



January 26, 2016

Caroline Armstrong
State of New Jersey
Department of Environmental Protection
Green Acres Program
Mail Code 501-01
P.O. Box 420
Trenton, NJ 08625-0420

RE: North Bergen / Hudson County Major Diversion Pre-Application

Dear Ms. Armstrong,

Enclosed please find a State House Commission Pre-Application for Diversion of Local Parkland submitted on behalf of the Township of North Bergen and the County of Hudson. Please note that the draft lease appended within section 1 – description of proposed diversion – is planned as an agreement between the County of Hudson and the North Bergen Public School District, not the Township of North Bergen as currently stated within that document.

Your guidance and patience throughout our compiling of this documentation has been much appreciated. Please continue to prompt me as necessary as items arise that need to be amended or otherwise addressed.

Best regards,

Nathan Burroughs
Senior Grant Manager

Green Acres Program
State House Commission Pre-Application
Local Parkland—Major Disposal/diversion

Major Disposal/Diversion Pre-Application Requirements



1. Description of the proposed disposal/diversion, including:

- ☐ Block(s) and lot(s) information for the parkland proposed for disposal or diversion (*N.J.A.C. 7:36-26.9(d)1i*);
- ☐ Acreage of the parkland proposed for disposal or diversion (*N.J.A.C. 7:36-26.9(d)1ii*);
- ☐ Purpose of proposed disposal/diversion, including the intended future use and owner of the parkland proposed for disposal/diversion (*N.J.A.C. 7:36-26.9(d)1iii*);
- ☐ A detailed description of how the proposed disposal/diversion will fulfill a compelling public need or yield a significant public benefit as defined at *N.J.A.C. 7:36-26.1(d)1* (*N.J.A.C. 7:36-26.9(d)1iv*);
- ☐ A description of how the parkland is proposed to be disposed or diverted including (*N.J.A.C. 7:36-26.9(d)1v*);
 - ☐ The name of the prospective buyer, lessee or easement grantee;
 - ☐ A description of the type of legal interest to be conveyed, if any;
 - ☐ A description of any conditions or restriction on the intended use of the parkland;
- ☐ If applicable, a copy of the draft lease or use agreement and statement of total compensation proposed to be received by the applicant for the lease of use agreement (*N.J.A.C. 7:36-26.9(d)1vi*);
- ☐ If the proposed disposal/diversion involves the construction of a building or infrastructure on parkland, a set of plans and specifications for the construction (*N.J.A.C. 7:36-26.9(d)1vii*);
- ☐ A general description of the natural features, history and current use of the parkland proposed to be disposed/diverted and of any parkland contiguous to or functionally related to the parkland proposed for disposal/diversion (*N.J.A.C. 7:36-26.9(d)1viii*);
- ☐ A detailed description of any recreational facilities and/or activities to be affected by the proposed disposal/diversion of parkland and an explanation of how they will be affected (*N.J.A.C. 7:36-26.9(d)1ix*);

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2. Alternatives analysis:

A. Identify each alternative course of action that could be taken to fulfill the compelling public need or yield the significant public benefit to be derived from the project for which the disposal/diversion of parkland is proposed. (N.J.A.C. 7:36-26.9(d)2i) This identification must include all feasible, reasonable and available alternatives, including:

- ☐ All alternatives presented at the scoping hearing
- ☐ Any alternatives suggested by the public at the scoping hearing or in the written comments submitted during the public comment period
- ☐ The alternative of constructing the proposed project on the proposed replacement land (if applicable)
- ☐ A "no build" or "no action" alternative
- ☐ Any alternative involving private lands or other public lands
- ☐ Please also include a description of methods used to identify alternatives

B. For each alternative identified under A above, provide:

- ☐ A detailed description of the environmental impact of the alternative (N.J.A.C. 7:36-26.9(d)2ii(1));
- ☐ A listing of all Department permits to construct or utilize the alternative (N.J.A.C. 7:36-26.9(d)2ii(2));
- ☐ Information on whether the alternative involves any areas mapped as endangered or threatened species habitat, including a review of the Department's Landscape Project Mapping (www.nj.gov/dep/fqw/ensp/landscape/index.htm) and a response from or evidence that a request for information has been filed with the Department's Natural Heritage Database (c/o Office of Natural Lands Management, Mail Code 501-04, P.O. Box 420, Trenton, New Jersey 08625-0420) ((N.J.A.C. 7:36-26.4(d)2ii(3));
- ☐ An analysis of the overall cost of the alternative (N.J.A.C. 7:36-26.9(d)2ii(4));
- ☐ A description of the timetable or schedule necessary to implement the alternative to the proposed disposal or diversion (N.J.A.C. 7:36-26.9(d)2ii(5));
- ☐ If applicable, the estimated land acquisition or lease cost of the alternative (N.J.A.C. 7:36-26.9(d)2ii(6));

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- ☐ Identification of any other zoning, land use, environmental or other constraints associated with the alternative and a description of all attempts undertaken to remove or adapt to such constraints (*N.J.A.C. 7:36-26.9(d)2ii(7)*);
- ☐ An explanation of the reasons for rejecting each alternative (*N.J.A.C. 7:36-26.9(e)*).
- ☒ 3. **Environmental Assessment Report** prepared in accordance with **Attachment I: Environmental Assessment Report Outline** (*N.J.A.C. 7:36-26.9(d)3*)
- ☒ 4. **Land Valuation Forms** using the form found at **Attachment II: Land Valuation Forms** (*N.J.A.C. 7:36-26.9(d)4* and *N.J.A.C. 7:36-26.10(f)*)
- ☒ 5. **Preliminary Compensation Proposal** based on the requirements of *N.J.A.C. 7:36-26.10* and prepared in accordance with **Attachment III: Preliminary Compensation Proposals for Major Disposals or Diversions of Parkland** and **Attachment II: Value Statement** (*N.J.A.C. 7:36-26.9(d)5*)
- ☒ 6. A description of how the proposed project for which the disposal or diversion of parkland is proposed, and the proposed compensation, will support the State Development and Redevelopment Plan Goals and be consistent with the State Development and Redevelopment Plan's Policy Map and the Statewide Policies. (*N.J.A.C. 7:36 26.9(d)6*)
- ☒ 7. A listing of all permits and approvals required for the project (**Attachment IV: Permit/Approval Checklist**). (*N.J.A.C. 7:36 26.9(d)7*)
- ☒ 8. **Copy of the deed** for the proposed disposal or diversion area and replacement parcel(s). If the replacement parcel is not already owned by the applicant, please include a brief description of how the applicant intends to acquire the replacement parcel. (*N.J.A.C. 7:36 26.7(d)8*)
- ☒ 9. **Maps.** (**Attachment V: Map requirements**; and **VI: Sample Reference Map**) (*N.J.A.C. 7:36-26.9(d)9*)
- ☒ 10. **Confirmation of the scoping hearing:**
 - ☐ Proof of publication, mailings and postings of the notice of the scoping hearing required under *N.J.A.C. 7:36-26.8(c)1-3*. A template for the notice can be found in **Attachment VII: Sample Public Notice**. (*N.J.A.C. 7:36-26.8(e)1*);
 - ☐ A copy of the transcript of the scoping hearing (*N.J.A.C. 7:36-26.8(e)2*);
 - ☐ A summary of public comments made at the scoping hearing and/or provided in writing during the public comment period and the applicant's response to the public comments (*N.J.A.C. 7:36-26.8(e)3*);

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- ☐ Copies of written comments submitted as part of the record of the scoping hearing.
- ☒ 11. **Governing body resolution.** (Attachment VIII: Resolution) (N.J.A.C. 7:36-26.9(d)11)
- ☒ 12. **Please attach this cover sheet and the following checklists:**
- **Attachment II: Land Assessment Form**
 - **Attachment III: Preliminary Compensation Proposals for Major Disposals or Diversions of Parkland**
 - **Attachment IV: Permit/Approval Checklist**
 - **Attachment V: Map Requirements**
- ☒ 13. **Please provide the following copies:**
- **Two printed copies of the entire application including maps**
 - **Items 1 - 3, 5, and 6 in Microsoft Word Format**
 - **Maps submitted under Item 9 in .pdf format**
 - **All other application material in .pdf format**
- Digital copies may be submitted on a Standard or Mini CD-R produced to be read by any CD-ROM drive or on a USB Flash Drive.**

NOTES:

- The Green Acres Program will notify the applicant as to whether the applicant may proceed with the final application. (N.J.A.C. 7:36-26.9(h))
- If authorized to proceed, the final application must be submitted to Green Acres 75 days prior to the meeting of the State House Commission. (N.J.A.C. 7:36-26.11(i))
- The final application must be deemed complete for public hearing purposes by Green Acres before the second public hearing on the application is scheduled. (N.J.A.C. 7:36-26.11(d))
- This package is also available at:
www.nj.gov/dep/greenacres/pdflaunch.html#legal_stewardship

**County of Hudson/Township of North Bergen
Green Acres Program
State House Commission Pre-Application
Local Parkland – Major Diversion**

**Item 1
Description of Proposed Diversion
Draft Lease**

County of Hudson/Township of North Bergen

**Green Acres Program
State House Commission Pre-Application
Local Parkland – Major Diversion**

Description of proposed diversion:

The Township of North Bergen and the County of Hudson are proposing the diversion of 1.17 Acres within the James J. Braddock North Hudson County Park (all of which is constituted by Block 437.02/Lot 1) for the continued occupation of the North Bergen Preschool, comprised by temporary trailers arranged in an L-shaped configuration at the proposed site.

The entirety of the park is owned by the County of Hudson. The parcel under consideration is situated in a corner of Bruin Stadium, a 9-acre section of the park leased to the Township of North Bergen, which has allowed North Bergen Preschool (operated by the North Bergen Board of Education) to occupy this acre with temporary trailers for the past 12 years.

Like the rest of the park, the site is moderately to heavily wooded and located in proximity to playing fields and the park's centrally located lake. Prior to the occupation of the preschool, this L-shaped parcel had been utilized as part of a partial ball field. Aside from the fact that the former baseball/softball field (of which there are several throughout the park) no other recreation is impacted by the presence of the pre-school, including the adjacent track and football field.

The new lease – draft attached – is currently proposed to be in effect for 19, years with the North Bergen Board of Education as the direct lessee. The lease includes the stipulation that the parcel shall only be utilized for educational purposes and the restriction against encroachment onto the adjacent encumbered property. Under this agreement, the County will receive \$1.00 on the commencement date, recurring annually during the existence of the lease.

The Township and County propose that the preschool remain in the park in temporary trailers until grant funding to assist with the construction of a permanent school facility becomes available. In several years when the funding is projected to come through, this permanent construction may not have to occur within the park. If enough funding becomes available to build an addition to the Lincoln School or to the North Bergen High School, measures included in the district's Long Range Facilities Plan, there is a possibility that the preschool could find a permanent home there. The likelihood, however, is that the preschool would remain within the park if the diversion is approved.

The land proposed for diversion takes up approximately .6% of the park's total area and the current use does fulfill a compelling public need and yield significant public benefit. The provision of Pre-Kindergarten classes is mandated by the State of New Jersey. In

North Bergen the Pre-K serves 270 4-5 year olds per year – generally with 16% to 19% attending Special Education Classes and 4% to 5% classified on the Autism Spectrum. Providing these services to the most vulnerable members of the community in the safest atmosphere possible should be considered a compelling public need.

Further, allowing the preschool to remain fulfills other compelling needs relevant to public safety, as the BOE must fund a bevy of pressing health and safety initiatives throughout the district - such as security systems, fire alarm systems and roofs – as their limited capital becomes available. Execution of these projects – essential to the safety of all children in the district – is compromised if the BOE is forced to into outlay of funds for relocation of the preschool.

Beyond satisfying these compelling needs, there are many other public benefits that have been created by establishing the preschool at this location and that will continue with this proposal to keep the school in this location; these include increased daily use of the park by children and families, adding to a greater sense of passive security for the entire park and continual improvements of the park area that benefit all users. Said improvements include the installation and improvement of child play opportunities (children's playground area), lighting and landscaping, protective fencing, in addition to the transition of the existing parking area to a permeable surface.

LEASE AGREEMENT

**COUNTY OF HUDSON (LANDLORD)
TO
TOWNSHIP OF NORTH BERGEN (TENANT)
PORTION OF BRADDOCK PARK**

This Agreement made this day of 2015, by and between the **COUNTY OF HUDSON**, a body politic and corporate of the State of New Jersey (referred to hereafter as the "County" and together with the Township, the "Parties") whose address is 567 Pavonia Avenue, Jersey City, New Jersey 07306 and the **TOWNSHIP OF NORTH BERGEN** (referred to hereafter as "Tenant") with offices located at 4233 Kennedy Boulevard, North Bergen, New Jersey 07047, herein designated as the Tenant:

WITNESSETH THAT, the County does hereby lease to the Tenant and the Tenant does hereby rent from the County approximately 1.1 acres of a portion of Braddock Park in the Township of North Bergen (Block 437.2, Lot 1) (herein referred to as "Premises") and for the Terms and Conditions as set forth in this Lease.

NOW THEREFORE, for and in consideration of the mutual promises, representations and covenants contained herein and the undertaking of each Party to the other and such other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged the Parties agree as follows:

1. **RENT** Tenant shall pay to the County the annual rental of One Dollar (\$1.00) on the commencement of this Lease and annually thereafter on the first day of and for each and every year during the existence of this Lease.

2. **TERM OF LEASE** The term of the Lease shall be for nineteen (19) years beginning on and ending on . In addition to the preceding lease term there shall be no more than four (4) additional terms of renewal. Each term of renewal shall commence on of the year next succeeding the end of the prior lease term and shall terminate on in the 19th year after commencement of such renewal term, unless sooner terminated as provided herein. The County reserves the right to terminate this Lease at any time and for any reason within sixty (60) days before the end of the initial lease term and each renewal term. Said termination shall be by written notice, either personally delivered or by certified mail, return receipt requested and regular mail forwarded to the Tenant at the address set forth in Section 18 of this Lease.

3. **USE OF PREMISES** The Premises are currently being used as a school facility for public school pre-kindergarten students. The facility consists of multiple modular classroom trailers and utilities servicing said trailers. It is understood by the Parties, that the Tenant may during the term of this Lease replace the modular classroom trailers with a permanent structure. In any event and at all times, the use of the Premises shall be restricted and limited to public school educational purposes. The Premises shall be used only for the purposes enumerated herein. Any use other than that which is set forth herein shall constitute a material breach of this agreement. The use of

the Premises shall not interfere with the recreation/parkland use of the remaining area surrounding the premises known as Braddock Park.

4. **REPLACEMENT WITH PERMANENT STRUCTURE** It is understood by the Parties that the Tenant may during the term of this Lease replace the modular classroom trailers with a permanent structure. Prior to construction the Tenant shall provide all plans to the County Engineer's office for approval prior to the commencement of construction. The Tenant is responsible for all costs relating to and of construction and all costs thereafter as set forth in this Lease.

5. **GREEN ACRES DIVERSION** It is understood by the parties that the Premises are the subject of a New Jersey State Department of Environment Green Acres Program (herein referred to as "Green Acres") diversion application and United States National Park Service Land and Water Conservation Fund State Assistance Program (herein referred to as "LWCF" State Assistance Program) conversion application. On approval of the diversion application and the conversion application the Premises will no longer be subject to Green Acres regulations or LWCF State Assistance Program regulations. However, Braddock Park which is adjacent to the Premises will remain and continue to be subject to Green Acres regulations and LWCF State Assistance Program regulations. Therefore, it shall be a material breach of this Lease if the Township encroaches in any way onto the adjacent Braddock Park property for a use which is contrary to Green Acres regulations and LWCF State Assistance Program regulations. Further, the Township shall be liable for any and all costs of said encroachment.

6. **UTILITIES AND SERVICES (CARRYING CHARGES)** In addition to and as otherwise set forth in this Lease, Tenant shall be responsible for and pay when due all carrying charges which are or may be assessed or imposed upon the Premises. Those charges include but are not limited to: water, sewer, electricity, heating systems, cooling systems, trash disposal, all security services and systems, grounds/landscaping and snow/ice removal. If the carrying charges of the Premises are not paid, such charges will become payable as rent, and said rent being due within 30 days of demand being made by the County.

7. **MAINTENANCE AND REPAIRS** Tenant shall be solely responsible for the maintenance, repair, replacement, restoration, and costs related to the Tenant's use of the Premises. Maintenance shall include, but not be limited to: repair, replacement, restoration and costs related to keeping the Premises clean, in good condition and in good repair; keeping all improvements free of debris, weeds, graffiti, snow and ice; landscaping, flowers and grass; removal of trash and waste from the trash receptacles on a daily basis and maintenance of all lighting. Any work performed by Tenant, its representatives, agents, employees or contractors under this Agreement shall be performed in a workmanlike manner.

8. **COMPLIANCE WITH LAWS, ETC.** Tenant shall comply and shall ensure that any activities conducted on the Premises in accordance with this Agreement comply with this Lease and any deed restrictions pertaining to the Premises at the Tenant's own cost and expense. The Tenant shall promptly comply and shall ensure that any activities conducted on the Premises in accordance with this Agreement comply with all laws, statutes, ordinances, rules, orders, regulations, requirements and directives of the

Federal, State and Municipal government or Public Authorities, and of any and all their departments and bureaus, applicable to and affecting said Premises or the use and occupancy of the Premises during said term; and shall also promptly comply with all orders, regulations, requirements and directives of the Board of Fire Underwritings or similar authority and of any insurance companies which have issued or are about to issue policies of insurance covering the Premises and its contents, for the prevention of fire or other casualty, damage or injury, at the Tenant's own cost and expense.

9. **ASSIGNMENT AND SUBLEASE** The Tenant shall not have the right to assign or sublease this Lease without the prior written approval of the County. In the event such approval is granted, the Sublessee shall abide by all terms and conditions of the Lease, and further, the term "Tenant" as used in this Lease shall also refer to the Sublessee. The Tenant shall remain responsible and liable for the faithful performance of the Lease.

10. **RESTRICTION OF USE** The Tenant shall not occupy or use the Leased Premises or any part thereof, nor permit or suffer the same to be occupied or used for any purposes other than as herein limited, nor for any purposes deemed unlawful, disreputable, or extra hazardous, on account of fire or other casualty.

11. **INSURANCE COVERAGE** All requisite insurance set forth herein can be provided either through a joint insurance fund or through a self-insurance plan.

The Tenant shall provide and maintain at their own cost and expense the following insurance policies, providing to the County as provided herein copies of same including Certificates of Insurance within two weeks of procurement:

a. **General Liability**

The Tenant shall provide and maintain Comprehensive General Liability Insurance with a combined single limit of One Million Dollars (\$1,000,000) per Occurrence and Two Million Dollars (\$2,000,000) per aggregate for bodily injury and property damage. A "claims made" policy is not acceptable. The insurance required under this section shall protect the Tenant against damage claims which may arise from operations under this Lease whether such operations are by the insured or by anyone directly or indirectly employed by the Tenant and also against any of the special hazards which may be encountered in performance of this Agreement.

b. Workers Compensation and Employers Liability Insurance

Tenant shall provide and maintain Workers Compensation and Employees Liability Insurance to the extent of the maximum limit of liability for injuries and death as required by applicable statutes, ordinances and regulations. In the event any work is sublet, the Tenant shall require the Subcontractor to similarly provide said insurance, Workers Compensation and Employees Liability Insurance, for the latter's employees unless such employees are covered by protection afforded by the Tenant's Workers Compensation and Employees Liability Insurance.

c. Property Insurance

The Tenant, at their own cost and expense, shall be required to provide and maintain property insurance protecting the County. The coverage shall be written for 100% of the replacement value of this property subject to a deductible of not more than One Thousand Dollars (\$1,000.00). The form of coverage shall be All-Risk Form. All property losses shall be made payable to and adjusted with the County, and the minimum

amount of this coverage shall be (One Hundred and Fifty Thousand Dollars)
\$150,000.00.

d. Motor Vehicle Liability

Should motor vehicles be used in connection with Tenant's operations, Tenant shall provide and maintain a policy of Comprehensive Automobile Liability Insurance with a combined single limit of liability per occurrence of One Million Dollars (\$1,000,000.00) for bodily injury and property damage.

e. Any Other Insurance Required by Law

Tenant shall provide and maintain any other policy which may be required by law or regulation as a condition to the Tenant's use of the Premises and continued licensing or other required permits needed for the conduct of Tenant's operations.

f. Additional Insurance Requirements

All insurance policies shall name the County and the New Jersey Department of Environmental Protection as additional named insureds.

All of the above policies shall be subject to continuous examination by the County. If at any time, the foregoing policies or company issuing such policies shall be or become unsatisfactory to the County, the Tenant shall, upon notice, promptly obtain a new policy, submit same to the County Law Department and submit a Certificate of Insurance as provided herein. Upon failure to furnish, deliver and maintain such insurance as provided herein, this Lease, at the election of the County Counsel, may be declared suspended, discontinued or terminated. Failure of the Tenant to take out and maintain any required insurance shall not relieve the Tenant from any liability under this Lease, nor shall the requirements be construed to conflict with or otherwise limit the

obligations of the Tenant concerning indemnification. The Tenant shall in no way be precluded from carrying such other insurance as it deems necessary and proper for the safe and efficient operation of the Premises.

All insurance shall be obtained from insurance companies licensed in the State of New Jersey that have ratings of an "A" or better (A.M. Best's). Coverage shall not be cancelled or altered without thirty (30) days prior written notice by certified mail, return receipt requested to the insurer and to the County prior to its taking effect. Should such notice be received, the Tenant shall within ten (10) days, procure the same coverage from another insurer, and if coverage is not obtained, then the County may obtain the same at the cost and expense of the Tenant.

Insurers shall have no right of recovery or subrogation against the County, including its Agents or Agencies, it being the intention of the parties that the insurance policies so affected shall protect the parties and be primary coverage for any and all losses covered by the above described insurance.

12. **INCREASE OF INSURANCE** It is the intent of the parties that the insurance requirements mandated herein shall at all times be adequate to protect the County from liability. Therefore, the parties agree, from time to time, to evaluate the insurance obligations of the Tenant, both as to types of coverage and the limits of coverage, to make certain that the insurance provided adequately protects the County from liability given the existing prevailing standards for this type of coverage. In the event it is determined by the County, which determination shall not unreasonably be made, that the type of insurance coverage and/or limits of insurance coverage is

inadequate under the standard set forth in herein, then the Tenant agrees to provide such coverage as requested by the County.

13. **INDEMNIFICATION** It is the intent of the parties that the County shall have no liability or responsibility in connection with the use of the Premises by the Tenant pursuant to the terms of this Agreement. The Tenant shall indemnify and hold harmless the County and the Board of Chosen Freeholders, their officers, agents, employees and servants from and against any and all liability, claims, suits, damages, costs, losses and expenses caused by, resulting from, or based upon the acts or omissions (whether negligent, intentional, accidental or otherwise) of the Tenant, its agents, servants, employees or invitees arising out of or relating to Tenant's use or occupancy of the Premises, or performance under this Lease. In addition, the Tenant shall at Tenant's own expense, appear and defend all actions and pay any costs of the County arising therefrom, including attorney's fees, and if any judgment shall be rendered against the County, Tenant shall satisfy and discharge that judgment.

14. **NON-WAIVER BY COUNTY** The various rights, remedies, options and elections of the County under this Lease are cumulative. The failure of the County to enforce strict performance by the Tenant of the conditions and covenants of this Lease or to exercise any election or option, or to resort or have recourse to any remedy conferred in this Lease or the acceptance by the County of any installment of rent after any breach by the Tenant, in any one or more instances, shall not be construed or deemed to be a waiver or a relinquishment for the future by the County of any such conditions and covenants, options, elections or remedies, but the same will continue in full force and effect.

15. **NON-PERFORMANCE BY COUNTY** This Lease and the obligation to comply with the covenants and conditions hereof, shall not be affected, curtailed, impaired or excused because of the County's inability to supply any service or material called for herein, by reason of any rule, order, regulation or preemption by any governmental entity, authority, department, agency or subdivision or for any delay which may arise by reason of negotiations for the adjustment of any fire or other casualty loss or because of strikes or other labor trouble or for any cause beyond the control of the County.

16. **VALIDITY OF LEASE** If any provision of this Agreement shall be determined to be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby. The terms, conditions, covenants and provisions of this Lease will be deemed to be severable. If any provision contained in this Lease is adjudged to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable laws, it will not affect the validity of any other clause or provision in this Lease, but such other clauses or provisions will remain in full force and effect.

17. **NOTICES** All notices or other communications required under the terms of this Lease shall be delivered personally or by certified or registered mail, return receipt requested to the address of the parties as shown set forth below, or to such other address as may be designated in writing, which notice of changed address is given in the same manner.

