best hope to engage new audiences, educate the environmental leaders of future, and strengthen the Nature Center's mission.

Bill Kelly, 24 Midwood Road, explained that he created the petition and he and his wife have been members of and contributors to center. He expressed his concern about the diminishing membership and feels that undertaking this major project seems to be taking a big leap of faith. He questioned whether there have been any attempts to increase membership. He believes that the best option is to maintain the present site and if necessary, rebuild.

Although the long-term trend is that membership has declined, Mr. Neus responded that it is extremely important to realize that the Nature Center is not-for-profit and its primary income is programming. He advised that the \$106,000 has been entirely funded by the Board of Trustees and not from the general budget.

Olga Milanos, Creston Avenue, read a letter from Bruce Baker, former Councilman and Liaison to the Nature Center. She advised that he was instrumental in saving the Lost Brook Preserve. In his letter, he expressed his support for the proposed project as he believes that it will serve as a beacon to other towns to preserve their Green Acres land and encourage people to appreciate the flora and fauna. He trusts that the board will honor all those who helped to preserve this space and believes that they have done their due diligence to conform to the spirit of Green Acres.

Louis Mandel, 22 Farview Road, expressed that he is opposed to this proposal, not the Nature Center, as he does not like to see trees come down. He believes that this proposal is a violation of the initial agreement that the land was going to be kept pristine. He expressed his opinion that the arguments presented for why they cannot build in the center's current location are not justified and although he is in favor of expanding the building, he does not believe that it should be done at the expense of Green Acres.

Nancy Wolinsky, 284 Knickerbocker Road, advised that she is a Trustee of the Nature Center and asked that residents put their trust into the Board that they will continue to protect the land.

Elizabeth Heghinian, 52 Howard Park Drive, stated that she is opposed to the current plan due to its ambiguity and her concerns about the precedents that this project may set. She noted that when a lot of trees are taken down, water could run down and affect homes on the lower part of hill. She advised that she was one of people who collected money for the Nature Center to be preserved in perpetuity and she now feels like she violated the trust of those from whom she collected.

Tony Martin, former Director of the Nature Center, advised that the important mission of the Nature Center is to engage people by giving them direct experience with the land. He believes that this mission will be best fulfilled by the selected site.

Raymond Lucas, Tenafly Road, expressed his belief that nature must be maintained without compromise and it is up to the residents of Tenafly to ensure that the hard work of the founders of Green Acres is not wasted.

Debbie Abitante, 152 Hudson Avenue, advised that she is a parent, teacher, and former board member and has spent countless hours at the Nature Center participating in its amazing programs. She noted that the buses traveling to the Nature Center are mostly transporting Tenafly children for programming and urged every person present to spend time at the center, watching how children are educated. She questioned how the Redfield Building was ever constructed given the concerns expressed tonight.

Bob Iacullo, 70 Prospect Terrace, stated that he is against this proposal as he is hearing inconsistencies. He believes that this new construction will require a lot of dynamiting and questioned whether this cost has been investigated.

Steve Savas, 40 S. Park Drive, suggested that the Nature Center conduct a survey of how many people currently use the center and how many more would come if the new building is constructed. He believes that this information may help to strengthen the Nature Center's case for the proposed building.

Jennifer Kleinbaum advised that there was a survey conducted that asked which locations in Tenafly are considered most valuable and the Nature Center was the number one and the Lost Brook Preserve was number two or three.

Peter Koujoumis, 16 Esmond Place, remarked that this tract is one of the most pristine and believes that the proposed construction would be an intrusion on the wildlife.

Lori Starer, 21 Stanton Road, spoke about the significance of teaching children the importance of nature. She believes that this educational aspect is accomplished through the Nature Center programs and these programs should be innovative and accessible. She expressed her opinion that there is the need to invest and trust in volunteers who have thought about the best ways to be stewards of property. She advised that she is 100% in support of this project.

Gerald Nigro, 5 Stonybrook Road, noted that there are Green Acres funds available to clean up the pond and permission for dead tree removal can be sought. He advised that Brad Northrup, former Director of the Nature Conservancy, has stated that large nature centers have a history of being unsuccessful. Mr. Nigro noted that the disagreement is over the location as there are 50 acres that are buildable and suitable. He believes that the centerpiece of the Nature Center is Pfister's Pond and it is much more accessible from the current location.

C. Honig requested that Mr. Neus address why glass materials are to be used as the materials for the proposed building. Mr. Neus responded that no decision has been made as they do not have any formal plans or a final site location. He explained that the issue being considered tonight is the lease extension and advised that privately-raised funds will be used to determine the best site within the area to build. Although they have conceptual drawings, they will be seeking input and will come back to the Council with plans, costs, and traffic considerations. C. Honig inquired whether the board would have an objection to having center blend in with the environment. Mr. Neus replied that the design would be a style that would blend into the deciduous forest and the reason that glass material is being considered is to be able to see outside from inside the building. He emphasized the fact that approving this lease is not approving how many acres this building will occupy or the materials that will be used. C. Honig then asked Mr. Neus to address the concerns raised regarding property maintenance. Mr. Neus advised that Pfister's Pond is manmade, created 80 years ago, and as Debbie Davidson explained, ponds naturally fill up. He advised that they have had volunteers pull out, by hand, vegetation annually. This issue was exacerbated with the development of the Alpine Country Club's golf course and their use of pesticides. He advised that they were able to have the club change the pesticides that they

were using. They have also contracted for bids for the dredging of the pond. In terms of the downed trees along the trails, he explained that the 1975 regulations specifically state that they are not to remove live or dead trees or bushes unless they present a hazard. He advised that they have requested a provision in the new lease to enable the removal of dead trees. C. Honig advised that he lives behind the Nature Center and the reason that he picked his house was because he loves the center and wants it preserved. He stated that he is convinced and satisfied that the board members have the intention of continuing the great work of 1970s and the governing body will use scrutiny when reviewing the financial and construction plans.