TO THE COUNTY OF HUDSON:

Joseph Cecchini
Division Chief of Parks
Hudson County Parks
Lincoln Park Administration Building

Jersey City, New Jersey 07304
(201) 915-1388

COPY TO:

Donato Battista, Esq., County Counsel
Office of the County Counsel
County of Hudson
4th Floor
567 Pavonia Avenue
Jersey City, New Jersey 07306
(201) 795-6250

TO THE TOWNSHIP OF NORTH BERGEN

Christopher Pianese, Administrator
Township of North Bergen
4233 Kennedy Boulevard
North Bergen, New Jersey 07047

COPY TO:

Thomas Kobin, Esq., Township Attorney
Township of North Bergen
4233 Kennedy Boulevard
North Bergen, New Jersey 07047

18. **ENTIRE CONTRACT** The Lease contains the entire contract between the parties. No representative, agent or employee of the County has been authorized to make any representations or promises with reference to the leasing of the Premises, or to vary, alter or modify the terms hereof. No additions, changes or modifications, renewals or extensions hereof, will be binding unless reduced to writing and signed

19. **TERMINATION IN THE EVENT OF DEFAULT** If an Event of Default occurs, the County may, at any time thereafter, give notice of said default in writing to the Tenant. The Tenant shall have thirty (30) days from the date of the written notice to cure said default. In the event the Tenant fails to cure the default within thirty (30) days, the County shall have the right to terminate this Lease. Upon giving such written notice of the termination, this Lease and the term hereof will end on the date fixed in such notice as if such date was the date originally fixed in this Lease for the expiration hereof; and the County will have the right to remove all persons, goods, fixtures and chattels from the Premises, by force or otherwise, at the Tenant's cost and expense, without liability for damage.

20. **ADDITIONAL PROVISIONS**

- a. The Tenant shall provide a telephone number which can be used in case of emergency.
- b. All references herein to any parties, persons, entities or corporations the use of any particular gender or the plural or singular number is intended to include the appropriate gender or number as the text of the within instrument may require. All the terms, covenants and conditions herein contained shall inure to the benefit of and shall bind the respective parties hereto and their heirs, executors, administrators, personal or legal representatives, successors and assigns.
- c. This Lease shall be governed and construed in accordance with the laws of the State of New Jersey. Any legal action for enforcement or any other issue relating to this instrument shall be instituted in the Superior Court of the State of New Jersey located in Hudson County.

d. In the event that either party institutes an action for enforcement of any provision of this Lease, then, in addition to any other relief, the prevailing party shall be entitled to an award of reasonable attorney's fees and costs incurred in prosecution of any action against the non-prevailing party.

e. The above referenced recitals shall be incorporated in this Lease.

IN WITNESS WHEREOF, the parties hereto have set their hand and seals, or caused these present to be signed by their proper corporate officers and their proper corporate seal to be affixed hereto, the day and year first above written.

TENANT:
Township of North Bergen

By: _____
Nicholas J. Sacco
Mayor, Township of North Bergen

LANDLORD:
County of Hudson

By: _____
Thomas A. DeGise
Hudson County Executive

STATE OF NEW JERSEY)
COUNTY OF HUDSON) :SS

BE IT REMEMBERED, that on this day of Two Thousand and
Fifteen before me, the subscriber, personally appeared
 , who being by me duly sworn according to law, on her/his
oath says that she/he is the clerk of the TOWNSHIP OF NORTH BERGEN and that
NICHOLAS J. SACCO is the MAYOR OF THE TOWNSHIP OF NORTH BERGEN,
that she/he knows the corporate seal of said TOWNSHIP OF NORTH BERGEN and that
the seal affixed to the foregoing instrument is the seal of said township, and that the said
NICHOLAS J. SACCO as MAYOR OF THE TOWNSHIP OF NORTH BERGEN
signed said instrument and affixed said seal thereto as his voluntary act and deed for the
uses and purposes therein expressed, in attestation whereof, she/he the said

as Clerk, subscribed her/his
name thereto.

Town Clerk, North Bergen

Sworn to and subscribed before me
this day of 2015

Notary public

STATE OF NEW JERSEY)
COUNTY OF HUDSON) :SS

BE IT REMEMBERED, that on this day of Two Thousand and
Fifteen before me, the subscriber, personally appeared
ALBERTO G. SANTOS, who being by me duly sworn according to law, on his oath says
that he is the Clerk of the Board of Chosen Freeholders of the County of Hudson and that
 , is the County , that he knows the corporate seal of said
County of Hudson and that the seal affixed to the foregoing instrument is the seal of said
county that the said as County signed said instrument and
affixed said seal thereto as his voluntary act and deed for the uses and purposes therein
expressed, in attestation whereof, he the said ALBERTO G. SANTOS, as Clerk,
subscribed his name thereto.

Alberto G. Santos
Clerk of Board of Chosen Freeholders

Sworn to and subscribed before me
this day of 2015

Notary public

**County of Hudson/Township of North Bergen
Green Acres Program
State House Commission Pre-Application
Local Parkland – Major Diversion**

**Item 2
Alternatives Analysis
Lease/Purchase Proposals**

County of Hudson/Township of North Bergen

**Green Acres Program
State House Commission Pre-Application
Local Parkland – Major Diversion**

Alternatives Analysis

A.

***Note that all of the sites identified by the public during the Scoping Hearing or comment period or by the North Bergen Board of Education, County of Hudson, or Township of North Bergen prior to the hearing and comment period were found to be either not feasible, reasonable, or available. However, those with any significance are reviewed below.

Since 2004, the North Bergen Board of Education (BOE) – aided by their longtime architect and planning firm - has been continually working to identify alternative sites for the placement of the North Bergen Preschool. All alternatives suggested by the public at the November, 2014 scoping hearing and during the comment period were reviewed by the BOE prior to that date and were additionally reviewed, at least preliminarily, by the diversion committee (comprised of Township, County, and BOE personnel) between 2011 and 2013 prior to formally initiating the diversion process. For definitive reasons, none of these sites – listed below – were found to be either feasible or reasonable alternatives:

- 1) Sacred Heart, Block 423/ Lot 30: Site has been investigated periodically since 2005; however, the owner has never been willing to surrender site control to the BOE as would be necessary in order to configure the existing facility and operate the school.
- 2) Temple Beth El, Block 287/ Lot 1: Site was first reviewed in 2008. The current footprint is not large enough to accommodate the school, and there is no space for expansion. Additionally, there is no parking or loading availability or available adjacent property to create such.
- 3) Former Toys R Us, Block 60/Lot 1.01: property is not for sale.
- 4) 58th St. & Kennedy Blvd.: Block 195/Lot 68: property is not for sale.

A pair of other sites was evaluated, and summarily dismissed, by the committee prior to the November, 2014 hearing though an explanation of the site review was presented thereat:

- 1) 54th St & Tonnelle Ave - Feasibility study was conducted by the BOE in 2011 with the following findings:

- Serious logistical challenges for developing site with adequate vehicle access (close proximity to Hoboken Cemetery)
- Given the previous use, significant contamination issues suspected
- Extremely high preliminary cost estimate for construction alone (before even considering acquisition)

Even after these findings, the committee revisited this option after the diversion was officially initiated; however, no commitment to sell could be obtained from the owner.

2) Hudson News (Paterson Plank Rd.)

- Would have been suitable only as a temporary lease solution
- Significant contamination discovered

After expressing initial interest, owner became hesitant to enter into a lease or purchase agreement.

Properties proposed in response to RFQ

In 2012, the committee undertook an extensive process seeking developers to submit lease-purchase proposals. This process took roughly 10 months, and the committee believed that it would yield positive results; however, only two responses came back – one for a school on 16th Street and one for 3801 Liberty Avenue. Both proposers outlined exorbitant lease costs – for 16th Street the lease in year 1 was 11 times the cost of the current lease in year 1 with significant increases in each subsequent year, and for Liberty Ave. the proposed cost was 13 times that of the current lease. As outlined in a recent publication from the Education Law Center, North Bergen was the year's most underfunded district, with over \$24 million owed per the School Funding Reform Act. As such, even incremental increases to operating costs are untenable, let alone exponential hikes.

As the attached proposals indicate, the annual least costs range from \$2.1 million to \$2.5 million, far in excess of reasonable expenditure to secure the requested facility through a lease/purchase arrangement. Beyond this, the proposals exceed the current annual lease of \$189,000 by \$1.9 million to \$2.3 million. The BOE has a 2% cap on tax levy increase, which is already taken up by the average yearly operating budget increase of the roughly \$2 million that is required to sustain minimum educational standards for staffing. The additional \$1.9 million to \$2.3 million for a lease/purchase arrangement – even if considered responsible or reasonable expenditure – would mean budgetary cuts equaling 30 – 36 times the median salary for a North Bergen teacher.

Considering the situation with underfunding from the state, the fact that District operational expenses cannot be borne by the County or Township, and the fact that both RFQ respondents proposed unreasonably price tags for the size and type of facility required, these options – beyond representing irresponsible public spending – were simply fiscally impossible for the North Bergen Board of Education.

The most promising alternative reviewed since the spring of 2011 when the three public entities – township, county, and BOE – began working together in earnest to relocate the Preschool was the development of Block 201/Lot 30, on 64th Street, a site originally

listed on the Township ROSI, even though it had never been held by the Township for recreation or conservation purposes. After an extensive investigation of this site and appeal to Green Acres, a ROSI amendment was granted. Unfortunately, as plans moved forward and the site was investigated more comprehensively, many factors – outlined in the following pages – were uncovered that led the group to reject this parcel as well as neither a feasible nor a reasonable alternative.

B.

***Note that the 64th Street site is not considered a feasible or reasonable alternative, despite its availability. It is described here because the team's determination that the site would not work was the final catalyst for their realization that a Diversion application would be necessary. Because it is not considered feasible or reasonable, all we have detailed herein (aside from the environmental impact of construction) are the reasons for such, as opposed to responding to all items listed in the instructions as required for feasible and reasonable alternatives. If the Department determines that further information or documentation is required, such will be provided.

64th Street – Block 201/Lot 30:

The Environmental Impact of construction at this location is detailed here in the same format as presented in the ENVIRONMENTAL ASSESSMENT REPORT Outline– Pre-Application Item #3/Attachment I.

I. A DESCRIPTION OF THE PROPOSED ALTERNATIVE

Include in this section a brief description of the project including the following:

- A. Title/name of proposed activity- Proposed construction of a PreK facility on NBBOE's "Rec Center" property and adjacent properties (adjacent properties would have required acquisition that is no longer possible in some cases)
- B. Preparer of Document- North Bergen Township and Bruno Associates, Inc.
- C. Location maps with the site outlined on the following; USGS 7.5 Minute Quad, USDA Soils, County Road and Tax Map

Block 205, lot 30 at the west side of the 64th Street Recreation Center property (Board of Education property) of which approximately 1.25 acres of which was considered for location of a 35,000 sf prekindergarten center, consists mainly of a level paved parking area (approximately .4 acres level area), steeply sloped drop to the adjacent properties considered for acquisition (block 205, lots: 81 at .58 acres (to the west), 25 at .34 acres (to the south); and block 205 lot 78, non-contiguous across 62nd Street to the south), and gently sloped areas and paths leading to the baseball field, 64th Street and Meadowview Ave. Total acreage considered for Pre-K facility and related parking, "tot lot" and access is approximately 2.25 acres contiguous on these lots and across 62nd street.

II. A DESCRIPTION OF THE ENVIRONMENTAL CONDITIONS ON THE PARKLAND PROPOSED FOR DISPOSAL OR DIVERSION AND REPLACEMENT PARCELS (IF ANY) PRIOR TO THE IMPLEMENTATION OF THE PROJECT

Include a description of the existing environmental conditions on the parkland proposed for disposal or diversion and replacement parcels (if any) in each of the following areas:

- A. Natural resources of the site and surrounding area** – Describe geological character, soil characteristics, topography, land form (i.e. wetlands, steep slopes, etc.), hydrological features, surface water classification and biological resources of the area including State and federal threatened and endangered species and critical habitats. (Please contact the NJ Natural Heritage Program and review the NJ DFW Landscape Project Mapping for the most recent information regarding threatened or endangered species)

The Board-Owned Property block 205, lot 30 at the west side of the 64th Street Recreation Center property of which approximately 1.25 acres of which was considered for location of a 35,000 sf prekindergarten center, consists mainly of a level paved parking area (approximately .4 acres level area), steeply sloped drop to the adjacent properties (block 205, lots: 81 at .58 acres, 25 at .34 acres, and lot 78, non-contiguous across 62nd Street), and gently sloped areas and paths leading to the baseball field, 64th Street and Meadowview Ave. The site is surrounded by developed urban land. There are no designated wetlands, classified water features or state / federal threatened species on the site. The properties to the south and south west (which would need to be acquired) contain depressed areas subject to ponding.

- B. Man-made resources** – Describe present site land use, adjacent land uses, access, the presence of any hazardous substances or waste, the presence of any underground storage tanks or structures, the presence of abandoned wells not properly sealed, transportation patterns, and zoning.

Present use is a parking lot (At the Rec Center) and housing (at the adjacent properties considered for acquisition). No UST's are present on the Board Property. The environmental report noted the presence of historic fill, and any required abatement will be completed by certified contractors. There has been no data generated that suggests any environmental impediment to the construction of the appropriate education facilities on the site, noting that such construction would need to follow the NJDEP Presumptive and Alternative Remedy Technical Guidance.

- C. Human resources** – Describe cultural and social factors; park and recreational facilities; aesthetic features; historical, archeological, and architectural resources.

Presently the area specified for the proposed PreK is used as a parking lot for the Rec Center and for the nearby Lincoln Elementary School, and for the NB Parks Maintenance trailers. The overall Rec Center property contains a baseball field with field house, small children's playground, large Recreation Center building and sports club house, dog run, and NB Parks Maintenance facilities (including office building/ garage, storage trailers and sand pile). There are paved road ways, paved walks, limited grass areas and rock outcrops.

III. PROBABLE ENVIRONMENTAL IMPACTS TO THE PARKLAND AND REPLACEMENT PARCELS (IF ANY) IF THE PROPOSED ALTERNATIVE IS CONSTRUCTED

Identify and describe direct, indirect and cumulative impacts, beneficial and adverse, anticipated from the proposed disposal or diversion on all natural, man-made, human and economic resources during all aspects of site

preparation, construction, and project operation. Using the existing parkland without the project as a basis for analyzing anticipated impacts, provide the following information:

A. Land:

1. Discuss the consistency of the proposed disposal or diversion with the following; the State Development and Redevelopment Plan, Regional and local land use plans and current zoning
2. Discuss how the proposal will change the general character of the area; and
3. Discuss whether the proposed action will result in the loss or alteration of any ecologically sensitive lands such as flood plains, steep slopes, wetlands, preserved farmland and dedicated open space or disturb any areas of contaminated soils.

The proposed use of the Board property at 64th Street (including the parking lot area) and the adjacent properties (requiring acquisition) is consistent with local zoning and land use. To the west, a senior housing facility and one block to the east Lincoln Elementary and early childhood center, and across 64th to the north Town playing fields, as well as the fields and Center on the site, are complementary uses.

The proposed change would not negatively impact the general character of this urban area.

No ecologically sensitive areas would be impacted. Construction means and methods would address the presence of historic fill, and any required abatement will be completed by certified contractors. There has been no data generated that suggests any impediment to the construction of the appropriate education facilities on the site noting that such construction would need to follow the NJDEP Presumptive and Alternative Remedy Technical Guidance.

B. Water:

1. Identify and discuss methods to be used to meet State water quality standards;
2. Discuss whether or not the proposed project will result in increased pollution or turbidity levels within a surface waterbody and, if so, what the effects will be downstream and upstream;
3. Discuss the beneficial and adverse effects of the proposed action on aquatic biota and habitats; and
4. Discuss the effects that the proposed action will have on surface and ground water quality and quantity and the basis of the determination.

Construction of the proposed Pre-School and related parking areas and play area, will not have a negative impact on water quality or local bodies of water. Aquatic biota would not be impacted. The parcels are part of the watershed, flowing west toward Tonnelles Avenue and the Meadowlands. Town MUA has capacity for waste water, and the impact to storm water of a slight increase in impervious area will be mitigated with use of pervious paving, retention and landscaping.

Contamination on the adjacent property including a residence to the west would require remediation, prior to use by The Board. Negotiations with owners for remediation and purchase have proven cost prohibitive to date.

Environmental Reports on the properties to south (lot 25 and lot 78) have not been produced. Properties to the south were not acquired by The Board of Ed, and are now under development by others.

C. Air:

1. For buildings and stationary sources of air pollutants, discuss whether the project will meet applicable emission standards and regulations contained in the State Air Pollution Control Code;
2. As applicable, discuss precautions taken to prevent noise problems; and
3. As applicable, discuss precautions taken to prevent odor problems.

This project proposed construction of a pre-school on the location of existing parking lot of a portion of block 205 lot 30; a new parking area was to be installed on the adjacent property (lot 81), to serve the new school on school days, and to continue to serve the Rec Center evenings, weekends and Summers. The new building as proposed by the Board of Education would comply with or exceed all State emission standards. Sources of pollution in or around the building may include gas-fired heating units, reheat kitchen, and limited bus traffic.

Noise related to the new school may include the sound of the young occupants at play; however, because the site currently houses the Township's Recreation Center, a ball field, and a small playground, the noise generated by the proposed new occupants is consistent with current use, and the use is compatible to the current zoning.

Odors from limited bus / van traffic on and around the site will be mitigated by limits to idle time; Township and Board of Education would develop vehicle circulation routes for drop of and pick up to minimize idle time and minimize impact to other traffic in the area. The proposed kitchen in the proposed Preschool will be "reheat" with no frying or grilling; this type of kitchen produces minimum odor.

D. Aquatic and Terrestrial Wildlife:

1. Discuss any loss (or gain) of wildlife habitat and its anticipated effect;
2. Discuss any impacts on State and federal threatened and endangered plants or animal species and critical habitat; and
3. Discuss any impacts to trees greater than 6" diameter at breast height (dbh).

No critical habitats would be impacted. There is no known habitation of threatened or endangered species on the sites. To create vehicular access, one or two mature trees at the north side, adjacent to 64th street, would be removed. The remainder of the "parking lot" has no mature trees. Brush and undergrowth at the west and on the acquisition sites would be removed. Adjacent properties contain several established trees, which may require removal for vehicle circulation and for proper grading and drainage.

E. Social and Economic:

1. Discuss how the project could affect historic, archaeological, or cultural resources on or eligible for the National or State Register of Historic Places;
2. Discuss how the proposed disposal or diversion would affect public access and public recreational facilities; and
3. Discuss how environmental justice was considered during the environmental decision making process. If an environmental justice analysis was done, provide information regarding status and/or findings of the analysis.

Proposed Pre-School would not affect any historic, archeological or cultural resource.

Proposed Pre-School would enhance public use of the existing parks and recreation center, by bringing local families to the park daily. However, development in the area has recently been opposed by local residents.

Although an environmental justice analysis was not performed, it can be stated that the Board of Education, by locating the public Pre-Kindergarten central to the North Bergen District, in a township that serves predominantly minority and disadvantaged populations, is offering educational opportunities to all young residents.

F. Solid Waste - Discuss methods for solid waste handling both during construction and subsequent operation.

Construction waste would be collected and per standard protocol, recyclable materials would be diverted away from the waste stream by the Contractor, non-recyclable materials would be disposed of in accordance with State and Local regulations by Contractor's private hauling company, and any hazardous material (should it be encountered during the construction process) would be disposed of in accordance with regulations.

During operation, the Board of Education would handle recyclable and waste as they do with all other School facilities including regular pick up. Township would continue to be responsible for the existing Park areas.

G. Aesthetics - Discuss how the natural or present character of the area will be changed as a result of the proposed action.

Present character of the existing ball field would be slightly impacted by the proposed school facility. The new school would be situated just beyond the baseball field's home run fence. Configuration of the field itself would remain the same. The adjacent properties (which would have been acquired), at the time of the initial consideration of this site, had developed natural characteristic partially due to neglect and lack of maintenance of the lawn / yard areas.

H. Sustainability - (protecting the resources and systems that support us today so that they will be available to future generations) - Discuss actions taken during the environmental decision making process (siting, water efficiency, energy efficiency, material/resource use) to insure that the project is a sustainable development that will avoid or minimize negative impacts, strengthen positive ones, take advantage of environmental opportunities, and protect resources.

For water efficiency and for long-term economy, the Board of Education would take measure to utilize efficient systems, such as efficient toilets, metered lavatories, and occupancy sensor lighting. Site would be graded and landscaped to minimize water use on site (selection of hearty indigenous plant species, for example).

Background

This parcel is deeded to and operated by the North Bergen Board of Education and had been deemed a potential preschool site by the district as early as 2004. One reason for not pursuing this option intently over the years is the fact that it would negatively impact parking utilized by the district, a parking area that the district has allowed the town to use to support the adjacent baseball field when not in use by the district. Another major concern – referenced below – was the issue of adequate access for emergency vehicles and school vehicles. However, when the RFQ process did not produce viable options, the committee turned to this site and found that NJDEP considered it to be encumbered by Green Acres. While executing a thorough investigation of historical documents for ROSI amendment, the team simultaneously delved into the necessities of developing this site for the preschool. This process uncovered several factors – well beyond the initial concerns – that led to the determination that it would not be feasible or reasonable for the proposed development.

Cost and other Considerations for Rejecting Alternative

As previously noted, according to a 2013-2014 report by New Jersey's Education Law Center, North Bergen tops the list in terms of total aid owed to them under the State Funding Reform Act, with a total of \$24.3 million owed. As such, cost was a major factor when it came to local interpretation of the term "reasonable," as it is defined by Green Acres regulations 26.9(e)

Since the outset of this process, when the project was estimated in the \$3 million range, costs have continued to escalate. The first ominous note was struck when it was discovered that the site was not large enough for trailers, taking the project from site clearing and lease costs to real construction. Other unforeseen conditions have driven costs higher and higher – extreme grade differentials, multiple property acquisitions, and potential contamination to name a few. Original estimates put the project in the neighborhood of \$7.6 million to \$8.9 million for construction only, with an additional \$4 million to acquire, remediate, and develop land for parking and to restore the Braddock Park site. The total low-end estimate is now roughly \$13 million dollars. That's \$13 million in capital outlay for the 64th Street site vs. \$0 in capital outlay for the Braddock site.

Yet another cost associated with this alternative is bussing; North Bergen BOE projects the addition of two busses with the move to this site. At the time this service was last bid, the cost was approximately \$48,000 per run – potentially adding roughly \$96,000 per year to the tally.

For the long term, what the BOE does consider reasonable is remaining in the current temporary facilities and incurring only the much more modest lease rate of \$189,000 per year (not a capital expense) then executing permanent modular construction at the present site within Braddock when a grant from the NJ School Development Authority becomes available. It is difficult to predict with certainty, but it is estimated that it could be another 4-8 years before a successful NJSDA grant would be acquired. Minus the costs of site clearing, acquisition, remediation, bringing in utilities, and developing properties for parking, it is projected that the cost of a permanent facility at this site could be lower than \$5.5 million. When we subtract the \$2.7 million in SDA grant funds that would be available for a facility of this size, capital outlay for the BOE is less than \$3 million.

Consider as well that present BOE reserve funds would be totally depleted if expenditures reach the \$2.5 million mark, leaving the district with no capital reserve to cover the other 7,700 children and 7 buildings for which they are responsible. Putting themselves in this vulnerable position is not reasonable by simple definition of the word.

With the high price tag associated with the 64th St. alternative – and any other that necessitates capital outlay in significant excess of \$2 million to \$3 million – comes a major, potentially insurmountable, obstacle. An alternative such as this requires a referendum on the issuance of debt. And as no BOE referendum or BOE budget has passed in recent memory, and as this is not a capital expenditure for which the Township itself can legally bond, funding the project becomes practically impossible. Certainly this is a factor that might lead to a determination of "not feasible" as defined by 26.9(e) – for this is a logistical concern without an immediate resolution that we can see at the moment. Consider as well that there are many other pressing concerns throughout the district for which debt would need to be issued and/or emergency capital

reserves be drained. These include projects with direct impact on the health and safety of the student body, such as:

- installation of fire alarms throughout the district
- replacing expensive boilers and HVAC systems
- installation of security systems
- replacing windows at several locations
- replacing roofs that are coming to the end of their 20-year warranty

These projects do not fall within the scope or capacity of the district's maintenance budget and require outlay of over \$8 million. In the end – a determination against this proposal would mean forcing the district to prioritize the construction of a school serving 270 children ahead of these projects impacting the health and safety of over 7,500 children.

Please see the chart below for a handful of logistically meaningful ways that we have compared the costs of remaining at Braddock Park to the cost of moving to 64th Street. Please note that we have used round figures and low-end estimates for construction at both locations. Additionally, the 6-year span referenced below is meant to represent the anticipated time elapsed before an SDA grant would be garnered:

	Relocating to 64 th Street	Remaining @ Braddock w/ eventual Mod. Construction
Capital that must be <u>immediately</u> encumbered	\$13 million	\$0
Total capital outlay for BOE	\$13 million	\$2.8 million (\$5.5M minus \$2.7M SDA funds)
Total BOE expenditure over 6 years.	\$13.6 million (\$13M + \$576,000 extra bus\$)	\$3.9 million (\$2.8M above + \$1.1M lease)

While the cost differential between the sites described here is clearly disproportionate to the overall cost of remaining at the current site, there are other significant issues – outlined in attached letters from the Chief of Police and North Bergen Township's Committeeman from the district where the 64th street site is located – that highlight the fact that this alternative should not be considered reasonable. Committeeman Salamon points out the disturbance that this would cause among residents of the surrounding neighborhood and references the satisfaction of those families currently served by the pre-school. At the time the letter was drafted, the Committeeman felt strongly that there would be an outcry centered largely on added congestion in an already densely populated neighborhood. His thoughts on this matter were confirmed in the summer of 2015, as many residents in the neighborhood expressed extreme displeasure over approved development of other parcels on this block.

Further, the owners of one of the key parcels required to execute the project in this location have expressed considerable reluctance to sell the property and another parcel that would be needed

for part of the school grounds has been sold and slated for development. Even if all of these lands could be obtained through eminent domain, which is questionable at best at this point in time, the social unrest stemming from such is yet another mark against proceeding in this manner.

In his official statement to Township administration, the Chief of Police – Robert Dowd – does echo some of the concerns expressed by residents and Committeeman Salamon, but much of his focus is on the safety of the children. The Preschool is attended by roughly 270 4-year-old and 5-year-old students – 16% to 19% of which are in special education courses in any given year, and 4% to 5% of which are in autism classes. Needless to say, this is one the most – if not the most – vulnerable cross section of our population. Like Chief Dowd, Township and District administrators are concerned with access to the site for busses and emergency vehicles, as the 64th Street site is accessible only by a narrow two-way street with parking on both sides. The Chief also points to crime data and crash data that highlight potentially unsafe conditions at 64th St. Additionally, he brings to our attention numerous complaints from the parks and recreation staff of liquor bottles and empty narcotics paraphernalia in and around the alternative site between 2009 and 2013, while there have been no such complaints in reference to the current site in this time period.

Even beyond the factors listed above, the discovery of contaminants at the 64th St. site and the adjacent property to be developed for parking serves to inform the opinion that this alternative – in addition to its questionable feasibility – is not “reasonable” as defined by Green Acres regulations.

In summary, the alternative was rejected because it was considered neither feasible nor reasonable; it is considered so because of the following factors:

- Traffic, circulation, and environmental concerns impacting safety
- Precedence of public outcry over development in the same neighborhood
- District would be forced to abandon other vital safety initiatives impacting the entire student body
- Project of any scope not viable without State funding which is currently unavailable
- No funding vehicle to execute the project

**Venino and Venino
Counsellors at Law**

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School Business Administrator
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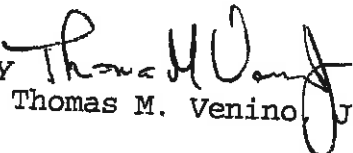
RE: Request for Qualifications/Proposals

Dear Mr. Somick:

On behalf of Ashley, LLC, the Developer, and Waterside Construction Company, the Contractor, we enclose 3 copies of the submission pursuant to your request for qualifications/proposals. We enclose with this package the Political Contribution Disclosure Form for Miguel A. Hector and a bank reference letter from Capital One Bank, which were received too late to be included in the bound submittal.

Very truly yours,

VENINO and VENINO

By 
Thomas M. Venino, Jr.

TMV:vmd
Enclosure

cc: Waterside Construction Company, LLC

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North Bergen Board of Education
Public Notice
Request for Qualifications/Proposals

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GENERAL PROPOSAL

Section A - Executive Summary

We bring a wealth of background and experience to this project. We are a local company and for over 25 years have been successful developers in Hudson and Bergen Counties. Our private projects have spanned the range from single family homes to luxury high rise residential buildings, to commercial shopping malls, schools, offices, medical buildings, and postal facilities. We have also built and operated banks, retail fuel and convenience outlets, restaurants, and a 374 unit congregate care facility.

Additionally, many of our projects have involved public infrastructure upgrades, most notably the realignment and widening of River Road in Edgewater. Several projects have received Community Development Block Grants. We have also built a substantial number of affordable housing units. We have worked in, and continue to work in the public and private sectors providing construction services as an owner/developer and as a general contractor.

Our firm has just been selected by Honeywell to cleanup the superfund site on River Road in Edgewater. Nationally this is one of the most seriously contaminated, of any of the listed superfund sites.

Section B - Management Plan

All projects are managed from our home office in Edgewater where we have a full support staff. Projects from the smallest to the largest receive the same attention and detail. We have all the latest in computerized construction office technology which allows us to accurately track and document every step of the process from design through finish level construction.

We use sub-contractors very sparingly as we have our own heavy construction people and equipment, carpenters, electrician, and master plumber. When there is need for subcontracting it is done under the supervision of our construction experts.

Our management system is a four tier organization headed by our Director of Operations. He is a licensed architect who manages our construction company and is the top overseer for all projects. He assigns the lower tiers of management in accordance with the special needs of each project and prioritizes all projects. Ultimately he is the final decision maker and carries the responsibility for assuring that each project is run as cost effectively as possible.

Every project then falls further under the auspices of one of our two field directors. As the title applies, they are the managers who serve as liaison

between the in-office Director of Operations and the team in the field actually responsible with getting the work done.

Each individual project is assigned a specific project manager. It is his duty to focus directly on just that project. Occasionally a project manager may have two projects at one time but never more than one if it is a large project.

On site there is a foreman for each trade working on the job. That foreman will directly supervise the people working in his trade.

Our management team is further supplemented by an in house architectural department including a full support staff, dedicated estimators and purchasers and several people who function as clerk of the works. Our Chief Engineer is a licensed P.E. and is qualified in both the civil and structural engineering disciplines. The financial area is staffed by an accountant and our own bonding expert.

All members of our team have the education, training, and professional designations for their areas of responsibility. Each has over twenty years of experience in his respective discipline.

Section C - Project Team

The project team will follow the structure presented in the previous section. Specific assignments as follows:

Owner/Developer & Construction Company

Architects:

Conceptual – Vijay Kale, R.A. (Contractor's in house architect)
Plans & construction drawings - Grace Lynch, AIA PP, L&C Design
Consultants PA

Engineer – Joseph H. Schwartz, P.E.

Director of Operations and key project contact - Jeffrey Friedman, R.A.

Director of Field Operations – Phil Arfuso or Tom Pellegrino

Project Manager – (to be assigned depending on final architectural plan)

Foremen – (as needed depending on final architectural plan)

Ceramic/Marble/ Granite/ Steel – George Naoum
Plumbing – Phil Festa
Electric – Ruben Sanchez

Site/Concrete/Demo – Ken Schiller
Rough Carpentry/Sheetrock/Finish Carpentry – Robert Rambone
Roofing/Siding/Demo – Tom Finn
Architectural Woodworking – Simon Stringer
Paint/Wall Coverings – Julian Amsil

Berek Don is the company officer with the authority and responsibility to execute the Lease with the Board of Education.

Because the Contractor does very little subcontracting all of the hiring is done by the Contractor who is an equal opportunity employer. There is no discrimination of any kind in hiring or in selection of vendors for products. As specified in Section C of "Other Requirements" the Contractor agrees to abide by all of the stated hiring and employment practices and to include a non-discrimination clause in any subcontract entered into for the performance of this Agreement.

As a result of the Contractor's vast experience with both large public and private projects in numerous communities, coordination with local utilities, subcontractors (of which the Contractor uses very few), and municipal and school personnel is an integral part of everyday activity.

Section D - Experiences and References, History and Qualifications

Examples of similar projects are discussed in the Qualifications of Contractor document under section 4 Experience With Similar Projects.

A company brochure is included with this package which, while not up to date, will certainly demonstrate the company's capabilities. Visually it showcases the wide variety of sizes and types of projects the Contractor has completed over the year. From it one can draw conclusions as to the skills and abilities required for a contractor/developer to function at this level. We would be pleased to provide additional photos of some of our more recent projects.

The company successfully operates in numerous areas in addition to construction and development. Other ventures include insurance, banking and mortgage, retail fuel and convenience outlets, gasoline distribution, and restaurants.

Because the majority of the Contractor's projects have been built to be owned and operated cost efficiency has always been a priority. In this instance this efficiency is passed on to the Board of Education in the way of favorable rent and overall reduced operating costs.

Attached are:

Section D-1: Certificate of Insurance for the Contractor's general liability coverage. Should we be selected for the project we will name additional insureds accordingly.

Section D-2: State of New Jersey Public Works Registration

Section D-7: Business Certification Registration

The forms for D-3, 4, 5, 6, and 8 are included.

Section E - Financial Proposal

Rent of \$2,100,000 per year on a triple net basis. This excludes furniture, fixtures and equipment. Rent to be adjusted every five years in accordance with the CPI for Northern New Jersey, but not less than 3.5% per year.

Section F - General Information

Completed Attachment E Form is attached.

QUALIFICATIONS OF OWNER/DEVELOPER

1. Statement of Qualifications

Owner/Developer and Waterside Construction (Contractor) will develop the project together as a joint venture. There will be no other ownership interests. All entities are incorporated in New Jersey. Should additional entities be formed they will also be, incorporated in New Jersey.

For over two decades the Contractor has been responsible for substantial large scale development and construction along the New Jersey "Gold Coast", particularly in southern Bergen County and northern Hudson County. The Owner/Developer will contribute to the joint venture a property that satisfies all of the requirements of the RFP/Q.

During the development process all contact will be with the Contractor at 1000 Portside Drive, Edgewater, NJ 07020. Contact person is Jeffrey Friedman, R.A.; ifriedman@daibes.com, 201 840-0050.

2. Project Approach

Project implementation will be under the sole direction of the Contractor, who has vast experience in designing, financing, and completing large scale construction projects, and who will perform all actual construction. The Contractor also has a wide network of major lenders, one of whom will finance this project.

The concept plan is being prepared by Vijay Kale, R.A., head of the Contractor's full in-house architectural service. Plans and construction drawings will be by Grace Lynch AIA PP, L&C Design Consultants PA.

The Contractor's Director of operations, Jeff Friedman, R.A. who has managed all of the Contractor's construction projects for nearly twenty years will be responsible for overall project management.

Day to day supervision of the project will be handled by a field supervisor and one of the Contractor's project managers, with on site supervision by a team of foremen, one for each specific area of construction (i.e. site work, masonry, electrical, plumbing, etc.). A complete listing of all the key areas and specific people responsible, including their background and experience, is included in the General Proposal under Section C Project Team.

3. Construction Experience and Capability

All of the projects referenced herein were solely designed, constructed, and owned by the Contractor. The Contractor has had no project defaults.

Although not among the Contractor's larger projects, three of the most similar projects are the Lincoln School Annex, an award winning project built for the Fairview Board of Education, the Edgewater Post Office and currently under construction (almost complete) is the new East Rutherford Police Station. While the Lincoln School is the most similar, all three were public projects. The post office, owned by the Contractor, was built to very stringent government guidelines and remains under a long term lease to the USPS.

The Contractor also performed the realignment and widening of River Road in Edgewater and numerous other public infrastructure projects including several public parks and parking lots. A majority of the Hudson River Walkway in Edgewater was designed and built by the Contractor.

Several of the Contractor's large residential projects, while not for public entities, have been financed through NJHMFA. Some have incorporated Community Development Block Grants

Most of the Contractor's projects, commercial and residential, are built for its own long term ownership and leasing. Consequently the Contractor has extensive experience in managing leased property and satisfying the needs of a variety of tenant types.

As required, the Contractor is legally authorized to conduct business in New Jersey, is properly registered with the State Department of the Treasury, and has a documented record of adequate administrative, construction, technical management and personnel capabilities to meet all of the goals and objectives of a project of this size and scope. Again, as further evidence of the Contractor's capabilities a description of the entire company structure along with a complete listing of all the key areas and specific people responsible for this project, including their background and experience, is included in the General Proposal under Section C Project Team.

4. Experience with Similar Projects

Lincoln School Annex – The Fairview Board of Education selected the Contractor to build the school known as The Lincoln School Annex. There are pictures in the attached brochure which demonstrate the reason this project was chosen as the winner of awards for design and construction.

Edgewater US Post Office - The Contractor was approached by the New York Facilities Services Manager for the United States Post Office who asked if there were a possible site for a new postal facility which could replace the

existing obsolete building and include a retail center. The Contractor supplied a site and built a turnkey facility which is currently under a 30 year lease to the postal service. The property is approximately an acre and a half and the building is 9000 s/f of interior space with a 450 s/f platform area. It was delivered on time.

East Rutherford Police Station – This is a 25,600 s/f building which is almost complete. It provides a new state of the art facility for the police department. All construction has been done by the Contractor.

The Contractor's role in each of the projects encompasses the entire process to completion, including securing approvals and financing, design, and actual construction. All of the projects are "turn key" upon completion.

5. Financial Qualifications

The Owner/Developer owns the real estate which will serve as the equity for borrowing in the project. The Contractor will construct, operate, lease and provide all management of the completed project.

Both the Owner/Developer and the Contractor have long histories of financing construction through a variety of conventional lenders and will secure construction financing from one of those sources.

Similarly both the Owner/Developer and the Contractor have substantial cash and equity resources. The attached list of real estate is owned by Miguel A. Hector. All but one or two buildings are free of any mortgages.

At the appropriate time recent bank reference letters and lending commitments can be provided.

None of the Contractor's projects has experienced bankruptcy, insolvency, or other financial difficulty.

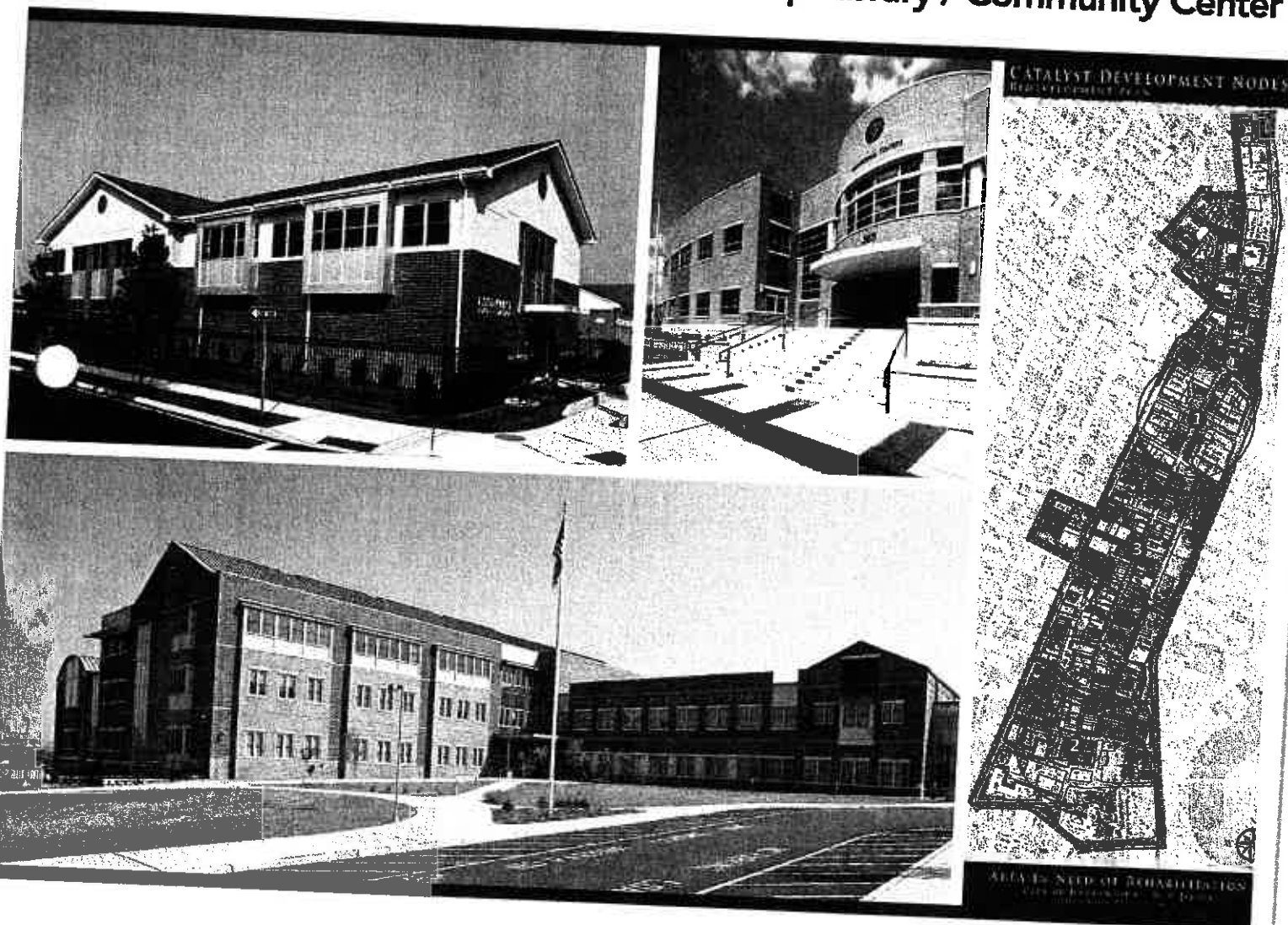
6. Attached is a company brochure which is intended to demonstrate the depth of Contractor's capabilities. For further detail please see Section D of the General Proposal.

June 29, 2012

ORIGINAL Response to Request for Qualifications/Proposals

Public - Private - Partnership
Proposed Turn-Key Development, Construction and Financing

Mixed Use Project:
Pre-School / Township Library / Community Center



Submitted To:
North Bergen Board of Education

Submitted By:
Parkside Development, LLC
A Joint Venture of DMR Architects, PC and Terminal Construction Corporation

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Response to Request for Qualifications/ Proposals
Public – Private – Partnership
Proposed Turn-Key Development, Construction and Financing
Mixed Use Project:
Pre-School / Township Library / Community Center

SECTION A

Executive Summary

A. EXECUTIVE SUMMARY

The Respondent to the North Bergen Board of Education's request for qualifications / proposals is Parkside Development, LLC. Parkside Development, LLC is a limited liability company organized and registered in the State of New Jersey.

The Respondent is in essence a "joint venture" of DMR Architects, PC and Terminal Construction Corporation, although not a joint venture in a legal sense. DMR Architects is a full service architectural firm that has been in business for more than twenty years. DMR Architects was founded as a school architect and although it has significantly diversified its portfolio over time, it remains one of the premier school architectural firms in the State of New Jersey. DMR Architects has designed and performed construction administration for hundreds of schools on behalf of local school boards, counties and New Jersey and New York State agencies. In addition, DMR Architects has a significant public sector portfolio. DMR Architects is currently retained by the Township of North Bergen in connection with its new court facilities.

Terminal Construction is recognized as one of the top 400 full service construction companies in the United States. The organization has prospered from its inception in 1945 to present through the hard work of dedicated employees, attention to detail, excellent hiring practices and training, plus a total commitment to the satisfaction of clients, both public and private. Terminal Construction enjoys an exceptional reputation both within the public and private sectors having worked with all levels of governmental agencies including federal, state, county and municipalities as well as numerous Fortune 500 companies. Terminal Construction has a significant portfolio of school construction work on behalf of local school boards, counties and New Jersey agencies. Terminal Construction has a bonding capacity of \$500,000,000 aggregate and \$300,000,000 single project. Their DPMC rating is "Unlimited".

Parkside Development, LLC was formed as a sister company to DMR Architects, PC, through partial common ownership, in order to perform real estate consulting services and to pursue and participate in real estate development opportunities, including public-private-partnerships. Parkside Development utilizes the resources and expertise of DMR Architects. These resources include experience in real estate development, professional planning, land use law, real estate law, environmental law and professional planning.

The Respondent Team is experienced in real estate development, school and public facilities' design and school and public facilities' construction and has included a registered lobbyist to assist in facilitating the application review process and the local, county and state levels due to the critical nature of the timeframes established by the North Bergen Board of Education.

**Response to Request for Qualifications/ Proposals
Public – Private – Partnership**

Proposed Turn-Key Development, Construction and Financing

**Mixed Use Project:
Pre-School / Township Library / Community Center**

SECTION B

**Management Plan
Organizational Structure
Management Approach / Development and Implementation Process
Project Scheduling
In-House / Contracted Capabilities**

B. MANAGEMENT PLAN

Full Corporate Name: Parkside Development, LLC
Contact Person: Lloyd A. Rosenberg, AIA, Co-President
Mailing Address:
777 Terrace Avenue, 6th Floor, DMR Architects Suite
Hasbrouck Heights, NJ 07604
Email Address: lloyd@dmrarchitects.com
State of Incorporation: New Jersey

1. Organizational Structure

The Respondent to the North Bergen Board of Education's request for qualifications / proposals is Parkside Development, LLC. Parkside Development, LLC is a limited liability company organized and registered in the State of New Jersey.

Parkside Development, LLC was formed as a sister company to DMR Architects, PC, through partial common ownership, in order to perform real estate consulting services and to pursue and participate in real estate development opportunities, including public-private-partnerships. The original Members of Parkside Development, LLC are Lloyd A. Rosenberg, AIA (also President and CEO of DMR Architects) and Charles H. Sarlo, Esq. (also Vice President and General Counsel of DMR Architects), who combined their complimentary knowledge and expertise in architecture, planning, and construction (Mr. Rosenberg), and land use, real estate, environmental and engineering (Mr. Sarlo) along with their real estate development knowledge in forming Parkside Development to have an entity, outside of their respective architecture and law practice, to pursue real estate related opportunities. Each have a fifty percent interest in Parkside Development.

In connection with this Response, if deemed to be the successful Respondent, Parkside Development, LLC would admit as additional Members, Mr. Donald N. Dinallo, President and CEO of Terminal Construction Corp., and Mr. Rudy Garcia, a registered lobbyist in the State of New Jersey. If admitted as Members, Mr. Dinallo and Mr. Garcia may have more than a ten percent interest in Parkside Development.

Parkside Development, LLC would act as the "holding company" for this public-private-partnership development opportunity and would be the lessor of the property with the North Bergen Board of Education being the Lessee and the Township of North Bergen being a sub-lessee.

Notwithstanding the foregoing, by virtue of their membership interest as individuals in Parkside Development who are the sole owners of DMR Architects, PC and Terminal Construction Corp., from a practical consideration relative to human resources, financial stability and expertise in the design and construction of schools and public facilities, Parkside Development, LLC could be viewed as being a joint venture relationship between DMR Architects and Terminal Construction Corp. in a design-build arrangement.

Based on the foregoing, by selecting this Team, the Board of Education can be assured of project success as it blends together, via the project organization structure and the design build arrangement, an experienced and well respected architectural design firm with a significant portfolio of school projects and public projects with an experienced and well respected general contractor with an equally significant portfolio of school projects and public projects. The in-house knowledge and capability allows this "joint venture" to also act in a developer capacity.

DMR Architects and Terminal Construction have worked together in the past. Currently, DMR Architects and Terminal Construction are on the same team, which has been shortlisted, to design-build-finance a dormitory project for Kean University via the Public-Private-Partnership legislation of the Stimulus Act of 2009. Also, Terminal Construction is the contractor and DMR Architects is the designer of the historic renovations to the former Jersey City Medical Center, now the Beacon. Lastly, Terminal Construction, via a sister company, Dinallo Construction, is the redeveloper of a tract of land in Ridgewood in which a mixed used development of 200 units and retail space is being proposed. DMR Architects is the architect-of-record for the project and Charles H. Sarlo, Esq., is providing legal counseling as related to the transaction, land use approvals and development.

2. Management Approach / Development and Implementation Process

The skill set of the Respondent Team allows a significant portion of the services to be performed internally, thus, streamlining the process and not having to rely on the competing and conflicting schedules of other professionals. Hereinbelow, a broad based schedule of activity has been developed. The Team would follow this activity schedule. It would seek to perform as many tasks as possible in a co-current manner in order to reduce the schedule, but without taking significant financial risks. The Developer would seek to negotiate a lease with the Board of Education. Thereafter, it would perform a property / transactional due diligence including a Phase I environmental site assessment and (Phase II) if required. Co-currently, the Team would work with the BOE Architect to develop schematic plans that meet the program requirements of the BOE and the Township. Thereafter, it would begin to seek governmental approvals including the Department of Education and the local land use board. The Team would be open to discussing the potential of producing a guaranteed maximum price at 35% - 50% of the construction drawings with the recalculation of the lease payments. The project would be performed on a turn-key basis in a design-build format with significant input and consultation with / from the BOE Architect. As such, Terminal Construction Corp. would hold the contract for DMR Architects and DMR Architects would hold the contract with all of the engineering disciplines. Parkside Development, LLC would enter into the lease with the BOE.

3. Project Scheduling

A proposed development and construction schedule is as follows:

<u>Time</u>	<u>Activity</u>
• ---	Respondent Selected
• 21 Days	Lease Negotiation/Lease Execution: BOE and Developer
• 60 Days*	Property Due Diligence / Suitability Acceptance by BOE
• 60 Days*	Schematic Design - Drwg. Approval by BOE and Township
• 90 Days**	N.J. Dept. of Education Approval
• 120 Days**	Un-appealable Land Use Approvals
• 60 Days***	Design Development Drawings
• 90 Days***	Utility Approvals / Guaranteed Max Price Development
• 90 Days	Construction Drawings
• 45 Days	Building Permits
• 15 - 18 Months	Construction

Common asterisk denote co-current activity

Attachment B of the RFQ/ RFP was reviewed and based on the foregoing schedule, the Attachment B Schedule seems unrealistic.