C. Warms commented that families in Tenaflly have used the Nature Center as a resource for the past 50 years and all are impressed by the professionalism and education of the staff. He noted that he has lived in Tenaflly for 45 years and the center is an important part of his residence. He expressed his opinion that not every part of this land was intended to be wilderness as it was supposed to be an educational area as well as a nature preserve. He stated that he trusts the board's judgment and feels that their arguments seem cogent and appropriate.

C. Barzelatto thanked everyone and commended Mr. Nigro. He advised that he is a 3<sup>rd</sup> generation Tenafllykian and he and his children utilized the Nature center as Boy Scouts. He expressed his opinion that there is the need to look to the future and it would be a discredit to his future grandchildren to not pursue and move forward with this proposal. Although he is apprehensive and would like more details to ensure that the project is done right and paves the way to the future, he is fully supporting this project.

C. LaMastra noted her understanding of people's passion to preserve the land, but believes that this passion needs to be instilled in future generations. She feels that there is the need to allow more people to use this facility and expressed her confidence in the trustees. She stated that she fully agrees with this concept and plan.

C. Zinna questioned whether any thought had been given to what would happen to the existing building once the new building is constructed. Mr. Neus responded that this decision is still several years off, but there have been proposals to return this area to nature, use it as a satellite facility for the Nature Center for additional programming, or use it as a historic museum for the Mosely collection.

C. Kerge remarked that Tenaflly has always seemed to face the future with a proactive approach. She expressed her opinion that what was done in 70s was perhaps one of Tenaflly's finest hours and thanked those involved for the leadership that they showed during that time. She thanked Mr. Neus and Ms. Kleinbaum and the entire Nature Center staff as well as Mr. Nigro and commented that she was so impressed by the information provided and the endless hours of work. She expressed her opinion that this project can also be one of Tenaflly's finest hours and advised that she is ready to vote to approve as she is confident that everyone can work together to find an approach with which everyone agrees.

Mayor Rustin stated that he supports this project and does not want anyone to think that they have not been heard. He commented that he respects the work of Mr. Manos and Mr. Nigro and noted that in the 1970s, the entire town united for this cause and everyone is forever grateful. He remarked that the end result is going to depend on whether the plans brought forward by the board are viable and make sense to both the governing body and the public. He encouraged communication between the Board of Trustees of the Nature Center and those with questions and concerns.

Motion by C. Warms, second by C. Honig that Ordinance 12-14 be passed on second and final reading and is hereby adopted and notice of same shall be published according to law. On a roll call, the vote was recorded as follows:

C. Barzelatto:	aye	C. LaMastra:	aye
C. Honig:	aye	C. Warms:	aye
C. Kerge:	aye	C. Zinna:	aye

OLD BUSINESS:

None.

NEW BUSINESS:

Introduction of Ordinances

C. LaMastra moved to introduce and pass on first reading Ordinances 12-19 and 12-20 and setting December 11, 2012 at 8:00 p.m. or as soon thereafter as the matter can be heard as the date and time and the Council Chambers of the Tenaflly Municipal Center as the place for a hearing on said ordinances. Seconded by C. Zinna:

The Borough Clerk read the ordinance into the record:

ORDINANCE NO. 12-19 - AN ORDINANCE AMENDING CHAPTER II, SECTION 2-59 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY

ORDINANCE NO. 12-20 - AN ORDINANCE TO AMEND CHAPTER VII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF TENAFLY, ENTITLED "TRAFFIC"

On a roll call, the vote was recorded as follows:

C. Barzelatto:	aye	C. LaMastra:	aye
C. Honig:	aye	C. Warms:	aye
C. Kerge:	aye	C. Zinna:	aye

Chamber of Commerce – Holiday Parade Request

Motion by C. Kerge, second by C. LaMastra, and all other members voting in favor that the Chamber of Commerce’s request to hold their Holiday Parade on December 6<sup>th</sup> is hereby approved.

AUDIENCE REMARKS FOR NON-AGENDA ITEMS:

None.

MAYOR’S REMARKS:

Mayor Rustin remarked that the Borough is indebted to the Police, Fire, and Ambulance Corps for the long hours and hard work that they put in during and after the storm. He also recognized C. Barzelatto in the wonderful job that he did in communicating with the County OEM and PSE&G. Mayor Rustin expressed his opinion that PSE&G’s response for this storm was much better than the Halloween storm as most people had their power back by Monday night and emergency personnel were able to communicate to PSE&G the location of problem areas. In terms of shelters, he advised that they have not been able to find a facility to meet Tenaflly’s needs and are instead looking into a 1-on-1 concept in which neighbors are willing to house those in need. He applauded all residents who showed patience, consideration, and a willingness to help their neighbors.

ADJOURNMENT:

As there was no further business to come before the Council, on a motion by C. Honig, second by C. Kerge, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 11:04 p.m.

Respectfully submitted,

Lissette Aportela-Hernandez, MPA, RMC  
Borough Clerk