4. In-House / Contracted Capabilities

In-house capabilities of the Parkside Development Team include:

- architectural design
- professional planning
- sustainably design
- securing entitlements
- legal counsel for transactions (land purchase and lease), land use approvals and development
- general construction
- development / project management
- construction management
- cost estimating and budgeting

Services / trades to be subtracted would include:

- structural engineering
- mechanical/electrical/plumbing engineering
- information technology / security engineering
- civil engineering
- traffic engineering – if required
- construction trades – prevailing wage - union labor proposed

**Response to Request for Qualifications/ Proposals
Public – Private – Partnership**

Proposed Turn-Key Development, Construction and Financing

**Mixed Use Project:
Pre-School / Township Library / Community Center**

SECTION C

Project Team

Project Role of Key Personnel

**Mechanism to Promote Use of Minority and Woman Owned Businesses
Ability to Coordinate Entitlements and Project Construction with
Local Utilities, Agencies, BOE, etc.**

C. PROJECT TEAM

Please find Project Organization Charts attached to this section.

1. Project Role of Key Personnel

The benefit to the Board of Education in selecting the Respondent is that certain individuals have the requisite experience in multiple key roles, which reduces the involvement of a significant number of personnel, particularly during the beginning, critical phases of the project. The roles of the key personnel for this project are as follows hereinafter.

- Charles H. Sarlo, Esq. – Vice President and General Counsel, DMR Architects / Law Office of Charles H. Sarlo, PC / Member, Parkside Development, LLC - Mr. Sarlo will be the designated Project Executive in order to administer and manage the redevelopment project and the entitlement process. Mr. Sarlo will also provide professional legal services in connection with the transactions (property purchase and BOE lease); the entitlement process (including land use approvals), and the development process. Mr. Sarlo will be the key point of contact for the project development.
- Lloyd A. Rosenberg, AIA – President and CEO, DMR Architects, PC / Member, Parkside Development, LLC - Mr. Rosenberg will provide his expertise in real estate development and as Principal-in-Charge for the design of the project. As the Principal-In-Charge of an assigned project, Mr. Rosenberg will work directly with the BOE in formulating and executing the requirements of the project, ensuring that established project goals are met. Mr. Rosenberg will oversee the overall performance of the team, making available the firm's resources to meet the assigned project. Mr. Rosenberg will be the key company officer of Parkside Development with the authority and responsibility to execute the lease with the BOE.
- Donald N. Dinallo – President and CEO, Terminal Construction, Corp. / (To be Admitted) Member, Parkside Development, LLC - Mr. Dinallo will provide his expertise in real estate development and as Principal-in-Charge for the construction of the project.
- Rudy Garcia - (To be Admitted) Member, Parkside Development, LLC – Mr. Garcia is a registered lobbyist in the State of New Jersey and familiar with the State and Hudson County regulatory agencies. Given the critical nature of delivering this project in an expeditious fashion, Mr. Garcia's role will be to interact with the required agencies in an effort to expedite the review process.
- Gregg Stopa, AIA – Principal, DMR Architects, PC – Mr. Stopa will be the designated Project Manager during the design and construction of the project. Mr. Stopa will provide day-to-day management of a project and ensure that each element of work is completed within the agreed upon schedule. He will monitor and coordinate the performance of the project team so that all aspects of the scope of work are addressed and that the schedule and budgetary requirements are met in accordance with the contract.

- *Kurt Vierheilig, AIA, LEED® AP, Senior Designer, DMR Architects-* As the Senior Designer of an assigned project, Kurt will oversee the design work needed for a project. Working with the BOE and BOE architect and the DMR design staff, Kurt will formulate the design direction for a project.
- *Pradeep Kapoor, LEED® AP - Project Architect and Director of Sustainability, DMR Architects-* As Project Architect of an assigned project, Pradeep will oversee the technical aspect of a project conducting day-to-day coordination amongst the architectural staff and engineering consultants. He will be instrumental in ensuring that a coordinated set of construction documents is produced for the project. Sustainable Design will be incorporated as applicable. Pradeep will oversee the LEED® process to ensure that the projects meet established project goals with respect to sustainable green design. He will employ the same process used in four recently completed and certified LEED® projects by DMR.
- *Henry B. Ossi, Principal/Director of Construction Management, Building Inspector (ICS, DMR Architects-* As the Director of Construction Management of an assigned project, Henry will be primarily responsible for the Construction Administration phase. He will attend construction phase meetings, respond to RFIs and oversee shop drawing review and approvals and construction close out activities.
- *Michelle Lee, IIDA, Interior Designer, DMR Architects-* As Interior Designer of an assigned project, Michelle will work with the Design Director and the BOE to produce the interior design for a project and/or space planning and programming. Working with the project team, Michelle will select interior materials and finishes and furniture for review and approval by the BOE and BOE architect.
- *Support Staff:* - DMR has available a staff of project and graduate architects, draftspersons and administrative persons to help with the back-end processes of any given project. This team will be well-backed up and support by these individuals.
- *Additional Staff (Terminal Construction Corporation):* Thomas M. Wilk, Project Manager; John Brase, Project Engineer; Christos M. Casimos, General Contractor Job Administrator.

Kindly refer to the professional resumes, which follow hereinafter as related to their relevant experience

2. Mechanism to Promote Use of Minority and Woman Owned Businesses.

The Respondent will seek every opportunity to use minority and woman owned businesses in connection with the project. DMR Architects routinely uses minority owned business as engineering sub-consultants to meet public project set aside requirement. Terminal Construction will also seek to retain qualified minority and woman owned businesses. Other opportunities would include the use of vendors for building supplies and equipment to furnish the building. If awarded the project, the Respondent will publish an advertisement in the local newspaper and will reach out to the local chamber of commerce to solicit entities of potential interest.

3. Ability to Coordinate Entitlements and Project Construction with Local Utilities, Agencies, BOE, etc.

As previously noted hereinabove, the Respondent recognizes this as a critical facet of the on time delivery of the project and, thus, would admit Mr. Rudy Garcia, a registered lobbyist and familiar with local, county and state agencies to be the key person to facilitate the efforts with the public agencies.



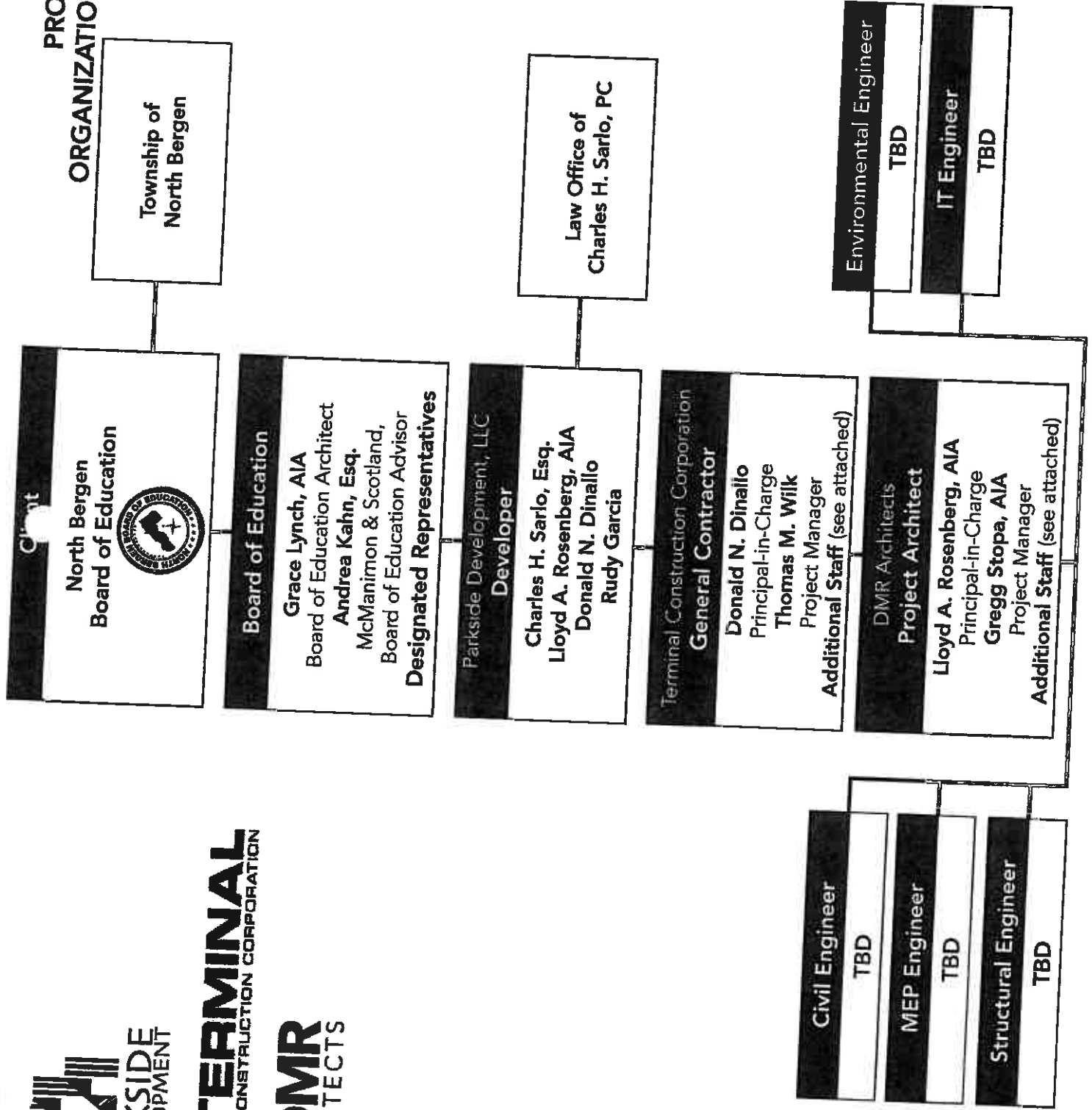
**PARKSIDE
DEVELOPMENT**



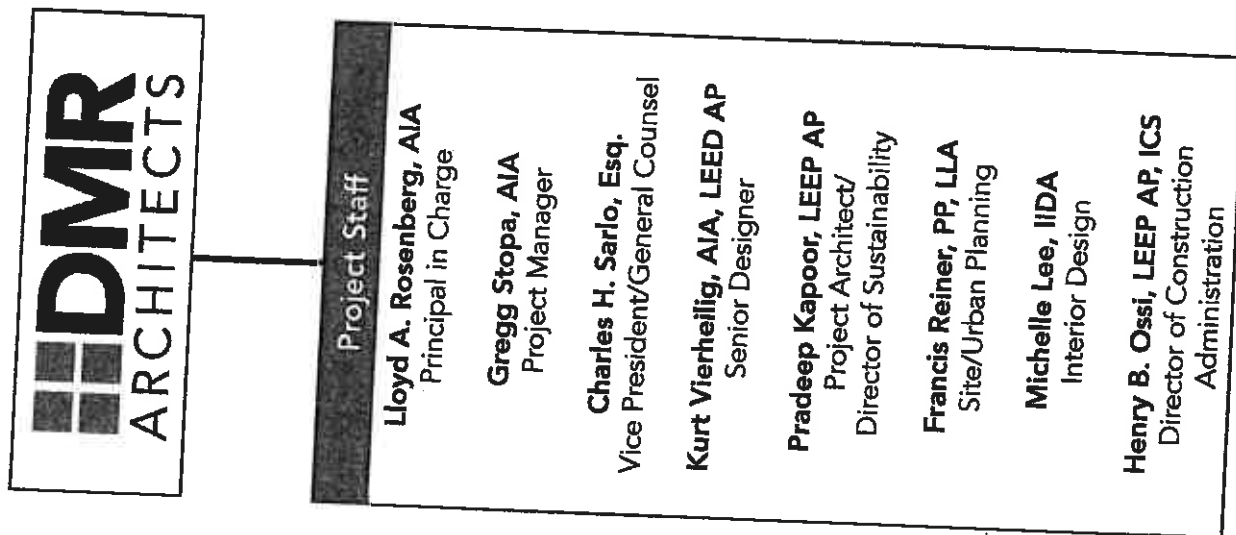
**TERMINAL
CONSTRUCTION CORPORATION**

**DMR
ARCHITECTS**

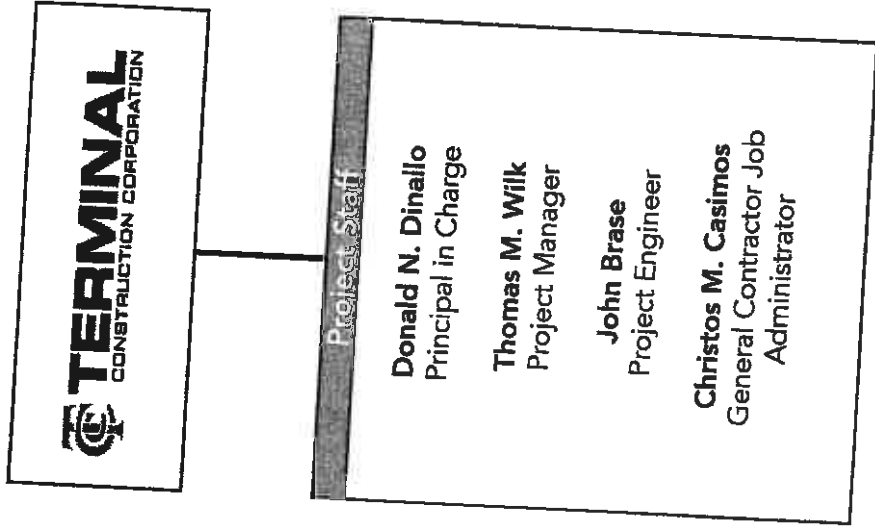
PROJECT TEAM ORGANIZATIONAL CHART



DMR ARCHITECTS
ORGANIZATIONAL CHART



TERMINAL CONSTRUCTION CORPORATION
ORGANIZATIONAL CHART



**Response to Request for Qualifications/ Proposals
Public – Private – Partnership
Proposed Turn-Key Development, Construction and Financing
Mixed Use Project:
Pre-School / Township Library / Community Center**

SECTION E
Financial Proposal

E. FINANCIAL PROPOSAL

The Team has spoken to a number of equity and debt financing sources. The Team would seek to use NW Financial Group, LLC, Jersey City, as the lead in arranging the financing. See letter dated June 27, 2012 enclosed herewith. The Team has spoken to Star America Infrastructure Partners, LLC, New York, which has a public-private partnership fund, and the said entity has expressed an interest in providing equity for the BOE project. In addition, the Team has spoken with Wall Street representatives who have indicated the potential to utilize new market tax credit funding, currently allocated to a certain number of Wall Street institutions, which would provide a low cost of capital. North Bergen qualifies as being eligible for New Market Tax Credits.

Provided hereinafter is a preliminary development and construction budget, which is approximately \$29.2 million. Based on a \$33 million budget, to include financing costs and cost of capital, at a 6.5% interest rate, which is as of the date hereof, at the high end of the capital bond market, annual lease payments would be approximately \$2.25 million to \$2.5 million. The developer would seek a market rate return on the lease payments. As noted above, the potential use of new market tax credits would lower the cost of capital. Based on these preliminary development, construction and financing budgets, the rental cost per square foot would be approximately \$45 psf to \$50 psf.

The total project cost and thus the proposed lease payment, herein, is based on a preliminary development and construction budget which includes a number of estimated line item costs and allowances. As one example, the preliminary budget includes a line item for \$500,000 for potential environmental remediation, however, at this point, it is unknown whether the property would require any type of environmental clean up. The preliminary budget also contains a 10% contingency for soft costs and a 10% contingency for hard costs. In sum, once conceptual plans are developed and due diligence on the property is performed, it is anticipated that the total project cost will be lowered and thus, the lease payments will be lower than what is set forth herein.



NW FINANCIAL GROUP, LLC
Exceeding Expectations

2 Hudson Place
Jersey City, NJ 07312

Tel: (201) 656-0115
Fax: (201) 656-1905

June 27, 2012

Mr. Lloyd Rosenberg
Managing Member
Parkside Development LLC
777 Terrace Avenue
Heights Plaza, 6th Fl
Hasbrouck Heights, NJ 07064

Mr. Rosenberg,

The purpose of the letter is to inform all interested parties that NW Financial Group, LLC ("NW") has made a preliminary credit determination, based upon current market conditions, to arrange financing for not to exceed \$33 million to finance the design and construction of a school facility in the Township of North Bergen, New Jersey.

As part of the financing, NW would arrange for this financing based on a signed lease between the North Bergen Board of Education and Parkside Development LLC. This determination is contingent on review of all standard due diligence items connected to the project. Additionally, final terms and conditions will be provided at the time actual data and specifics of the project are completed.

Since our inception in 1996, NW has arranged for the financing of billions of dollars for projects that provide an essential purpose to municipalities throughout the state and the nation. We look forward to working with you and your organization.

Very truly yours,


Michael I. Hanley
Principal

The proposed terms and conditions are preliminary only and does not constitute an offer, agreement or commitment to extend credit on these terms. The actual terms and conditions under which NW Financial Group LLC would be willing to extend credit are subject to credit approval, satisfactory review of legal documents, and satisfactory completion of due diligence and such other conditions as determined by NW Financial Group LLC.

**North Bergen Board of Education
Preliminary Development and Construction Budget**

Hard Costs	
Land	Developers Cost
Site Prep & Earthwork	\$2,900,000
Base Building 50,000 sq. ft @ \$300/sq. ft.	\$1,100,000
Environmental Assessment/Cleanup (allowance)	\$15,000,000
FF & E School	\$500,000
FF & E Library	\$500,000
FF & E Community Center	\$200,000
IT/Cabling/AV Equipment	\$100,000
Misc (AV/Security/Lighting)	\$250,000
Building Demolition	\$250,000
Contingency (10%)	\$200,000
Total Hard Costs	\$2,080,000
	\$23,080,000
Soft Costs	
Architectural & Engineering (Structural & MEP)	
Civil Engineering	\$1,327,800
Development Fee (6% Hard & Soft Cost)	\$250,000
FF & E Interior Design	\$1,641,934
Real Estate Taxes & Insurance During Construction	\$50,000
Insurance	\$70,000
Government Fees, Permits	\$600,000
Testing & Inspection	\$950,000
Legal Counsel (Transactions/Development Approvals/Dev. & Const.)	\$150,000
Site Selection Consultant/Realtor Broker fee (6%)	\$100,000
LEED/Commissions	\$180,000
IT Engineering	\$100,000
Project Management	\$100,000
Contingency (10%)	\$200,000
Total Soft Costs	\$407,780
	\$6,127,514
Total Hard & Soft Costs	
	\$29,207,514

**County of Hudson/Township of North Bergen
Green Acres Program
State House Commission Pre-Application
Local Parkland – Major Diversion**

**Item 3
Environmental Assessment Report**

**Green Acres Program
State House Commission Pre-Application
Local Parkland—Major Disposal/diversion**

(NOTES FOR THREE REPLACEMENT PARCELS)

ATTACHMENT I: ENVIRONMENTAL ASSESSMENT REPORT OUTLINE

I. A DESCRIPTION OF THE PROPOSED DISPOSAL OR DIVERSION

Include in this section a brief description of the project including the following:

- A. *Title/name of proposed activity:* This Attachment I pertains to THREE REPLACEMENT PARCELS for the Diversion of a Parcel of 1.1 acres within Lot 1 Block 437.2 in North Hudson Park (a 167 acre county park) an area of leased property within the park currently utilized by North Bergen Board of Education as a track and field facility.
- The REPLACEMENT PARCELS include:
- River Road "bird sanctuary" – 0.70 Acres at 7909 River Road, North Bergen; block 437, lots 2.01 and 2.02.
 - Paterson Plank Road – 1.53 Acres at 1901 Paterson Plank Road, North Bergen; block 27, lot 27.
 - 14th Street Viaduct Parks- 1.1 Acres at 14th street (below the viaduct/ ramps) between Grand and Madison, Hoboken.
- B. *Preparer of Document:* This document was prepared by the Township of North Bergen, with input from Grace Lynch AIA PP.
- C. *Location maps with the site outlined on the following; USGS 7.5 Minute Quad, USDA Soils, County Road and Tax Map:* Attached are location maps with the subject site outlined:
1. USGS 7.5 minute Quad
 2. USDA Soils
 3. County Road and Tax Maps
- The USGS, USDA, County and Tax Maps for all sites are attached, along with other maps required under Attachment V.

II. A DESCRIPTION OF THE ENVIRONMENTAL CONDITIONS ON THE PARKLAND PROPOSED FOR DISPOSAL OR DIVERSION AND REPLACEMENT PARCELS (IF ANY) PRIOR TO THE IMPLEMENTATION OF THE PROJECT

Include a description of the existing environmental conditions on the parkland proposed for disposal or diversion and replacement parcels (if any) in each of the following areas:

- A. **Natural resources of the site and surrounding area** – Describe geological character, soil characteristics, topography, land form (i.e. wetlands, steep slopes, etc.), hydrological features, surface water classification and biological resources of the area including State and federal threatened and endangered species and critical habitats. (Please contact the NJ Natural Heritage Program and review the NJ DFW Landscape Project Mapping for the most recent information regarding threatened or endangered species):

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• **The Replacement Parcel at River Road** in North Bergen sits at the base of the Palisades, facing the Hudson River, and is contiguous to the North Hudson Park. The entire North Hudson Park is part of the Lower Hudson River Watershed area. There is an overland flow on the site, near the southern boundary, which flows into a storm drain adjacent to River Road. There are no extreme geological conditions on the Replacement Parcel site. The NJ DEP's NJ EMS program lists the Park in the watershed.

The River Road Replacement Parcel Site itself is stable, well drained land, which is moderately to steeply sloping up into the existing North Hudson Park "bird sanctuary" area. The parcel site itself is heavily treed with dense undergrowth.

NJ DFW Landscape Project Mapping and related documents indicate no critical habitats, and no State or Federal threatened or endangered species on the parcel site. There are no classified biological resources on this parcel.

• **The Replacement Parcel at Paterson Plank Road** in North Bergen is on the western side of the Palisade ridge, with views of the Meadowlands. The NJ DEP's NJ EMS program lists the parcel in the Hackensack River watershed. There are no streams on the site. There are no extreme geological conditions on the Replacement Parcel site; however, the western third of the parcel is a steep escarpment, dropping down to Tonnel Avenue. The area is urban in a commercial zone, with industrial, commercial and mid density housing in proximity.

The Paterson Plank Road slopes past the site, and the Replacement Parcel Site itself is relatively flat to gently sloping, paved land, with limited sloped and treed area along the western boundary. There is a non-operational car wash facility on the parcel, and the parcel site itself is nearly 50% paved (over the level areas) in its current condition.

NJ DFW Landscape Project Mapping and related documents indicate no critical habitats, and no State or Federal threatened or endangered species on the parcel site. There are no classified biological resources on the parcel.

• **The Replacement Parcel at 14th Street Viaduct Park** in Hoboken is a narrow strip of relatively flat land beneath a raised roadway, which has been repurposed as an urban park. The site is in a fully developed, populated urban area, and has been fully paved. The parcel is to the east of the Palisade ridge. There are no streams on the site. There are no extreme geological conditions on the Replacement Parcel site. The NJ DEP's NJ EMS program lists the area in the Lower Hudson River watershed.

The 14th Street Viaduct Park Replacement Parcel Site itself is a relatively flat, stable, section of urban land, with drainage over paved areas to Hoboken's storm drains. The parcel site contains urban "street tree" plantings, and no remaining natural growth.

NJ DFW Landscape Project Mapping and related documents indicate no critical habitats, and no State or Federal threatened or endangered species on the parcel site. There are no classified biological resources on this parcel.

B. Man-made resources – Describe present site land use, adjacent land uses, access, the presence of any hazardous substances or waste, the presence of any underground storage

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tanks or structures, the presence of abandoned wells not properly sealed, transportation patterns, and zoning.

- **The replacement parcel on River Road** is located in the Township of North Bergen in the P-2 Edgecliff zone, and is currently an un-used, heavily vegetated lot. Access is directly off of River Road, by vehicle or via the paved concrete sidewalk. With inclusion of this contiguous parcel into the existing James J Braddock North Hudson Park, all adjacent park uses will continue.

The parcel is bounded by River Road to the east, by a lot with multi-story apartment building to the north; there is a narrow stream to the south flowing from North Hudson Park beyond the southern boundary of the parcel, and a multi-story housing development currently being constructed further south. Most significantly, the 786 foot long western property line abuts the existing boundary of the North Hudson Park.

This parcel is in the P-2 Edgecliff zone, which would allow planned unit development. Due to the slope, its small sized and narrow proportion, it would not be suitable to the types of projects anticipated in the Township's P-2 planned unit development zone.

This parcel is one of the last undeveloped sites bordering the James J Braddock North Hudson Park, and may be developed for access to the existing North Hudson Park "bird sanctuary"; there is currently no other access to the county park from River Road. On the opposite side of River Road, the Hudson River Waterfront Walkway runs along the Hudson River for more than 18 miles. Thus the site may also provide a direct link from the County Park to the Walkway. The site is within walking distance to major arterial local and county roads, it runs along River Road, and is served by buslines which serve local routes and also connect to Local, Town, and NJ Transit public transportation systems.

- **The Replacement Parcel at Paterson Plank Road** is in the Township of North Bergen, in an urban area on the western slope of the Palisades. Access is directly from Paterson Plank Road (by vehicle or via the concrete sidewalk). The parcel is in a C-2 Highway Business zone which runs north, with an Industrial zone to the south; to the east a residential R-3 Moderate Density Zone on the opposite side of Paterson Plank Road. Indications are that the "Hudson News" site to the south (currently zoned Industrial) will be developed as moderate density housing, further increasing the population in an area of the County underserved by Parks and open space.

The site was formerly used as a car-wash and currently houses the un-used carwash building, and is paved over nearly half its area. It is not known if use as a car wash or other prior uses at this site of adjacent sites in this commercial zone may have contaminated the parcel.

Proposed use of the replacement parcel is as a small urban park, with parking, children's play structures, lawn area, water feature, seating, etc., with views from the western slope of the Palisade across the Meadowlands, to provide recreation space within walking distance of a growing population. Repurposing and construction on this parcel will require testing of structure and sub-surface soils, for possible contamination. Soil capacity throughout, and the treatment of the slope and drop off along the western boundary, must be determined prior to use.

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- **The Replacement Parcel at 14th Street Viaduct Park** is in a dense urban area in Hoboken. Prior to the recent renovation, the area below the elevated / ramped 14th Street viaduct was an underutilized public property, which if left un-developed, would have posed a potential hazard and an attractive nuisance. Most recently, the areas of 14th street below the bridge sections were used as staging areas for construction of improvements on the bridge sections.

The area is a new Park an urban park, with lighting, street trees, hardscape, ball courts, benches, and a dog park.

C. Human resources – Describe cultural and social factors; park and recreational facilities; aesthetic features; historical, archeological, and architectural resources.

- **The replacement parcel on River Road** abuts the James J Braddock North Hudson Park along the 780' western boundary of the parcel, and links this park to River Road to the east. The Parcel does not have an historic designation, and is not the subject of any known historical use. The parcel has heavy vegetation, no structures or utilities, and no visible evidence of prior use. There are no park or recreational facilities on this parcel, and its most striking feature is that it is contiguous to the vast North Hudson Park, and that it links this County Park to River Road and potentially could be part of a link to the Hudson River Walkway.
- **The Replacement Parcel at Paterson Plank Road** is located in an area of the Township and the County which is underserved in terms of open space and recreation space, and is within walking distance to residential areas and a growing population to the north, east and south. Aesthetically the site, which sits along Paterson Plank Road where the road cuts across the western slope of the Palisades ridge from Kennedy Boulevard down to Tonnelle Avenue, offers views of the Meadowlands to the west. There is currently an abandoned car wash on the property, with one structure; other architectural features include pavement over most of the level portion of the site, and a chain link fence at the perimeter of the level area. The Parcel does not have an historic designation, and is not the subject of any known historical use. There are no current park or recreation facilities on the parcel, and trees along the slope at the western boundary. The relatively level area (about half) of this replacement parcel is suitable for improvement as a small urban park; the sloped area facing west, with trees and un-paved earth, may continue to host wild life.
- **The Replacement Parcel at 14th Street Viaduct Park** consists of the property beneath the raised / ramped portion of the roadway. Prior to the recently installed park improvements, these areas were used as staging areas for improvements to the bridged sections of the roadway above; there were no recreation or park facilities in these areas; the areas were and are entirely paved, and drain to the municipal storm water system. Aesthetically and architecturally, this parcel is dominated by the large columns supporting the roadway above, and the beams and deck of the roadway directly overhead. The streets of Hoboken cross the parcel. Adjacent parcels are occupied mainly by industrial and commercial businesses, and a bus depot. Residential areas abut the subject parcels for two city blocks. The roadway offers potential shelter to the areas below, however the areas

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below the bridge would be a potential hazard if they had not been well lit and improved. The Parcel does not have an historic designation, and is not the subject of any known historical use.

III. PROBABLE ENVIRONMENTAL IMPACTS TO THE PARKLAND AND REPLACEMENT PARCELS (IF ANY) IF THE PROPOSED DISPOSAL OR DIVERSION IS APPROVED

Identify and describe direct, indirect and cumulative impacts, beneficial and adverse, anticipated from the proposed disposal or diversion on all natural, man-made, human and economic resources during all aspects of site preparation, construction, and project operation. Using the existing parkland without the project as a basis for analyzing anticipated impacts, provide the following information:

A. Land:

1. *Discuss the consistency of the proposed disposal or diversion with the following; the State Development and Redevelopment Plan, Regional and local land use plans and current zoning:*

- The proposed replacement parcels and use of these parcels as new parks, or in the case of the **River Road parcel**, as an addition to an existing County Park, is consistent with the New Jersey State Development and Redevelopment Plan, Regional and local land use plans, and will not violate local zoning.

a. Among the Goals of the State Development and Redevelopment Plan are the following:

- i. Conserve the State's Natural Resources and Systems
- ii. Protect the environment; prevent and clean up pollution
- iii. Provide adequate public facilities and services at reasonable cost
- iv. Preserve and enhance areas of Historic, Cultural, Scenic, Open Space and Recreational Value.

b. This project, and specifically the acquisitions of replacement properties in compensation at **River Road in North Bergen, Paterson Plank Road in North Bergen, and under the 14th Street Viaduct in Hoboken**,

contributes to the Goals of the State Plan enumerated above by:

- i. Helps to Conserve the State's Natural Resources and Systems by:

- 1. Adding .7 acres to the existing James J Braddock north Hudson Park, in the natural area of the "bird sanctuary" and providing a link between that park to River Road and the Hudson River Walkway. Confining the School to the area already set aside for North Bergen Board of Education's Track and Field Complex. (**River Road parcel**)
- 2. Contributing to the development of recreation space and green space in underserved dense, urban areas of the County (at both **Paterson Plank Road** in North Bergen and at **14th Street** in Hoboken).
- ii. The project will protect the environment, and prevent and clean up pollution, by:

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1. Adding street trees and other vegetation to areas which are nearly completely paved at both the Paterson Plank replacement parcel and the **14th Street viaduct** replacement parcel.
2. Increasing the area of an existing County park in a natural, sloped and vegetated area, with the addition of the **River Road parcel to the North Hudson Park** "bird sanctuary".
- iii. The project will provide adequate public facilities and services at reasonable cost.
 1. The inclusion of the **River Road** replacement parcel to James J Braddock North Hudson Park does not require any immediate man-made improvements, for this area to continue to benefit the flora and fauna in this park. Future development of this unique addition has the potential to link the park to River Road access and to the Hudson River Walkway. No other site in this very developed urban area is available to make this connection or provide this access.
 2. Development of the **Paterson Plank Road** replacement parcel into a public park is an opportunity to provide park space in a densely populated part of the County. The property is about 50% level and open at present, with one structure on the site. Due to its proximity to residential areas, limited parking would be needed on the parcel, allowing for maximum park space. Play areas for children and toddlers are envisioned, as well as a lawn area, picnic area, lighting, fencing, and landscaping. Soils stabilization and retaining wall may be required along the western half of this parcel, in the areas too steep for use as play areas. The tree-covered slope which would be maintained by Town and County, will continue to be available to wildlife.
 3. Development of the replacement parcels beneath the **14th Street viaduct** in Hoboken has reclaimed a potentially dangerous condition of the disused roadway beneath the bridge, and activated this space with beneficial use as an urban park space with hard courts, play areas, a dog park, lighting, street trees and benches. Hoboken is a dense urban community, with multi-story residential blocks adjacent to the viaduct, and no parking is required for this new County Park.
 4. The additional park space provided in the replacement parcels at **7903-7909 River Road** in North Bergen, **1811 Paterson Plank Road** in North Bergen, and the **14th Street Viaduct** in Hoboken have located new parkland in an area with expanding urban populations and a great need for such recreational facilities.

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- iv. The proposed diversion and replacement parcels will preserve and enhance areas of Historic, Cultural, Scenic, Open Space and Recreational Value.
1. Hudson County's North Hudson Park will remain a public facility as it has been since the early 20th century.
 2. The **7903-7909 River Road**, North Bergen parcel is located at the base of the Palisades cliff and will allow expansion and potentially improved access to the Bird Sanctuary area which was created several years ago (at the east side of North Hudson Park). This is an ideal setting for passive recreation, particularly for those interested in observing the areas of wildlife.
 3. New recreational space has been created under the **14th Street Viaduct** in Hoboken, an area which was previously underutilized.
 4. The park area which will be developed at **Paterson Plank Road** in North Bergen will provide open space in a part of the County and Township which is currently underserved by recreational and open space.

2. *Discuss how the proposal will change the general character of the area; and*

- The proposed replacement parcels will improve the character of the local areas at each parcel.

The 14th Street Viaduct Park in Hoboken enhances the area by activating areas which might otherwise become abandoned and dangerous spaces (under the bridges, against the abutments, and between districts).

By adding the parcels along **River Road** in North Bergen to the James J Braddock North Hudson Park, a heavily used County park in an urban area will be increased in size and in diversity of terrain.

The small urban park and forested slope at **Paterson Plank Road** in North Bergen, at the site of an abandoned car wash, will provide park area to an underserved neighborhood.

3. *Discuss whether the proposed action will result in the loss or alteration of any ecologically sensitive lands such as flood plains, steep slopes, wetlands, preserved farmland and dedicated open space or disturb any areas of contaminated soils.*

- No ecologically sensitive land exists on the subject parcels, and there will be no loss or alteration of any adjacent ecologically sensitive lands and no disturbance of contaminated soils, as a result of the proposed actions.

B. Water:

1. *Identify and discuss methods to be used to meet State water quality standards;*
- All improvements at the **replacement parcels** will comply with all codes and standards for water use and water quality. Future improvements at **River Road** in North Bergen would be designed to preserve the landscape along the slope, and

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drainage would be to existing storm drain lines. Municipal water served the former car wash and will serve the improvement project at **Paterson Plank Road in North Bergen**. The improvements under the **14th Street viaduct** in Hoboken are served by municipal water and sewer. Any future improvements at the replacement parcels will be designed in compliance with codes and standards, submitted for applicable jurisdictional review, and constructed on receipt of approvals.

2. *Discuss whether or not the proposed project will result in increased pollution or turbidity levels within a surface waterbody and, if so, what the effects will be downstream and upstream;*
 - The acquisition of the three replacement parcels and the anticipated and future projects will not result in increased pollution or turbidity. Run off is to be handled in municipal sewer systems.
3. *Discuss the beneficial and adverse effects of the proposed action on aquatic biota and habitats; and*
 - **At River Road** in North Bergen, current use and future improvements will not negatively impact any aquatic biota or habitats. The nearest body of water is the Hudson River, and run off is contained in municipal drains along River Road; a small stream to the south would not be impacted by the acquisition, or by any future improvements. Within the site, surface water is largely absorbed by the natural soils and fauna; future improvements will not impact water quality.
 - **At Paterson Plank Road**, the nearest body of water is the Meadowlands. Proposed conversion of the site from abandoned car wash to urban park will not impact that body of water or any other. Impervious area (paved area) will be reduced by more than 11,000 sf in the proposed park on the replacement parcel. The water from the proposed "spray" water feature will either be absorbed on site (due to increased permeable area), or will be collected in the storm water system. Irrigation has been proposed for proposed planting beds and proposed lawn. The embankment will be stabilized and the sloped half of the parcel will remain heavily planted or plantings will be enhanced, to increase the natural stabilization afforded by the trees and other plants.
 - **At the 14th Street viaduct** in Hoboken, the nearest body of water is the Hudson River; there are no aquatic environments on the site and it is completely developed and paved. Run off from the Park is collected in the Storm Water System. Any refuse and animal waste collected at the dog run will be collected regularly by the County /Municipality. The park under the viaduct will not impact aquatic biota. The cross streets and park spaces beneath the viaduct have numerous drainage improvements including the use of inlets and drainage pipes along the cross streets under the viaduct, with connections of the inlets with existing drainage pipes running under the cross streets.
As part of the Environmental & Soil Erosion & Sediment Control Plans during 14th Street Park construction, hay bales are used at the east and west ends of the park spaces where the blocks meet the cross streets. 2' x 4' Type 2 Inlet Filters are located along the curbs on the cross streets north and south of the crosswalks. The Drainage Plans use multiple inlets, Types A, B, and B-2, along the curbs of the cross streets near the intersections with the marginal streets, with additional inlets at mid-block on the northern end of the North Marginal Street. 15" reinforced concrete pipes connect to these inlets to existing drainage pipes running under the cross streets, with 4' diameter manholes at the connections.
4. *Discuss the effects that the proposed action will have on surface and ground water*

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quality and quantity and the basis of the determination.

- There will be no impact on ground water. Surface water runoff will be reduced through catchment of storm water at both **Paterson Plank Road** in North Bergen and at the **14th Street** viaduct park in Hoboken, where prior to use a parks, both parcels were partially or fully paved with impervious pavements. As noted in Item 3 above, at 14th Street, various measures were taken during construction, and numerous permanent drainage improvements were installed.

C. Air:

1. *For buildings and stationary sources of air pollutants, discuss whether the project will meet applicable emission standards and regulations contained in the State Air Pollution Control Code;*
- Any future improvements on the replacement parcels will be designed in compliance with codes and standards, submitted for applicable jurisdictional review, and constructed on receipt of approvals.
2. *As applicable, discuss precautions taken to prevent odor problems.*
- There will be no odor-generating odors equipment or practices at the replacement parcels; future projects anticipate passive recreation. At the 14th Street viaduct park, the dog run shall be cleared of animal waste regularly by the county / municipality.
3. *As applicable, discuss precautions taken to prevent noise problems;*
- No equipment nor activities will be conducted on site that will result in problematic noise; noise will be limited to children's voices during outdoor play periods, consistent with typical and current park use.

D. Aquatic and Terrestrial Wildlife:

1. *Discuss any loss (or gain) of wildlife habitat and its anticipated effect;*
- **At River Road**, the replacement parcel is contiguous to the existing James J Braddock North Hudson Park, along the area known as the Bird Sanctuary; any improvements will preserve substantial amounts of the natural growth and continue to allow terrestrial wildlife access to the parcel.
- **The parcel at Paterson Plank Road** is the site of the former car wash and the majority of the site is paved or built; area along the western boundary is sloped and vegetated, and this area, which is not easily accessed or suitable for built development; there will be no loss or gain of wild habitat.
- **At the 14th Street viaduct**, there will be no loss or gain of wild habitat.
2. *Discuss any impacts on State and federal threatened and endangered plants or animal species and critical habitat; and*
- There are no documented threatened or endangered species on the replacement parcels.
3. *Discuss any impacts to trees greater than 6" diameter at breast height (dbh).*
- **River Road:** At this time, no tree removal is proposed.
- **Paterson Plank Road:** The proposed parking and play areas will not require removal of large trees. Stabilization of the existing wooded hillside embankment may require limited removal of existing vegetation (exact scope to be determined). Natural stabilization methods would include enhanced plantings to retain soils.
- **14th Street Viaduct:** There are no trees greater than 6" diameter on the subject site.

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E. Social and Economic:

1. *Discuss how the project could affect historic, archaeological, or cultural resources on or eligible for the National or State Register of Historic Places;*
 - No historic, archaeological, or cultural resources have been documented on the **River Road** or **Paterson Plank** replacement parcels; they are not listed on the State or National Register. There are no historic or cultural features that would meet eligibility requirements.
 - At the **14th Street Viaduct Park** parcel, the viaduct (road bridge) above the new park was considered an historic resource by SHPO (State Historic Preservation Office). Action was taken by SHPO relative to the reconstruction of the viaduct, under earlier and separate applications with SHPO and NJ DOT.

Consistent with the State Development and Redevelopment Plan's Policy Map and the Statewide Policies, the County's design for the area under the **14th Street Viaduct** was the product of a dynamic process that included solicitation of resident ideas, stakeholder meetings with Hudson County engineers, and incorporation of community feedback. After the County's action in September of 2014 to proceed with the diversion/conversion of Braddock Park, the County then moved to proceed with the open space/recreational project at the **14th Street Viaduct** replacement parcel, which included a dog run and playground, pedestrianized streets, a block of active recreation space with multi-use court and two blocks of multi-purpose space.

The project contributes to the accomplishment of the State Development and Redevelopment Plan Goals. After preexisting contamination was remediated and construction of the design was completed, this space expanded the volume of open spaces and recreation options for the families in Northwest Hoboken. The structural improvements to the **14th Street Viaduct**, including the expanded pedestrian walkways and improved lighting, facilitate the usability and safety of the previously underutilized property. The new recreational and cultural resource will continue to attract new visitors and residents to the area, encourage revitalization of the County's economic growth and development, as well as improve the quality of life of the community. The project represents the County's continued commitment to remain as an economic and cultural powerhouse.

2. *Discuss how the proposed disposal or diversion would affect public access and public recreational facilities; and*
 - The additional acreage to be added to North Hudson Park in the replacement parcel at **River Road** has the potential to increase access to the Park.
 - The replacement parcel on **Paterson Plank Road** in North Bergen will increase access to public recreational facilities by providing park space in a neighborhood with growing population and few parks or facilities.
 - The replacement parcel in Hoboken at the **Viaduct Park** increases access to public recreation facilities by providing courts, passive recreation space, and a dog run in an area of Hoboken where no similar facilities existed. The new Park includes the expanded pedestrian walkways and improved lighting, facilitate the usability and safety of the previously underutilized property. The new recreational and cultural resource will continue to attract new visitors and residents to the area, encourage revitalization of the County's economic growth and development, as well as

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improve the quality of life of the community.

3. *Discuss how environmental justice was considered during the environmental decision making process. If an environmental justice analysis was done, provide information regarding status and/or findings of the analysis.*
 - By providing public recreation space in areas of Hudson County which have few parks in walking distance, the replacement parcels at **Paterson Plank Road** and in Hoboken at **14th Street** will increase access to all residents and specifically to the low to middle income population at the south end of town, west of Kennedy Boulevard in North Bergen; and to the residents of housing that borders the industrial area at the north west section of Hoboken. Maintaining a portion of the Paterson Plank Parcel as a wooded slope provides areas for birds and other small wildlife to flourish in an increasingly dense urban neighborhood.

F. Solid Waste - *Discuss methods for solid waste handling both during construction and subsequent operation.*

- Any future construction at **Paterson Plank Road** in North Bergen, as would be required to remove the car wash and to create park space, will be performed in compliance with contract requirements for temporary toilet facilities and proper containment and disposal of all trash, debris and other solid waste. Operation of any future improvements will incorporate sanitary and all solids waste removals via systems approved by municipal authorities.
- Similarly, at **River Road**, any future construction will be performed in compliance with contract requirements for temporary toilet facilities and proper containment and disposal of all trash, debris and other solid waste. At this time, construction of new facilities are not anticipated at River Road- the area currently has heavy growth and is contiguous to the existing Park and bird sanctuary. Maintenance of this area will be the same as the County's maintenance in the Bird Sanctuary.
- At Hoboken's **14th Street Viaduct Park**, Prior to construction, environmental remediation was conducted under the direct supervision of Christopher Schmitt of Haley & Aldrich, a Licensed Site Remediation Professional ("LSRP"), during which some historic fill was encountered. All contaminated material was appropriately handled, disposed, and documented in accordance with all applicable NJDEP regulations. All solid waste generated during construction was properly contained and brought to a solid waste facility for disposal. During the subsequent operation, the County of Hudson arranges for the proper handling and disposal of solid waste in accordance with all applicable NJDEP regulations and solid waste management plans.

G. Aesthetics - *Discuss how the natural or present character of the area will be changed as a result of the proposed action.*

- **River Road**- Subject site is a sloping, heavily vegetated parcel which is connected to the existing park, and which sits at the bottom of the bird sanctuary. Proximity to existing open space and parking areas for James J Braddock North Hudson Park will avert need for redundant parking and access facilities- as a result, any future development will be limited to possible access point; adjacent natural features and wooded areas will not be disturbed.
- **Paterson Plank Road**- This parcel currently has a chainlink fence with infill slats facing the public way, it is nearly fully paved, and contains the former car wash building; by removing this abandoned facility and providing the 1.52 acre public park,

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the character of the area will be improved. A portion of the parcel would be utilized as a park with play areas, lawn space and limited parking; the other half would remain as a wooded hillside.

- At the **Hoboken Viaduct Park**, the area beneath the bridge is charged with activity, lighting, and other hardscape, thus greatly improving what might have become a dangerous area.

H. Sustainability - *(protecting the resources and systems that support us today so that they will be available to future generations) - Discuss actions taken during the environmental decision making process (siting, water efficiency, energy efficiency, material/resource use) to insure that the project is a sustainable development that will avoid or minimize negative impacts, strengthen positive ones, take advantage of environmental opportunities, and protect resources.*

I. Cumulative Effects - *Discuss any cumulative effects of the proposed action.*

IV. METHODS OF PROMOTING APPROPRIATE ENVIRONMENTAL DESIGN AND METHODS OF MITIGATING ADVERSE ENVIRONMENTAL IMPACTS ASSOCIATED WITH THE DISPOSAL OR DIVERSION

Discuss avoidance, remedial, protective, sustainable and mitigative measures to be taken as part of the proposed project in response to adverse environmental impacts. Mitigating measures refer to those methods used to ensure that the project is brought into compliance with all governing regulations including, but not limited to, air, water quality, noise control, solid waste, radiation, and land-use regulations. The discussion of avoidance, remedial, protective, sustainable and mitigative measures may include, but not be limited to, the following considerations:

(If any State or Federal permits/approvals have been applied for the following items please identify and briefly discuss any potential instances of noncompliance with State and/or Federal standards as well as the status of any permits before any regulatory agencies)

A. Site location (replacement parcels);

The sites offered for replacement of the 1.1 acre diversion site at the James J Braddock North Hudson Park include:

- The **.7 acre River Road parcel** (which will add to the area of the North Hudson Park in the Bird Sanctuary, while also creating the potential for the connection from the North Hudson Park to River Road and to the Hudson River Walkway);
- A parcel of 1.5 acres at **Paterson Plank Road** in the Township of North Bergen is located adjacent to areas of residential growth, and can provide much needed park space to this neighborhood of Hudson County, while maintaining $\frac{3}{4}$ acre of wooded area.
- The **Hoboken Viaduct Park** site provides 1.1 acres of urban park space at a location beneath the bridge, abutting the industrial areas.

B. Air quality through control apparatus and/or controlled combustion process;

There are no proposed combustion processes on the replacement parcels; passive recreation, courts, trails, and play grounds are the main facilities for the replacement parcels.

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- C. *Water quality through treatment of wastewater and/or eutrophication control;*
Wastewater at **River Road** bird sanctuary is mainly overland runoff of storm water from the slope along the eastern edge of the Palisades, and is collected in the municipal storm water system.

At **Paterson Plank Road**, the parcel – The proposed urban park will have drains and overland flow, collected in the municipal storm water system.

Storm water from the mostly-paved **Hoboken Viaduct Park** is collected in the municipal storm water system. Due to existing contamination, portions of the site incorporated “caps” in the paving systems.

- D. *Erosion and sedimentation control measures;*

At **River Road**, no specific proposal for improvements has been put forth.

At **Paterson Plank Road** in North Bergen, the construction documents for demolition and construction will incorporate the standards for Soil Erosion and Sediment Control in New Jersey including provision and maintenance of soil stabilization, silt fences, hay bales, sediment basins, storm sewer, inlet protection, properly located stockpile areas and wheel pads. There will be a new decrease in impervious surface with the proposed improvements, and the steep slope of the wooded hillside will be further protected with the proposed new retaining wall and plantings.

Hoboken Viaduct Park was constructed under the review of local and state agencies during the restoration of the 14th Street Viaduct.

- E. *Storm water runoff control measures from paved areas;*

The River Road parcel will extend the area of the park to an already vegetated parcel, which has no measurable paved area.

The existing paved areas at the **Paterson Plank Road** parcel are serviced by the storm sewer system. No additional paved areas are proposed – and in fact a substantial reduction of more than 11,000 sf impervious area has been proposed.

At the Hoboken **14th Street Viaduct Park**, the park is nearly entirely paved, and stormwater is collected in the municipal system.

- F. *Measures to conserve water;*

- G. *Noise control measures;*

During construction at any parcel, the contractor will be required to use every effort and means to minimize or eliminate noise caused by his operation, provide working machinery equipped with silencers or mufflers, designed to operate with the least possible noise where required. Mufflers, silencers and exhaust systems shall be maintained in proper operating condition. The work shall comply with the local noise ordinances.

- H. *Energy conservation measures;*

The primary uses of energy at the replacement parcels are the lighting at the future improvements for the **Paterson Plank Road** parcel, and lighting at Hoboken's **Viaduct Park**. Most park use is during Spring, Summer and Autumn, during periods of daylight; lighting at the courts and dog runs in Hoboken will extend use of those areas into the

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evenings and into the winter months. High efficiency fixtures will be used in all Parks.

I. Traffic control measures;

No increase in traffic where **River Road** parcel is added to North Hudson Park.

The park proposed at **Paterson Plank Road**, while intended mainly for pedestrian access, will incorporate parking spaces including handicap parking spaces, and will incorporate sufficient drive space on the site to allow vehicles ample area when entering and leaving the future park, along this urban roadway. No traffic lights are proposed.

At the **Viaduct Park** in Hoboken, several traffic calming measures are used for the cross streets and park areas under the viaduct, including raised speed-table crosswalks, narrowed streets, and signage.

At the Viaduct Park in Hoboken, all of the cross streets beneath the viaduct are narrowed where they run under the viaduct dividing the park spaces to help slow vehicle traffic and reduce the distance for pedestrian crossings. Bollards are in place between the cross streets and the park spaces, and removable bollards can be used to close off the North and South Marginal Streets, which run along the north and south sides of the viaduct. Crosswalks are located at each of the cross streets approaching the North and South Marginal Streets, and speed-table crosswalks are located at mid-block of the park spaces. Additionally, there are crosswalks across the marginal streets from the park spaces.

Pedestrian crossing signs are on located Jefferson Street and Madison Street south and north of viaduct approaching the North and South Marginal Cross Streets, as well as speed bump signs on posts and painted on the road surface. A pedestrian crossing sign and speed bump signs on a post and painted on the road are on Grand Street (a southbound one-way street) to the north of the viaduct approaching the North Marginal Cross Street, and at Adams Street (a northbound one-way street) to the south of the roadway approaching the South Marginal Cross Street. Additionally, stop signs are located along the North and South Marginal Roads at intersections with the cross streets approaching the crosswalks.

At the Viaduct Park in Hoboken, the sidewalks have ramps to the crosswalks. Colored and stamped concrete has been used for the speed table crosswalks, and the other crosswalks are marked with stamped resin overlays which have cobble patterns. 150 watt PSMH lighting is also present at all crosswalks.

J. Recycling potential;

Waste containers ("trash cans") at the parks will follow municipal and county protocol, with inclusion of containers for bottles and cans, paper, and trash.

K. Establishment of buffer zones, selective clearing, and/or landscaping;

At River Road, no specific proposal has been put forth which would require clearing; future use may include installation of an access point with limited parking, gate, improved drainage and limited removal of vegetation. The site itself is a buffer between River Road and the North Hudson Park. As documented herein and in the attachments, due to the parcel steep slope which runs up into the existing North Hudson Park, extensive installations are not feasible, nor would they be in the best interest of the overall Park and Bird Sanctuary.

At Paterson Plank Road, the flat areas of the site have already been fully developed, for most of the past 100 years; the sloped area to the west would be selectively cleared only adjacent to the proposed park, to install proper retaining and drainage between the paved

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and developed half of the site and the slope half.

At **Hoboken Viaduct Park**, the areas beneath the viaduct and the adjacent streets had been developed as urban land for many decades.

L. Protective measures for aquatic and terrestrial plants and animals;

At **River Road**, native animals are free to move throughout the area as it is not fully enclosed by fence.

At **Paterson Plank Road**, the proposed urban park areas (children's play structures, swings, parking, lawn, etc), will occupy about half of the site, and half will be a wooded hillside, with no access for the human residents of the County.

At **Hoboken Viaduct Park**, there is no aquatic or terrestrial habitat. Street tree plantings have been included in the Park.

M. Architectural techniques to blend structures with the surrounding area;

At **River Road**, no specific proposal has been made; future improvements may include small parking area and entry gate, which would be designed to minimize impact to Park and the natural slope.

At **Paterson Plank Road**, the proposed urban park area will be located at the developed half of the site, and the majority of the vegetated slope will remain "natural".

At **Hoboken Viaduct Park**, the area was fully developed urban land prior to establishing the urban park.

V. AVOIDANCE OF ADVERSE ENVIRONMENTAL IMPACTS

Describe in detail those impacts which cannot be reduced to acceptable levels, their implications, and the reasons why the action is being proposed notwithstanding their effect.

No adverse impacts are anticipated, from the proposed improvements on the replacement parcels.

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ATTACHMENT I: ENVIRONMENTAL ASSESSMENT REPORT OUTLINE

I. A DESCRIPTION OF THE PROPOSED DISPOSAL OR DIVERSION

Include in this section a brief description of the project including the following:

A. Title/name of proposed activity:

DIVERSION OF 1.17 ACRE SITE FOR PRE-KINDERGARTEN USE WITHIN TOWNSHIP OF NORTH BERGEN LEASE PORTION OF LOT 1 IN BLOCK 437.02N IN JAMES J. BRADDOCK NORTH HUDSON PARK. Proposed Diversion site, in James J. Braddock North Hudson Park (a county park), is located in the south east corner of leased property utilized by the Township of North Bergen/North Bergen Board of Education and the general public as a recreational facility primarily for track and field. Recreational use as currently configured will remain unchanged. Only that portion of the site now utilized for temporary Pre-Kindergarten use, located at the edge of the track and football field, is proposed for diversion to serve continued Pre-Kindergarten use.

B. Preparer of Document:

This document was prepared by the Township of North Bergen, with input from North Bergen Board of Education and Board of Education Architect Grace Lynch AIA PP.

C. Location maps with the site outlined on the following; USGS 7.5 Minute Quad, USDA Soils, County Road and Tax Map:

Attached are location maps with the subject site outlined:

1. USGS 7.5 minute Quad
2. USDA Soils
3. County Road and Tax Maps
4. Location Maps, Aerial Site Maps / Reference Maps
5. Park Facilities Map and Hudson County Parks Map

II. A DESCRIPTION OF THE ENVIRONMENTAL CONDITIONS ON THE PARKLAND PROPOSED FOR DISPOSAL OR DIVERSION AND REPLACEMENT PARCELS (IF ANY) PRIOR TO THE IMPLEMENTATION OF THE PROJECT

Include a description of the existing environmental conditions on the parkland proposed for disposal or diversion and replacement parcels (if any) in each of the following areas:

A. Natural resources of the site and surrounding area – Describe geological character, soil characteristics, topography, land form (i.e. wetlands, steep slopes, etc.), hydrological features, surface water classification and biological resources of the area including State and federal threatened and endangered species and critical habitats. (Please contact the NJ Natural Heritage Program and review the NJ DFW Landscape Project Mapping for the most recent information regarding threatened or endangered species):

The diversion site is open level land planted with grass. Site has no trees or shrubs. James J Braddock North Hudson Park sits atop the Palisades, in an area of rolling hills and minor rock outcrops. The entire park is part of the Lower Hudson River Watershed area as listed in NJ DEP's NJ EMS program. There are no streams on the site. There are no notable geological features on the site. Soil characteristics are listed in on the attached reference

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map. Soil characteristics will not be impacted by the proposed diversion. The Soils map shows the North Hudson Park to be mainly "Greenbelt Loam"; smaller areas of "Yalesville Loam"; and the 16 acre body of water. The Park is surrounded mainly by Urban Land. The diversion parcel itself is in an area of Greenbelt Loam".

Property leased by the Township of North Bergen/North Bergen Board of Education for recreational use houses track and field, grandstands, tennis courts, parking, storage, bathrooms and related facilities, and this overall leased area contains impervious paved parking and paths, built elements and pervious fields and open landscape, within the highly pervious North Hudson Park. The Diversion Site is level, stable, well drained land.

NJ DFW Landscape Project Mapping and related documents indicate no critical habitats, and no State or Federal threatened or endangered species on the parcel site. There are no classified biological resources on the parcel.

B. Man-made resources – *Describe present site land use, adjacent land uses, access, the presence of any hazardous substances or waste, the presence of any underground storage tanks or structures, the presence of abandoned wells not properly sealed, transportation patterns, and zoning.*

No change of use of the subject site to be diverted is proposed.

Currently the site to be diverted houses temporary modular classroom units for local Public School Pre-Kindergarten program, on a small portion of a land parcel leased by the North Bergen Board of Education. With diversion, use for local Pre-Kindergarten program will continue, all adjacent park uses will continue.

Immediately adjacent to the diversion site within the North Bergen lease area are active and passive recreational uses as shown on appendix Aerial Site / Reference map and County Parks Facilities map: to the west is a football field and track; to the North a tot lot with play equipment, beyond which is a parking lot for approximately 40 cars; to the east and south are tree lines. Beyond the leased area to the east and south wooded areas continue, beyond which the grade slopes to a large pond encircled by a walkway.

Materials in use on site are ordinary to park and grounds maintenance, there are no known hazardous substances or hazardous waste being utilized or deposited.

Since the origin of the lease, the Lessee has not utilized or placed any underground fuel storage tanks or wells, nor have any been encountered, abandoned or closed on the subject site.

Leased area has field facilities and above and underground utilities to serve field use and temporary classroom units. Leased area has utilized a septic holding tank which is regularly emptied by the municipality. This holding tank is not on the diversion site, however the site relies on the tank for sanitary discharge. The tank will be updated over time to address the needs of all co-existing uses in the larger leased parcel.

Local traffic and traffic generated by Park use transverses the James J Braddock North Hudson Park on interior park roads which are open at all times (24 hours/7 days a week), restricted to a speed of 25 miles per hour. Diversion site is accessed by vehicle from an existing interior park road with an existing parking lot; no public through traffic exists or is proposed on the diversion site; site access is limited to a single paved roadway which will continue to provide emergency and other required service access. The Pre-Kindergarten

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facility, as well as the track and field, is also accessed by foot from Park walkways.

The site is within walking distance to major arterial local and county roads including Bergenline Avenue, JF Kennedy Boulevard, JF Kennedy Boulevard East, and Palisade Avenue. These routes are served by bus lines which provide access to local communities and also connect to major metropolitan public transportation systems including ferries, trains and buses.

The site is located in the township of North Bergen in an R-1 low residential density zone, in which parks and schools are permitted uses. Areas adjacent to site include a balanced mix of uses which include commercial zones (C1-A, C1-B General Business Limited Mixed Use, C1-R Commercial Residential) and residential zones (R-1, R-1-TO Low density residential, R-2, R-2 T-O), intermediate density residential, as well as planned unit development (P-2 Edgecliff and P-3 River Road).

C. Human resources – *Describe cultural and social factors; park and recreational facilities; aesthetic features; historical, archeological, and architectural resources.*

The diversion parcel is within a larger property leased by The Township of North Bergen / Board of Education within James J Braddock North Hudson Park; these leased area is used by North Bergen Public Schools for sports and recreation. The track and football field on the lease property (to the north of the diversion parcel) is open for public use except when School sporting events are taking place. The Pre-Kindergarten, with temporary classroom units and a paved pathway at the south of the track and field, does not interfere with the use of the track and field by School or the public.

The Park serves a multi-ethnic, multi-cultural population of varied economic backgrounds and is well used daily, especially busy on the weekends in summer months when individuals and family groups enjoy the various beautiful settings in the park. Events are regularly scheduled in summer months including, art fairs, cultural fairs, movies, and this summer a farmer's market was located in the park on Sunday afternoons. The park is an appreciated local community resource, which affords a respite from urban life. Active and passive recreational, picnic and play areas are nestled between wooded and sweeping open areas and dedicated play area, fields, courts, pond and wooded paths and outbuildings provide a full range of park experiences for all ages.

Prior to use of the diversion parcel by North Bergen as a public early childhood center, the grass area which served as an undersized softball practice field with back stop was located on the site. Adjacent field and track areas were, and will continue to be, open to the public, except when being utilized for School practice. Beyond the lease property, the larger North Hudson Park houses other ball fields, some within other municipal leased areas, as well as shared public park areas for active and passive recreation. Park amenities are described in appendices.

Architectural and aesthetic features on the lease parcel include bleachers and field service structures, while on the site to be diverted, structures are limited to chain link and decorative fencing, temporary classroom units, access ramps, stairs and decks at entries to these units, mowed grass lawns, and a paved pathway. These features are maintained by the School District.

No notable architectural or other aesthetic features exist on the site to be diverted.

At the time of the 1909 Fire Insurance Map in which the purchase of the park is

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documented, a trolley transversed the park crossing the pond now known as Woodcliff Lake. At that time, North Bergen Board of Education's Grand School Public School No. 1 was located on the eastern edge of the property. Over time residential, educational, commercial and private amusement properties which lined the north and west boundaries of the park were subsumed by parkland. The park features several service structures for grounds maintenance and educational and interpretive use, as well as the "historic former Superintendent's building". This ornate structure, a cultural marker, which incorporates a large classic arch and columns, recently received funds for preservation and restoration. No existing park structure will be impacted by the diversion. Neither the Park nor any elements or features within it have historic designation on the State or National Historic Registers. Landscape architects for the site may have included Charles Lowrie, who was the County Parks Commission architect in the early years of the Park's development.

III. PROBABLE ENVIRONMENTAL IMPACTS TO THE PARKLAND AND REPLACEMENT PARCELS (IF ANY) IF THE PROPOSED DISPOSAL OR DIVERSION IS APPROVED

Identify and describe direct, indirect and cumulative impacts, beneficial and adverse, anticipated from the proposed disposal or diversion on all natural, man-made, human and economic resources during all aspects of site preparation, construction, and project operation. Using the existing parkland without the project as a basis for analyzing anticipated impacts, provide the following information:

A. Land:

1. *Discuss the consistency of the proposed disposal or diversion with the following; the State Development and Redevelopment Plan, Regional and local land use plans and current zoning:*

- The proposed diversion is consistent with the New Jersey State Development and Redevelopment Plan, Regional and local land use plans, and will not violate local zoning.

a. Among the Goals of the State Development and Redevelopment Plan are the following:

- i. Conserve the State's Natural Resources and Systems
- ii. Protect the environment; prevent and clean up pollution
- iii. Provide adequate public facilities and services at reasonable cost
- iv. Preserve and enhance areas of Historic, Cultural, Scenic, Open Space and Recreational Value.

b. This project, with its associated diversion and acquisitions of replacement properties in compensation, contributes to the Goals of the State Plan enumerated above by:

i. Helps to Conserve the State's Natural Resources and Systems by:

- 1. Confining the School to the area already set aside for North Bergen Board of Education's Track and Field Complex.
- 2. Contributing to the continuation and improvement of play area /equipment for the young children.
- 3. Nurturing in these young children an appreciation for the natural beauty of the Park's flora, fauna, wildlife, scenic views, uncommon in this otherwise densely populated urban setting.

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- ii. The project will protect the environment, and prevent and clean up pollution, by:
 - 1. Implementing storm water runoff control and soil conservation measures during construction.
 - 2. Adopting a maintenance program for the waste water holding tank, and initiating the permitting and approval process required to make a direct connection to the North Bergen Municipal Utilities Authority sewer system. This will benefit not only the Pre-School facility, but also the track and field facility as a whole.
- iii. The project will provide adequate public facilities and services at reasonable cost.
 - 1. Many of the Sites investigated during the past several years, for Pre-School use and as compensation properties, would have involved expensive environmental clean-up or purchase of properties which housed operating business; this will not be required at proposed North Hudson Park Track and Field site, or at the compensation properties.
 - 2. The Park site allows continuation of a Pre-Kindergarten educational program (currently in temporary structures) in a permanent facility which will incorporate the advances in building technology to achieve the most efficient cost effective use.
 - 3. The Park site (being relatively level and having excellent ground conditions) will not require an expensive structural support system, which would have been required at many of the other sites that have been investigated, due to poor ground conditions, extreme variations in grade, proximity to wetlands, etc.
 - 4. Parents and staff of children who have experienced the Pre-School in the Park have been effusive in their praise for the siting of the School, and are unanimous in claiming that it has added to the educational experience of the children.
 - 5. Shared recreational, parking space and open space will avert any taking of land in a highly developed area for redundant facilities
 - 6. The additional park space provided in the replacement parcels at 7903-7909 River Road in North Bergen, 1811 Paterson Plank Road in North Bergen, and the 14th Street Viaduct in Hoboken have located new parkland in areas with expanding urban populations and a great need for such recreational facilities.
- iv. The proposed diversion and replacement parcels will preserve and enhance areas of Historic, Cultural, Scenic, Open Space and Recreational Value.
 - 1. Hudson County's North Hudson Park will remain a public facility as it has been since the early 20th century.

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2. The 7903-7909 River Road, North Bergen parcel is located at the base of the Palisades cliff and will allow expansion and potentially improved access to the Bird Sanctuary area which was created several years ago (at the east side of North Hudson Park). This is an ideal setting for passive recreation, particularly for those interested in observing the areas of wildlife.
3. New recreational space is being created under the 14th Street Viaduct in Hoboken, an area which was previously underutilized.
4. The park area which will be developed at Paterson Plank Road in North Bergen will provide open space in a part of the County and Township which is currently underserved by recreational and open space.

2. Discuss how the proposal will change the general character of the area; and

The general character of the park will not be changed. The park has accommodated expansion of field houses, expansion of developed fields, courts and playground areas without detriment to the open and wooded areas of the park, and the location in a hidden corner of the site further diminishes any visual impact.

3. Discuss whether the proposed action will result in the loss or alteration of any ecologically sensitive lands such as flood plains, steep slopes, wetlands, preserved farmland and dedicated open space or disturb any areas of contaminated soils.

- No ecologically sensitive land exists in the subject site, and there will be no loss or alteration of any adjacent ecologically sensitive lands and no disturbance of contaminated soils in Braddock Park, as a result of the proposed action.

B. Water:

1. *Identify and discuss methods to be used to meet State water quality standards;*
 - All improvements will comply with all codes and standards for water use and water quality. Municipal water will serve the project and any future improvements. As such future improvements will not deplete or damage ground water and will not result in ground subsidence or contamination. Future improvements will be designed in compliance with codes and standards, submitted for applicable jurisdictional review, and constructed only on receipt of approvals.
2. Discuss whether or not the proposed project will result in increased pollution or turbidity levels within a surface waterbody and, if so, what the effects will be downstream and upstream;
 - As waste water will be removed, storm water managed and erosion control methods placed during construction activities, there will be no increase in pollution or turbidity that will impact park streams or pond.
3. Discuss the beneficial and adverse effects of the proposed action on aquatic biota and habitats; and
 - The nearest body of water is the park's 16 acre pond, which is regularly monitored for water quality; as noted, proposed construction will not impact water quality.
4. Discuss the effects that the proposed action will have on surface and ground water quality and quantity and the basis of the determination.
 - There will be no impact on ground water. Surface water runoff will be reduced

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through catchment of storm water, and soil erosion control methods as noted.

C. Air:

1. *For buildings and stationary sources of air pollutants, discuss whether the project will meet applicable emission standards and regulations contained in the State Air Pollution Control Code;*
 - Any future improvements on the subject site will be designed in compliance with codes and standards, submitted for applicable jurisdictional review, and constructed on receipt of approvals. No known air pollutants will be used on site.
2. *As applicable, discuss precautions taken to prevent odor problems.*
 - There will be no odor-generating equipment or practices; should future improvements include a kitchen, it will be a warming kitchen only (no cooking, no fryers, no large ovens), further Pre-school educational program is focused on early language and skill development and utilizes no odor causing or hazardous materials.
3. *As applicable, discuss precautions taken to prevent noise problems;*
 - No equipment nor activities will be conducted on site that will result in problematic noise; noise will be limited to children's voices during minimal outdoor play periods, consistent with typical and current park use, and such use is typically during week day hours when park is underutilized.

D. Aquatic and Terrestrial Wildlife:

1. *Discuss any loss (or gain) of wildlife habitat and its anticipated effect;*
 - Diversion site is flat open land; there will be no loss or gain of wild habitat. Adjacent areas with natural habitat will not be disturbed.
2. *Discuss any impacts on State and federal threatened and endangered plants or animal species and critical habitat; and*
 - There are no documented threatened or endangered species on subject site.
3. *Discuss any impacts to trees greater than 6" diameter at breast height (dbh).*
 - There are no trees on the subject site.

E. Social and Economic:

1. *Discuss how the project could affect historic, archaeological, or cultural resources on or eligible for the National or State Register of Historic Places;*
 - No historic, archaeological, or cultural resources exist on the subject site, an empty, open site with no historic or cultural features. No historic, archaeological, or cultural resources within the Park will be impacted by proposed diversion. Neither the park nor any elements within in is listed on State or National Historic Registers.
2. *Discuss how the proposed disposal or diversion would affect public access and public recreational facilities; and*
 - Subject site is located in an area of Braddock Park leased by the Township of North Bergen; there will be no change in public access to the existing recreational facilities. Drop off and pick up times typically occur during week day hours when park is under-utilized.

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3. *Discuss how environmental justice was considered during the environmental decision making process. If an environmental justice analysis was done, provide information regarding status and/or findings of the analysis.*
- The proposed Pre-kindergarten school on the site to be diverted is a public school facility serving the students of the Township of North Bergen. North Bergen's residents are a diverse population. As of the 2010 census, the population is shown as 68.4% Hispanic or Latino, as opposed to the state average of 16.3%; 6.5% Asian, as opposed to the state average of 4.8%. Additionally, from 2014 census, 78.5% of the population speaks a language other than English at home, in contrast to the state average of 20.7%; and 50.8% of the population are foreign born as opposed to the state average of 12.9%. The majority of residents have a median income below that of the State median; the Township has a higher percentage of residents below the poverty line than the State. Further, the median contract rent in North Bergen is above that of the State. Consequently, as all children in North Bergen of appropriate age will be eligible for the program, the Pre-kindergarten facility will serve a disadvantaged population in need of early childhood support. Where specific special needs so require, pupils may attend the North Bergen Pre-school program as early as three years of age.

The Park in its natural setting provides a healthy, pollution-free, natural environment for the critical first year for the children's participation in a full day educational program. This is of note in the urban setting of Hudson County in which levels above the national average for ozone, nitrogen dioxide and sulfur dioxide have been recorded.

Equally important to the local community and to Hudson County is the development of new parkland and recreational facilities on the replacement parcels in North Bergen and Hoboken, which will provide park space in underserved urban populations. Two of these parcels will provide park facilities in dense urban neighborhoods where no parks currently exist.

The diversion and the Pre-Kindergarten, along with acquisition of the three replacement parcels, will have no disproportionately higher or more adverse effects on low income and/or minority communities; on the contrary, all effects are positive.

- F. **Solid Waste** - *Discuss methods for solid waste handling both during construction and subsequent operation.*
- Any future improvements will be performed in compliance with regulatory standards as well as contract requirements for temporary toilet facilities and proper containment and disposal of all trash, debris and other solid waste. Operation of any future improvements will incorporate sanitary and all solids waste removals via systems approved by municipal authorities.
- G. **Aesthetics** - *Discuss how the natural or present character of the area will be changed as a result of the proposed action.*
- Subject site is an open, underutilized, level, L-shaped land area, within a recreational lease-hold, and borders the football field and running track. Proximity to existing open space and parking areas will avert need for redundant parking and access facilities- as a result, any future development will be limited to the Pre-K facility only. Use of track, field and other adjacent recreation facilities will not be impacted by current use or future development of the subject site for Pre-K use; adjacent natural features and wooded areas will not be disturbed.

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- H. Sustainability** - (protecting the resources and systems that support us today so that they will be available to future generations) - Discuss actions taken during the environmental decision making process (siting, water efficiency, energy efficiency, material/resource use) to insure that the project is a sustainable development that will avoid or minimize negative impacts, strengthen positive ones, take advantage of environmental opportunities, and protect resources.
- Subject site for diversion is currently utilized for the public Pre-Kindergarten program. No expansion in the land area utilized for pre-kindergarten as currently occupied is proposed. Proposed future construction methods for the site, and the proposed occupancy (primarily by three and four year olds) use will minimize any perceived negative impacts of educational use.
 - Within the Park, the Pre-kindergarten buildings are shielded from view from the pond and the walkways around the pond by heavily vegetated embankment. The facility will be two stories maximum, and will not impact the trees, undergrowth or the natural drainage between the site and the areas of the Park to the south and east of the site.
 - Subject site is level, with well compacted soil over relatively shallow bedrock; slab and concrete footings are anticipated; there will be no basement level. Therefore, no extreme measures (such as deep piles, excavation of bedrock) are required.
 - Parking exists adjacent to the site to be diverted, which is used during the day by the public, and on evenings and weekends except during School team practice and games. This parking area is used during school days by School staff and visitors. No new parking is required for the proposed facility on the diversion site.
 - Shared utilization of existing facilities is a sustainable approach to meeting facilities needs.
 - New structures will meet or exceed all code standards for energy efficiency and water conservation.
 - No recreational area will be diminished.
 - Continued family presence during the underutilized park time (week days, school hours) will positively impact security.
 - North Hudson James J. Braddock Park is located within the Township of Norh Bergen. It should be noted that both the county and Township have demonstrated a continuing commitment to maintaining the park and leasehold parcel, updating facilities and advancing security. This active involvement with the park is the key to sustainable use for generations to come.
- I. Cumulative Effects** - Discuss any cumulative effects of the proposed action.

No cumulative effects are anticipated.

IV. METHODS OF PROMOTING APPROPRIATE ENVIRONMENTAL DESIGN AND METHODS OF MITIGATING ADVERSE ENVIRONMENTAL IMPACTS ASSOCIATED WITH THE DISPOSAL OR DIVERSION

Discuss avoidance, remedial, protective, sustainable and mitigative measures to be taken as part of the proposed project in response to adverse environmental impacts. Mitigating measures refer to those methods used to ensure that the project is brought into compliance with all governing regulations including, but not limited to, air, water quality, noise control, solid waste, radiation, and land-use regulations. The discussion of avoidance, remedial, protective, sustainable and mitigative measures may include, but not be limited to, the following considerations:

(If any State or Federal permits/approvals have been applied for the following items please identify and briefly discuss any potential instances of noncompliance with State and/or Federal standards as well as the status of any permits before any regulatory agencies)

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A. Site location;

The site of the proposed North Bergen Pre-K School is a 51,071 SF (1.17 ac) parcel of land situated within the James J. Braddock North Hudson County Park. The park covers approximately 167 acres and is bounded by Boulevard East on the east, Woodcliff Avenue on the north, Bergenline Avenue on the west and 79th Street on the south, all within the confines of the Township of North Bergen. The proposed school site is immediately north of and adjacent to the Vincent A. Ascolese Field and Track facility which is leased to the Township of North Bergen/North Bergen Board of Education by the County of Hudson.

B. Air quality through control apparatus and/or controlled combustion process;

The contemplated project proposes modular construction to accelerate the construction schedule necessary to accommodate a mandated full day Pre-school program. On site construction activities will be of limited duration compared to conventional construction. The air pollution control code of the Hudson Regional Health Commission will be complied with through implementation of mud and dust control measures on all roadways, use of storage piles designed and maintained to prevent movement of particulates, state of the art HVAC systems, and finally vehicles used for drop-off and pick-up will be allowed to idle no more than three minutes while the vehicle is not in motion.

C. Water quality through treatment of wastewater and/or eutrophication control;

The temporary school trailers currently in place are connected to an existing holding tank which services the field clubhouse. The nearest municipal sewer is located on Bergenline Avenue. Current daily discharge to the holding tank is estimated at 1350 gallons based on the student population of 225 and NJDEP standard of 10 GPD per student per day (NJAC 7:14A-23).

The holding tank is pumped on a regular schedule by the municipality.

The immediate plan is to continue use of the holding tank. The Board will immediately initiate the planning, design and permitting required to connect directly to the Bergenline Avenue Sewer, which if proven cost-effective and feasible will eliminate the need for the holding tank.

D. Erosion and sedimentation control measures;

Construction documents will incorporate the standards for Soil Erosion and Sediment Control in New Jersey including provision and maintenance of soil stabilization, silt fences, hay bales, sediment basins, storm sewer, inlet protection, properly located stockpile areas and wheel pads. The site is relatively flat so protection of steep slopes is not an issue. Erosion control will protect habitat and ground water.

E. Storm water runoff control measures from paved areas;

The existing paved areas are serviced by the storm sewer system of the James J. Braddock Park. No additional paved areas are proposed over and above those already existing.

F. Measures to conserve water;

The proposed school facility will be equipped with water saving toilets (typically 1.5 gallons per flush); low water usage is anticipated. Food is prepared off-site and delivered to the school. There are no showers or other high water uses. Drinking faucets will be available throughout the building. Grass and landscaped areas will be minimal and will not

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be provided with watering systems.

G. Noise control measures;

During construction the contractor will be required to use every effort and means to minimize or eliminate noise caused by his operation, provide working machinery equipped with silencers or mufflers, designed to operate with the least possible noise where required. Mufflers, silencers and exhaust systems shall be maintained in proper operating condition. The work shall comply with the local noise ordinances.

Once complete, the school functions best in a quiet environment conducive to learning. When the children are permitted outdoors, their recreational activities are very similar to other children using the park, and will be in the daytime hours when the park is least used.

Finally, the nearest residential properties are at a great distance from the proposed school site, so no adverse effects on residents are expected.

H. Energy conservation measures;

The primary uses of energy will be for indoor lighting, HVAC systems and site lighting. These systems will be designed to meet building codes and maximize energy savings, and shall utilize daylighting, LED lamping, motion and occupancy sensors, and highly efficient heating and ventilating systems. Design strategies will include the use of roof runoff for site irrigation. Shared use of recreational and parking areas will also conserve energy.

I. Traffic control measures;

The traffic control measures employed for the past several years have proven effective in controlling the flow of traffic to and around the site. The school entrance is directly from Woodcliff Avenue. Staff are provided on-site parking, eliminating the need for street parking. School buses also enter the property to load and unload students. Parents transporting their children to school by private vehicles are provided curbside drop-off. A traffic control director provided by the Board of Education is present during all critical times to assure traffic keeps moving and pedestrians using the crosswalk are safe. The roadway is of sufficient width to allow continued movement of traffic while vehicles are unloading. No additional roadways are planned on the parcel.

J. Recycling potential;

Solid waste generated at the school is primarily paper products which can be separated from secondary waste products, which consist primarily of remnants of uneaten food and food packaging, should the municipality decide to separate collection. Plastics, glass and metal will be separated in recycling bins. All wastes are collected by the North Bergen Municipal Utilities Authority. There will be no negative impact on the park from the contained collection of solid waste. Containers will remain in their current location in the paved parking area between the football and soccer fields. Pick-up is on weekdays during school and work hours when park use is reduced.

K. Establishment of buffer zones, selective clearing, and/or landscaping;

As stated in Section G above, the proposed school site is at a great distance from the nearest residential property and equally distant from either zoned or developed non-residential property. It is within the area previously designated for the North Bergen Board of Education Field and Track Facility. Accordingly, it is the Board's opinion, supported by years of experience, that no buffer zone is required. Adjacent wooded areas and fencing provide an effective visual and aesthetic buffer.

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The land selected for the proposed school site was clear of trees and other shrubbery when the temporary classrooms were constructed, as verified by the recent forestry report. No clearing is necessary to construct the permanent school facility.

Landscaping around the new school facility will be consistent with that existing in the park in this area, i.e., mostly grass. Limited shrubbery, if added, will be native species.

L. Protective measures for aquatic and terrestrial plants and animals;

The leased area and the site to be diverted within it are separated from the surrounding park by a chain link fence along the perimeter and a decorative metal picket fence at access from parking area which will be shared. There will be no encroachment into park areas beyond boundary fence and there will be no disturbance to park areas beyond the boundary fence. Adjacent conditions beyond along the south and east borders and a portion of the western border include natural woodlands which provide a habitat for animals which will not be disturbed by proposed use. Beyond woodlands, land at the south east corner slopes toward a large pond around which is a paved walk. No contaminated run-off will be generated by the site. As such there will be no impact on fish, turtles or other aquatic life in the pond.

There is no access from the site to adjacent park areas and proposed use will not adversely impact woodland or pond areas. No change is proposed to general park access.

Migrating birds (<http://www.njaudubon.org/SectionBirdingSites/HudsonCountyPark.aspx>) and local overwintering birds of many species are found in the park, and move freely on the site. No trees are present in the site, as such no nesting will be disturbed, and ground dwellers on adjacent park areas will not be disturbed. The breeding area on the island in the 16 acre pond will not be impacted by construction or use of the site. No habitat for terrestrial or aquatic animals or plants other than grass, will be disturbed. Animals, primarily rodent species can pass freely through the site. Areas are and will be properly maintained to avoid nesting and any proliferation of nuisance rodents on site. Refuse will be continue to be properly contained and promptly disposed of to avoid any attraction to rodents or nuisance to park users from odor or debris. No odors or vibrations will be produced that will impact habitat.

Adjacent lease area includes artificial turf playing fields, composite rubber running track around the playing field, limited asphalt access road to the school facilities and field clubhouse; remaining areas are maintained grass and landscape, or undisturbed flora. No change in adjacent areas are proposed.

M. Architectural techniques to blend structures with the surrounding area;

The Board's current Pre-Kindergarten program will be expanded to include full-day programs, and consequently, a two-story facility may be considered for the parcel. The exterior finishes and the scale of the doors, stairs, rails and other details will be selected in colors, materials to complement the natural surroundings of the Park, while also being welcoming to the young students.

V. AVOIDANCE OF ADVERSE ENVIRONMENTAL IMPACTS

Describe in detail those impacts which cannot be reduced to acceptable levels, their implications, and the reasons why the action is being proposed notwithstanding their effect.

All impacts will be kept to acceptable levels. Further, the sharing of parking and onsite recreational use will avoid development of redundant facilities. Park facilities open to the public will benefit by the regular maintenance that will accompany Pre-K use, and the daily presence of

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families within the park will provide passive security during hours that the park is underutilized.

**County of Hudson/Township of North Bergen
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**Item 4
Land Valuation Forms**

**Green Acres Program
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REPLACEMENT PARCEL(S)

Please fill out each section completely. If any section is left blank, the form will not be reviewed. If a section is not applicable to the application please indicate "Not Applicable" or "N/A". A minimum of three comparable sales for the replacement parcel(s) will need to be provided.

If additional space is needed to adequately describe the parcel please use a separate page.

1. Parcel Information

Block(s) 27
Lot(s) 27
Acreage (by lot) 1.55 Acres 67,518 square feet
Vacant ☐ Improved* ☒

1,288,506

*If improved please describe all improvements on a separate page.

2. Zoning

Primary permitted uses C 1&2 Industrial/Commercial/Residential
Minimum lot size 10,000 square feet

3. Interest

Fee ☒ Easement ☐ Fee and easement ☐
Type of easement _____
Temporary easement ☐ Permanent easement ☐

4. Environmental Constraints (list individual acreage encumbered by each constraint)

Wetlands	<u>N/A</u> ac.	C1 Streams	<u>N/A</u> ac.
Tidelands	<u>N/A</u> ac.	Steep Slopes	<u>.57</u> ac.
Other	<u>N/A</u> ac.	Other	<u>N/A</u> ac.

5. Physical Constraints

Legal access Public
Landlocked _____

6. Value Information

Assessed Value \$406,700 Director's Ratio .5321

7. Estimated Market Value

Intended Use 1,880,000
Highest and best use 2,500,000

8. Tax Assessor Certification - I hereby certify that the information provided in this Land Valuation Form for both the Diverted/Disposal Parcel(s) is true and accurate.

Edward G. Smith
Prepared by Tax Assessor (print name)

Signature

Date

12/14/12

2

0908 Block: 27 Lot: 27 Q: M Screen: 1 of 5
Prior Block: Lot: Q: 03/06/13
Loc: 1811 PATERSON PLANK RD 08 NORTH BERGEN, NJ 07047
Owner: 1811 PPR LLC & J SLUSARCZYK Billing Code: 85174
Street: 37 LINCOLN AVE PO BOX1000 Account Num: 00087800
Town: CLIFFSIDE PARK, NJ Zip: 07010 Mtg Acct#:
Class: 4A Deductions: S 0 V 0 W 0 R 0 D 0 Own: 0 Amt: 0
SaleD: 12/15/10 Bk: 8772 Pg: 475 Price: 797500 NU#: Cd: R: 51.00

	2015	2016	Taxes 2014	Exemptions/Abatements
Land:	282600	282600	(57): 21311.08	1 0
Impr:	124100	124100	2015	2 0
	0	0	(58): 0.00	3 0
Net:	406700	406700	Partial:	4 0

Land Dim: 1.55 ACRES
Bldg Desc: 1S-CB-B
Addl Lots:

Class4Cd: 110 YrBlt: 1953 Neigh:
BldgClass: SF: 3816
Type/Use: 1 PrcSF 0 UCd: 20
Style: Zone: I Map: 9

NON Functional CAR WASH
3.816 ft 15' Height

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Local Parkland—Major Disposal/diversion**

9. Comparable Sales

SALE #1

Date of Sale: 02/14/12 Book: 8836 Page: 820
 Location: 4803 KENNEDY BLVD, NORTH BERGEN, NJ 07047
 Block: 160 Lot: 5.01
 Grantor: ERFE COMPANY, LLC
 Grantee: SAUMA PROPERTIES OF NB, LLC
 Lot Size: 15,000 SQ FT
 Sales Price: \$995,000
 Unit Value: \$66.34 PER SQ FT
 Zoning: C1
 Highest & Best Use: COMMERCIAL/RETAIL
 Verification: _____

SALE #2

Date of Sale: 04/23/13 Book: 8906 Page: 133
 Location: 3623 PARK AVENUE, UNION CITY, NJ 07087
 Block: 217 Lot: 46
 Grantor: 3623 PARK AVENUE, LLC
 Grantee: PARK AVENUE APTS, LLC
 Lot Size: 12,800 SQ FT
 Sales Price: \$725,000
 Unit Value: \$57.00 PER SQ FT
 Zoning: RESIDENTIAL
 Highest & Best Use: MID RISE/MULTI FAMILY
 Verification: _____

SALE #3

Date of Sale: 10/01/12 Book: 8874 Page: 144
 Location: 7108 KENNEDY BLVD, NORTH BERGEN, NJ 07047
 Block: 264 Lot: 2.01
 Grantor: RP ASSOCIATES
 Grantee: 7108 KENNEDY BLVD, LLC
 Lot Size: 18,900 SQ FT
 Sales Price: \$795,000
 Unit Value: \$42.00 PER SQ FT
 Zoning: C1 - COMMERCIAL
 Highest & Best Use: COMMERCIAL/RETAIL
 Verification: _____

**Green Acres Program
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**ATTACHMENT II: LAND VALUATION FORMS
DIVERTED/DISPOSAL PARCEL(S)**

Please fill out each section completely. If any section is left blank, the form will not be reviewed. If a section is not applicable to the application please indicate "Not Applicable" or "N/A". A minimum of three comparable sales for the diverted/disposal parcel(s) will need to be provided.

If additional space is needed to adequately describe the parcel please use a separate page.

1. Parcel Information

Block(s) 437.02 DIVERSION PARCEL
 Lot(s) 1
 Acreage (by lot) 174 ACRES 1.1 ACRES
 Vacant ☐ Improved* ☒ 47,916 SQ FT

*If improved please describe all improvements on a separate page.

2. Zoning

Primary permitted uses "P2" PALISADES RECREATIONAL
 Minimum lot size 4 ACRES

3. Interest

Fee ☐ Easement ☐ Fee and easement ☐
 Type of easement LEASE HOLD
 Temporary easement ☐ Permanent easement ☐

4. Environmental Constraints (list individual acreage encumbered by each constraint)

Wetlands	<u>N/A</u> ac.	C1 Streams	<u>N/A</u> ac.
Tidelands	<u>N/A</u> ac.	Steep Slopes	<u>N/A</u> ac.
Other	<u>N/A</u> ac.	Other	<u>ARTIFICIAL LAKE 17.0</u> ac.

5. Physical Constraints

Legal access PUBLIC
 Landlocked

6. Value Information

Assessed Value \$111,158 Director's Ratio .5321

7. Estimated Market Value

Intended Use \$1,181,000
 Highest and best use

8. Tax Assessor Certification - I hereby certify that the information provided in this Land Valuation Form for both the Diverted/Disposal Parcel(s) is true and accurate.

EDWARD GIVINTA
 Prepared by Tax Assessor (print name)

[Signature]
 Signature

12/16/19
 Date

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-----Screen: 1 of 5

0908 Block: 437.02 Lot: 1 Q: M
 Prior Block: 437.B Lot: 1 Q:
 Loc: BOULEVARD EAST 08 NORTH BERGEN, NJ 04/08/13
 Owner: COUNTY OF HUDSON 07047
 Street: LINCOLN PARK Billing Code: 00000
 Town: JERSEY CITY, NJ Account Num: 01099600
 Class: 15F Deductions: S 0 V 0 W 0 R 0 D 0 Own: 0 Amt: 0
 SaleD: 00/00/00 Bk: Pg: Price: 0 NU#: Cd: R: 0.00

	2015	2016	Taxes	2014	Exemptions/Abatements
Land:	17386000	17386000	(57):	0.00	1 0
Impr:	197100	197100		2015	2 0
	0	0	(58):	0.00	3 0
Net:	17583100	17583100	Partial:		4 0

Land Dim: 174 ACRES Class4Cd: 629 YrBlt: Neigh:
 Bldg Desc: BRADDOCK PARK BldgClass: SF: 0
 Addl Lots: Type/Use: 1 PrcSF 0 UCd: 2
 Style: Zone: P2 Map: 96

17 Classrooms

Approximately 1200 sq ft

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9. Comparable Sales

SALE #1

Date of Sale: 10/01/12 Book: 8874 Page: 144
Location: 7108 KENNEDY BLVD., NORTH BERGEN, NJ 07047
Block: 264 Lot: 2 01
Grantor: RP ASSOCIATES
Grantee: 7108 KENNEDY BLVD ASSOCIATES
Lot Size: 18,900 SQ FT
Sales Price: \$795,000
Unit Value: \$42.00 PER SQ FT
Zoning: C1- COMMERCIAL
Highest & Best Use: COMMERCIAL USE
Verification: _____

SALE #2

Date of Sale: 04/10/14 Book: 8968 Page: 257
Location: 2551 71ST STREET, NORTH BERGEN, NJ 07047
Block: 453.05 Lot: 5
Grantor: 71ST STORAGE, LLC
Grantee: 2501 71ST STREET, INC.
Lot Size: 6 ACRES
Sales Price: \$16,900,000 INCLUDES LOT 5 \$10,140,000
Unit Value: \$39.00 PER SQ FT
Zoning: HMDC
Highest & Best Use: INDUSTRIAL WARE HOUSE
Verification: _____

SALE #3

Date of Sale: 11/18/14 Book: 9022 Page: 182
Location: 4700 TONELLE AVENUE, NORTH BERGEN, NJ 07047
Block: 125 Lot: 1
Grantor: MARINGAS SPECIALTY FINANCE
Grantee: 4700 TONNELLE AVENUE
Lot Size: 20,473 SQ FT
Sales Price: \$648,160
Unit Value: \$32.00 PER SQ FT
Zoning: R1
Highest & Best Use: RESIDENTIAL UNITS HOUSING
Verification: _____

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**Green Acres Program
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9. Comparable Sales

SALE #1

Date of Sale: 10/25/10 Book: 8760 Page: 201
Location: 1207 7th Street, North Bergen, NJ 07047
Block: 14 Lot: 26
Grantor: ALEX CENTANO
Grantee: STEVE & ADELE DAVITO
Lot Size: 2,500 SQ FT
Sales Price: \$90,000
Unit Value: \$36.00 SQ FT
Zoning: R1 RESIDENTIAL
Highest & Best Use: RESIDENTIAL
Verification: _____

SALE #2

Date of Sale: 10/06/02 Book: 8875 Page: 407
Location: 2020 GRAND AVENUE, NORTH BERGEN, NJ 07047
Block: 40 Lot: 20.02
Grantor: 20TH STREET GRANT, LLC
Grantee: 2022 GRAND AVENUE, LLC
Lot Size: 52 X 107
Sales Price: \$162,500
Unit Value: \$29.00 PER SQ FT
Zoning: R2 RESIDENTIAL
Highest & Best Use: 2 FAMILY RESIDENTIAL
Verification: _____

SALE #3

Date of Sale: 05/31/13 Book: 8915 Page: 907
Location: 816 COLUMBIA AVENUE, NORTH BERGEN, NJ 07147
Block: 11 Lot: 39
Grantor: OSAMA ABDELLA
Grantee: DEMETRIOS KALTSIS
Lot Size: 25 X 116
Sales Price: \$75,000
Unit Value: \$26.00 PER SQ FT
Zoning: R1
Highest & Best Use: RESIDENTIAL
Verification: _____

**Green Acres Program
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REPLACEMENT PARCEL(S)

Please fill out each section completely. If any section is left blank, the form will not be reviewed. If a section is not applicable to the application please indicate "Not Applicable" or "N/A". A minimum of three comparable sales for the replacement parcel(s) will need to be provided.

If additional space is needed to adequately describe the parcel please use a separate page.

1. Parcel Information

Block(s)	<u>437</u>	<u>437</u>
Lot(s)	<u>2.01</u>	<u>2.02</u>
Acreage (by lot)	<u>26,680 SQ FT</u>	<u>3,200 SQ FT = 29,880</u>
Vacant <input type="checkbox"/>	Improved* <input type="checkbox"/>	

*If improved please describe all improvements on a separate page.

2. Zoning

Primary permitted uses	<u>PALISADES & WATER FRONT</u>
Minimum lot size	<u>4 ACRES</u>

3. Interest

Fee ☒ Easement ☐ Fee and easement ☐
 Type of easement _____
 Temporary easement ☐ Permanent easement ☐

4. Environmental Constraints (list individual acreage encumbered by each constraint)

Wetlands	<u>N/A</u> ac.	C1 Streams	<u>N/A</u> ac.
Tidelands	<u>N/A</u> ac.	Steep Slopes	<u>.12</u> ac.
Other	<u>N/A</u> ac.	Other	<u>N/A</u> ac.

5. Physical Constraints

Legal access	<u>PUBLIC</u>
Landlocked	_____

6. Value Information

Assessed Value	<u>\$407,700</u>	Director's Ratio	<u>.5321</u>
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7. Estimated Market Value

Intended Use	<u>\$157,800</u>
Highest and best use	<u>\$657,400</u>

8. Tax Assessor Certification - I hereby certify that the information provided in this Land Valuation Form for both the Diverted/Disposal Parcel(s) is true and accurate.

HOWARD GIUNTA
 Prepared by Tax Assessor (print name)

Signature

12/16/15
 Date

**Green Acres Program
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REPLACEMENT PARCEL(S)

Please fill out each section completely. If any section is left blank, the form will not be reviewed. If a section is not applicable to the application please indicate "Not Applicable" or "N/A". A minimum of three comparable sales for the replacement parcel(s) will need to be provided.

If additional space is needed to adequately describe the parcel please use a separate page.

1. Parcel Information

Block(s) 14th STREET VIADUCT
 Lot(s) NONE DUE TO PUBLIC STREET
 Acreage (by lot) 1.1 ACRES
 Vacant ☒ Improved* ☐

*If improved please describe all improvements on a separate page.

2. Zoning

Primary permitted uses RECREATIONAL/OPEN SPACE
 Minimum lot size _____

3. Interest

Fee ☐ Easement ☒ Fee and easement ☐
 Type of easement PUBLIC
 Temporary easement ☐ Permanent easement ☒

4. Environmental Constraints (list individual acreage encumbered by each constraint)

Wetlands _____ ac.	C1 Streams _____ ac.
Tidelands _____ ac.	Steep Slopes _____ ac.
Other _____ ac.	Other _____ ac.

5. Physical Constraints

Legal access _____
 Landlocked _____

6. Value Information

Assessed Value 0 Director's Ratio 88.68

7. Estimated Market Value

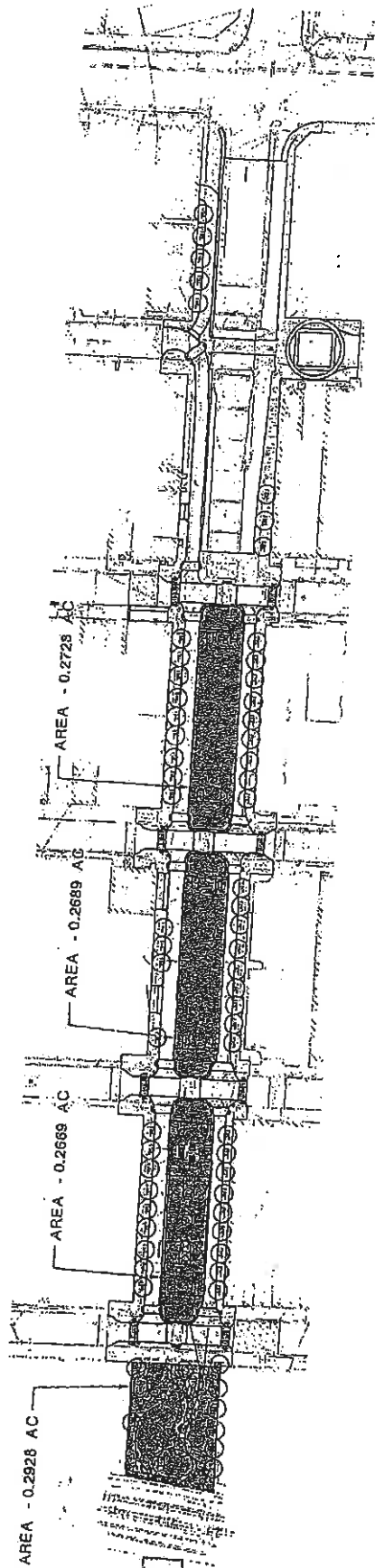
Intended Use RECREATIONAL/PUBLIC
 Highest and best use _____

8. Tax Assessor Certification - I hereby certify that the information provided in this Land Valuation Form for both the Diverted/Disposal Parcel(s) is true and accurate.

LOWAN GILBERT
 Prepared by Tax Assessor (print name)

Signature _____

12/16/15
 Date



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**Green Acres Program
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9. Comparable Sales

SALE #1

Date of Sale: 05/22/02 Book: _____ Page: _____
Location: CARRIE ROAD, LYNDHURST, NJ 07071
Block: N/A Lot: N/A
Grantor: COUNTY OF BERGEN
Grantee: NEW JERSEY MEADOWLANDS COMMISSION
Lot Size: 84 ACRES
Sales Price: \$1,911,000
Unit Value: \$22,750 PER ACRE
Zoning: MEADOWLANDS
Highest & Best Use: OPEN SPACE
Verification: _____

SALE #2

Date of Sale: 09/07/06 Book: 8011 Page: 141
Location: MEADOWLANDS
Block: 451 Lot: 12.01 & 19.02
Grantor: NORTH BERGEN TOWNSHIP
Grantee: NEW JERSEY MEADOWLANDS COMMISSION
Lot Size: 21.92 ACRES
Sales Price: \$260,484
Unit Value: \$11,883 PER ACRE
Zoning: HACKENSACK MEADOWLANDS
Highest & Best Use: OPEN SPACE
Verification: _____

SALE #3

Date of Sale: 10/28/04 Book: 8742 Page: 656
Location: BETWEEN RAIL ROAD 1 & NEW JERSEY TURNPIKE
Block: 4006 Lot: 192
Grantor: HARTZ MOUNTAIN INDUSTRIES
Grantee: NEW JERSEY MEADOWLANDS COMMISSION
Lot Size: 89.60 ACRES
Sales Price: \$914,214
Unit Value: \$10,203 PER ACRE
Zoning: HACKENSACK MEADOWLANDS
Highest & Best Use: OPEN SPACE
Verification: _____

**County of Hudson/Township of North Bergen
Green Acres Program
State House Commission Pre-Application
Local Parkland – Major Diversion**

**Item 5
Preliminary Compensation Proposal
Letter from Tree Professional**

**Green Acres Program
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**ATTACHMENT III: PRELIMINARY COMPENSATION PROPOSALS FOR MAJOR
DISPOSALS OR DIVERSIONS OF PARKLAND**

General Notes:

- As part of the application process, applicants are required to submit a preliminary compensation proposal as part of the pre-application and a final compensation proposal as part of the final application. A preliminary compensation proposal is based on estimates of the value and size of the proposed disposal or diversion and proposed replacement land (if any). As part of the final compensation proposal, the applicant is required to adjust its proposal to take into account the appraised value of the diverted and replacement parcels, the actual surveyed acreage of these lands and any easements or other relevant encumbrances identified through the title search.
- Replacement land is required for certain types of disposals or diversions of parkland, and is generally the method of compensation preferred by the Department. However, in many cases, the applicant may choose between replacement land, monetary compensation or a combination of both. If replacement land is offered, it must be at least equivalent in acreage to the parkland to be disposed of or diverted. If an easement is proposed to be disposed of or diverted from parkland, the ratio of the replacement land to the affected parkland can be 1:1, with either a subsurface easement or fee land as replacement. All other disposals or diversions of parkland are subject to a minimum 2:1 (or higher) replacement land/parkland ratio. However, if the applicant chooses to mix monetary compensation and replacement land, it may offer 1:1 replacement land and make up the difference between the 1:1 land and the minimum 2:1 (or higher) compensation ratio with cash compensation.

This attachment summarizes the requirements of N.J.A.C. 7:36-26.10 and is intended to serve as guidance for the preparation of preliminary and final compensation proposals. Please check the box next to the applicable preliminary compensation proposal category or categories:

☒ **1. Minimum Compensation Ratios for Replacement Land (taken from Table 1 at NJAC 7:36-26.10(g))**

If the applicant chooses to offer replacement land as the method of compensation the following conditions apply:

- The proposed replacement land must be determined to be eligible pursuant to *N.J.A.C. 7:36-26.10(d)2i-iii*.
- If replacement land is offered, it must be at least equivalent in acreage to the parkland to be disposed of or diverted. (*N.J.A.C. 7:36-26.10(d)3*)
- The proposed replacement land shall be of reasonably equivalent or superior quality and have a market value that is equal to or greater than the parkland proposed for disposal or diversion. (*N.J.A.C. 7:36-26.10(d)5 and 6*)
- If the proposed replacement land is inadequate to meet the market value and quality requirements mentioned above, the Department shall require the applicant to supplement its proposal with additional compensation in excess of that which would otherwise be required under Table 1. (*N.J.A.C. 7:36-26.10(d)7*)
- The replacement lands shall be, to the extent possible, located in the same municipality in which the parkland proposed for disposal or diversion is located and shall not consist of land on which streets are shown on a subdivision plan as either

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offered for dedication or dedicated but not constructed. (N.J.A.C. 7:36-26.10(d)8 and 9)

- The proposed replacement land shall either be free of contamination by hazardous substances or shall be remediated to the Department's satisfaction prior to its dedication as parkland. (N.J.A.C. 7:36-26.10(d)10)
- The applicant is required to provide appraisals, surveys and title work for any proposed replacement land as part of the final application. (N.J.A.C. 7:36-26.11(b)1, 2 and 3) All technical reports must be prepared to the Department's specifications. In some circumstances, appraisal waivers may be available under N.J.A.C. 7:36-26.10(i), if the applicant is willing to propose a higher compensation ratio than would otherwise be required.

The minimum acreage of the replacement land to be provided for a specific type of disposal or diversion of parkland shall be determined in accordance with the provisions outlined below or in Table 1 of N.J.A.C. 7:36-26.10(g). (N.J.A.C. 7:36-26.10(d)4)

Subsurface easements:

Project Sponsor	Appraisals	Appraisal waiver	Notes:	Rule Citation:
Public	1:1	1:1	Applicant may offer either a surface easement to be used for recreation and conservation purposes or a fee simple interest in land.	N.J.A.C. 7:36-26.10(i)1
Private	2:1	4:1		

Surface easements:

Project Sponsor	Appraisals	Appraisal waiver	Notes:	Rule Citation:
Public	1:1	2:1	Applicant may offer either a surface easement to be used for recreation and conservation purposes or a fee simple interest in land.	N.J.A.C. 7:36-26.10(i)1
Private	4:1	6:1		

Other Diversions and disposals:

Project Sponsor	Appraisals	Appraisal waiver	Notes:	Rule Citation:
Public	2:1	3:1	- Appraisals must be submitted with the final application package, or; - An appraisal waiver must be obtained pursuant to N.J.A.C. 7:36-26.10(i).	N.J.A.C. 7:36-26.10(j)1i
Private	4:1	6:1		N.J.A.C. 7:36-26.10(j)1ii

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Legalization of past diversions and disposals:

Project Sponsor	Appraisals	Appraisal waiver	Notes:	Rule Citation:
Public	5:1	10:1	- The Department may/can take mitigating circumstances into account when determining appropriate compensation ratios. - An appraisal waiver cannot be obtained when legalizing a past "private" diversion or disposal.	<i>N.J.A.C. 7:36-26.10(j)3ii</i>
Private	20:1	N/A		<i>N.J.A.C. 7:36-26.10(j)3iv</i>

Please also include the following information in the preliminary compensation proposal when choosing to offer replacement land as compensation:

- Block(s) and lot(s) of any proposed replacement land(s) (*N.J.A.C. 7:36-26.10(d)1iv*); and
- The street address of the proposed replacement land(s), if available (*N.J.A.C. 7:36-26.10(d)1iii*); and
- The size of the proposed replacement land(s) in acres (for replacement land(s) larger than one acre) or square feet (for replacement land(s) smaller than one acre) (*N.J.A.C. 7:36-26.10(d)1iii and iv*); and
- A description of the proposed replacement land(s) (prepared by completing Section II of the Environmental Assessment, **Attachment I**, for each parcel) (*N.J.A.C. 7:36-26.10(d)1i*); and
- A description of the intended recreational and conservation use for the proposed replacement land(s) (*N.J.A.C. 7:36-26.10(d)1ii*); and
- Information sufficient for the Department to verify that the proposed replacement lands are eligible as replacement under *N.J.A.C. 7:36-26.10(d)2i-iii*; and
- A preliminary assessment report, prepared in accordance with the Technical Requirements for Site Remediation, *N.J.A.C. 7:26E*, for each proposed replacement parcel (*N.J.A.C. 7:36-26.9(d)5 and N.J.A.C. 7:36-26.10(d)10*); and

☐ **2. Minimum Compensation Ratios for Monetary Compensation (taken from Table 1 at NJAC 7:36-26.10(g))**

If monetary compensation is the chosen method of compensation the following conditions apply:

- No county or municipal open space tax funds levied under *N.J.S.A. 40:12-15.1* through 15.9 or other dedicated recreation and conservation funding sources may be used as monetary compensation. (*N.J.A.C. 7:36-26.10(e)2*)
- The applicant must provide confirmation that any proposed monetary compensation for the disposal or diversion of parkland can be transferred to the Department immediately after approval of the application or deposited into a dedicated account to be used only for purposes consistent with the approval. (*N.J.A.C. 7:36-26.10(e)5i and ii*)
- If the applicant is proposing to provide a combination of monetary compensation and replacement land, the compensation proposal must offer at least a 1:1 ratio of replacement land to land diverted or disposed (*N.J.A.C. 7:36-26.10(d)3*).
- The Department can, at its discretion, require additional compensation to adequately compensate for impacts to surrounding parkland. (*N.J.A.C. 7:36-26.10(j)2iii*)

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- If an applicant is proposing monetary compensation for parkland improvements, the applicant shall not utilize the monies for improvements that were already budgeted and/or approved by the applicant; and must complete the parkland improvements within one year of the date of approval of the application. (N.J.A.C. 7:36-26.10(k)1i and ii)
- If an applicant is proposing monetary compensation for land acquisition, the applicant shall, at least 30 days prior to each acquisition of replacement land, submit to the Department all outstanding pre-application and final application requirements pertaining to the replacement land for Department review and approval. In addition all replacement land must be acquired within two years of the date of the approval of the application. (N.J.A.C. 7:36-26.10(k)2ii and iii)
- If parkland improvements or land acquisitions, as approved by the State House Commission, are not completed within the time frames specified above, the Department may, upon 30 days' written notice, require that the applicant remit to the GSPT Fund the full amount of the approved monetary compensation for deposit in the GSPT Fund. (N.J.A.C. 7:36-26.10(k)3)

The minimum amount of monetary compensation to be provided for a specific type of disposal or diversion of parkland shall be determined in accordance with the provisions outlined below or in Table 1 of N.J.A.C. 7:36-26.10(g). (N.J.A.C. 7:36-26.10(e)1)

Subsurface easements:

Project Sponsor	Parkland improvements	Land acquisition	Notes: *\$2,500.00 minimum, even if a lesser amount is determined utilizing the listed ratios.	Rule Citation: N.J.A.C. 7:36-26.10(i)2
Public	2:1*	2:1*		
Private	10:1*	10:1*		

Surface easements:

Project Sponsor	Parkland improvements	Land acquisition	Notes: *\$2,500.00 minimum, even if a lesser amount is determined utilizing the listed ratios.	Rule Citation: N.J.A.C. 7:36-26.10(i)2
Public	4:1*	4:1*		
Private	10:1*	10:1*		

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Other diversions and disposals:

Project Sponsor	Parkland improvements	Land acquisition	Notes:	Rule Citation:
Public	4:1**	4:1**	- The size of parkland to be diverted or disposed must be less than 5 acres and must comprise less than 5% of the total parkland parcel. - **\$5,000.00 minimum, even if a lesser amount is determined utilizing the listed ratios. - If the disposal or diversion is classified as "private" monetary compensation can only be used for land acquisition and not for parkland improvements	N.J.A.C. 7:36-26.10(j)2i
Private	N/A	10:1**		N.J.A.C. 7:36-26.10(j)2ii N.J.A.C. 7:36-26.10(j)1iv

Legalization of past diversions and disposals:

Project Sponsor	Parkland improvements	Land acquisition	Notes:	Rule Citation:
Public	N/A	10:1***	- The Department may/can take mitigating circumstances into account when determining appropriate compensation ratios. - For "public" diversions or disposals, compensation cannot include monetary compensation to be used for parkland improvements. - For "private" diversions or disposals, compensation cannot include monetary compensation to be used for parkland improvements nor can an appraisal waiver be obtained. - ***\$10,000.00 minimum, even if a lesser amount is determined utilizing the listed ratios.	N.J.A.C. 7:36-26.10(j)3ii
Private	N/A	20:1***		N.J.A.C. 7:36-26.10(j)3iii N.J.A.C. 7:36-26.10(j)3iv N.J.A.C. 7:36-26.10(j)3v

At the time of the submittal of the preliminary compensation proposal, please also include in the proposal the following information when choosing to use monies for parkland improvements:

- A detailed description of the type, cost, location and intended use of any proposed parkland improvements (N.J.A.C. 7:36-26.10(e)3i);
- Drawings or plans of the parkland improvements (N.J.A.C. 7:36-26.10(e)3ii);
- A timetable or schedule for construction and confirmation that the portion of the project being funded by the compensation will be completed within one year of SHC approval of the disposal or diversion (N.J.A.C. 7:36-26.10(e)3iii and N.J.A.C. 7:36-26.10(k)1ii).

To the extent known at the time of the submittal of the preliminary compensation proposal, please also include in the proposal the following information when choosing to use monies for land acquisition:

- Block(s) and lot(s) of any proposed replacement land(s) (N.J.A.C. 7:36-26.10(d)1iv);

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- and
- The street address of the proposed replacement land(s), if available (*N.J.A.C. 7:36-26.10(d)1iii*); and
 - The size of the proposed replacement land(s) in acres (for replacement land(s) larger than one acre) or square feet (for replacement land(s) smaller than one acre) (*N.J.A.C. 7:36-26.10(d)1iii and iv*); and
 - A description of the proposed replacement land(s) (prepared by completing Section II of the Environmental Assessment, **Attachment I**, for each parcel) (*N.J.A.C. 7:36-26.10(d)1i*); and
 - A description of the intended recreational and conservation use for the proposed replacement land(s) (*N.J.A.C. 7:36-26.10(d)1ii*); and
 - Information sufficient for the Department to verify that the proposed replacement lands are eligible as replacement under *N.J.A.C. 7:36-26.10(d)2i-iii*; and
 - A Preliminary Assessment Report, prepared in accordance with the Technical Requirements for Site Remediation, *N.J.A.C. 7:26E*, for each proposed replacement parcel (*N.J.A.C. 7:36-26.9(d)5 and N.J.A.C. 7:36-26.10(d)10*).

☐ **3. Minimum Compensation Ratios for a combination of Replacement Land and Monetary Compensation**

If the applicant chooses to provide compensation through a combination of replacement land and monetary compensation the following conditions apply:

- In no case shall the acreage of the replacement land be less than the acreage of the parkland to be disposed of or diverted. The ratio of the replacement land to the parkland proposed to be disposed of or diverted shall be at least 1:1. (*N.J.A.C. 7:36-26.10(d)3*)
- Additional monetary compensation offered beyond the minimum acreage compensation ratio noted above, must be sufficient to compensate in full for any shortfalls in the market value or quality of the proposed replacement land. (*N.J.A.C. 7:36-26.10(d)7*)
- All conditions outlined above in the "Minimum Compensation Ratios for Replacement Land" and the "Minimum Compensation Ratios for Monetary Compensation" must also be adhered to when combining both replacement land and monies into the preliminary compensation proposal.

☒ **4. Minimum Compensation for a Lease or Use Agreements**

If a lease or use agreement is determined by the Department to be a "Major Diversion" under *N.J.A.C. 7:36-26.2(a) and (c)*, the following conditions apply to the lease or use agreement preliminary compensation proposal presented as part of the pre-application package:

- The compensation offered for a lease or use agreement must be determined, by the Department, to be fair and appropriate for the proposed activity. If it is determined to not be fair and appropriate, the Department shall specify the minimum amount of compensation that must be secured. (*N.J.A.C. 7:36-26.10(c)2i*)
- All payments, rentals or other consideration received by the applicant from the lease or agreement shall be used by the applicant for its operating, maintenance or capital

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expenses related to its funded parkland or to its recreation program as a whole.
(N.J.A.C. 7:36-26.10(c)2ii)



5. Minimum Compensation for a Loss of any Recreation or Conservation Facilities

If a disposal or diversion, determined by the Department to be a "Major Disposal or Diversion" under N.J.A.C. 7:36-26.2(a) and (c), will result in the loss of recreation or conservation facilities the following conditions apply to the preliminary compensation proposal presented as part of the pre-application package:

- The applicant is required to compensate for the loss of recreation or conservation facilities by providing replacement recreation and conservation facilities of reasonably equivalent usefulness, size, quality and location. The replacement facilities shall be in addition to any replacement land or monetary compensation proposed by the applicant. (N.J.A.C. 7:36-26.10(c)3)
- In order to determine if the replacement recreation and conservation facilities are of reasonably equivalent usefulness, size, quality and location, the applicant shall submit the information requested in N.J.A.C. 7:36-26.10(e)3i - iii with respect to the replacement of any of recreation or conservation facilities. (N.J.A.C. 7:36-26.10(c)3)



6. Minimum Compensation for Tree Replacement

If a disposal or diversion, determined by the Department to be a "Major Disposal or Diversion" under N.J.A.C. 7:36-26.2(a) and (c), will result in the removal of any tree with a diameter at breast height greater than six inches or the clear cutting of greater than 0.50 acre of trees, the following conditions apply to the preliminary compensation proposal presented as part of the pre-application package:

- The applicant shall include in the preliminary compensation proposal a tree replacement plan prepared pursuant to N.J.A.C. 7:36-26.10(c)4 or offer monetary compensation at least equal to the costs that would be incurred with respect to such planting of the replacement trees. (N.J.A.C. 7:36-26.10(c)4)
- Provide confirmation that any proposed monetary compensation for tree removal will be transferred to the Department immediately after approval of the application for disposal or diversion of parkland or that a tree replacement plan will be implemented within a one year period following approval of the application. (N.J.A.C. 7:36-26.10(k)1ii)

Notes:

The Department will use the information in the preliminary compensation proposal and the value statement required under N.J.A.C. 7:36-26.9(d)4 and N.J.A.C. 7:36-26.9(d)5 to determine the amount of compensation due for the proposed disposal or diversion of parkland. (N.J.A.C. 7:36-26.9(i) and N.J.A.C. 7:36-26.10(f)1)

County of Hudson/Township of North Bergen

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Local Parkland – Major Diversion**

Preliminary Compensation Proposal

Minimum compensation ratios for replacement land and minimum compensation for a loss of recreation facilities apply to this Diversion. While definitions laid out in N.J.A.C. 7:36-26.10 would categorize this as “legalizing past diversion” several mitigating factors and discussion with Green Acres personnel have led to the proposal of a land compensation ratio that is smaller than the 5:1 ratio outlined in the table presented in N.J.A.C. 7:36-26.10.

The proposed compensation acreage ratio is approximately 2.85:1. Part of the rationale for such is that the permanence of the trailers has never been established and that the area was underutilized in its previous configuration as a partial ballfield. Another factor to consider is that the County and Township made this temporary allowance to assist the Board of Education in their new State requirement to accommodate the township’s youngest school children. Forcing them out into a situation that does not meet their educational needs or does not provide as safe an environment has been a difficult position for the parties involved, and thus the district has been allowed time to search out ideal conditions for relocation.

Proposed Compensation Land

- ➔ Block 437, lots 2.01 and 2.02
- ➔ 0.70 Acres at 7909 River Road, North Bergen;

This land sits at the base of the Palisades, facing the Hudson River, and is contiguous to the North Hudson Park. The entire North Hudson Park is part of the Lower Hudson River Watershed area. There is an overland flow on the site, near the southern boundary, which flows into a storm drain adjacent to River Road. There are no extreme geological conditions on the Replacement Parcel site. The NJ DEP’s NJ EMS program lists the Park in the watershed. The River Road Replacement Parcel Site itself is stable, well drained land, which is moderately to steeply sloping up into the existing North Hudson Park “bird sanctuary” area. The parcel site itself is heavily treed with dense undergrowth. NJ DFW Landscape Project Mapping and related documents indicate no critical habitats, and no State or Federal threatened or endangered species on the parcel site. There are no classified biological resources on this parcel.

This site offers the opportunity to provide nearly .7 Acres Open Space/Park Land with 746 feet of green frontage on River Road which enhances the Bird Sanctuary by extending its borders, enhances pedestrian Access and Security, and provides potential to create a green pedestrian

connection through the woodlands of the Bird Sanctuary - from James J. Braddock North Hudson County Park to River Road and the Hudson River Waterfront Walkway. Features may include:

- Identification Signage and Interpretive signage
- Controlled Access to future hillside pathways
- A protected Greenspace with access to Public Transportation
- Improved Lighting and Landscaping
- Protective fencing
- Protection of Natural Features
- Parking

This land was recently secured by the County of Hudson through the condemnation process. As such it is eligible as replacement land, as it was formerly privately held and acquired specifically for the purposes described herein.

➔ Block 27, lot 27.

➔ 1.53 Acres at 1901 Paterson Plank Road, North Bergen

This site is on the western side of the Palisade ridge, with views of the Meadowlands. The NJ DEP's NJ EMS program lists the parcel in the Hackensack River watershed. There are no streams on the site. There are no extreme geological conditions on the Replacement Parcel site; however, the western third of the parcel is a steep escarpment, dropping down to Tonelle Avenue. The area is urban in a commercial zone, with industrial, commercial and mid density housing in proximity. The Paterson Plank Road slopes past the site, and the Replacement Parcel Site itself is relatively flat to gently sloping, paved land, with limited sloped and treed area along the western boundary. There is a non-operational car wash facility on the parcel, and the parcel site itself is nearly 50% paved (over the level areas) in its current condition. NJ DFW Landscape Project Mapping and related documents indicate no critical habitats, and no State or Federal threatened or endangered species on the parcel site. There are no classified biological resources on the parcel.

This site offers the opportunity to provide 1.53 Acres of Open Space/Park Land which will offer views of the Meadowlands beyond and provide park amenities to under-served neighborhoods, enhancing adjacent residential use. Features may include:

- Multi-use play area and tot lot
- Small gathering/game space for passive family recreation
- Meadowlands Overlook
- Improved Lighting and Landscaping
- Protective Fencing
- Parking

The County of Hudson holds the deed to this land, which is eligible as replacement land as – until recently acquired for the express purposes described herein – it was privately owned with no legal instruments restricting it for recreation and/or conservation purposes.

- ➔ 14th Street Viaduct ROW
- ➔ 1.1 Acres at 14th street (below the viaduct/ ramps) between Grand and Madison, Hoboken.

This area in Hoboken is a narrow strip of relatively flat land beneath a raised roadway, which has recently been repurposed as an urban park in order to fulfill the requirements for loss of recreational facility at the Braddock site. The site is in a fully developed, populated urban area, and has been fully paved. The parcel is to the east of the Palisade ridge. There are no streams on the site. There are no extreme geological conditions on the Replacement Parcel site. The NJ DEP's NJ EMS program lists the area in the Lower Hudson River watershed. The 14th Street Viaduct Park Replacement Parcel Site itself is a relatively flat, stable, section of urban land, with drainage over paved areas to Hoboken's storm drains. The parcel site contains urban "street tree" plantings, and no remaining natural growth. NJ DFW Landscape Project Mapping and related documents indicate no critical habitats, and no State or Federal threatened or endangered species on the parcel site. There are no classified biological resources on this parcel.

By resolution dated September 11, 2014, the County formally authorized the process for the diversion and conversion of the Braddock Park parcel, at which time the 14th Street Viaduct replacement parcel was vacant and unimproved. Also authorized in that resolution was a Memorandum of Understanding between the County and the Township of North Bergen setting forth the 14th Street Viaduct replacement parcel.

This site will provide 1.1 Acres Open Space/Park Land in a creative and dynamic community park model in a densely populated area in need of additional open space. Features will include:

- Two block long Gathering Space suitable for Community events such as Farmer's Market
- Multi-use Court
- Game Area/Painted Pavement
- Children's Play Area
- Dog Park
- Traffic Calming Measures at Through-streets
- Improved Lighting and Landscaping along Pedestrian Pathways

The 14th Street Viaduct replacement parcel meets the definition set forth in N.J.A.C. 7:36-26.10(d) and N.J.A.C. 7:36-25.3 (f). The area was never used as parkland which would qualify under N.J.A.C. 7:36-25.3 (f), the 1.1 acres being unimproved and vacant for more than 100 years. There was no open space/recreational use of the 14th Street Viaduct replacement parcel until after the County began the diversion process and no Green Acres or Open Space funding was used for its construction.

Additional Considerations

Enclosed separate from the main submission, please find Preliminary Assessment reports for the River Road and Patterson Plank Road parcels and a Site Investigation/Remedial Investigation Report for the 14th St. land.

Enclosed herein on the following page, see documentation from a Green Acres-approved tree professional providing the opinion that no tree replacement plan is required as no trees were removed to accommodate the trailers at the proposed diversion site.



Arboricultural & Forestry Services
www.richviewconsulting.com

353 Turrell Avenue • South Orange, NJ 07079-2331 Phone 973-220-6797 • Fax 973-346-1914 • Rich@RichViewConsulting.com

August 22, 2015

Steven Somick
Business Administrator
North Bergen Board of Education
7317 Kennedy Boulevard
North Bergen, NJ 07047

Re: Green Acres Pre-K Classrooms

Dear Mr. Somick:

I was hired to provide an independent opinion as to whether trees were removed to provide a location for the installation of portable class room units.

OBSERVATIONS

Upon visiting the site, a number of portable classroom units were observed. These classrooms were lining the outside of the playing field, outside of the fence. In looking throughout the site, surface roots were observed from trees growing from the abutting woods. These were adventitious roots, located near the surface of the ground. I concluded that these roots were that shallow to take advantage of the field's irrigation system.

Upon walking the site, no tree stumps were observed, nor were there any evidence of stump grindings.

In examining the photographs of the park taken prior to 2001, this area (outside of the fence) was used as a staging area for equipment, ballfield clay soil and parking. There weren't any trees depicted in the pictures. The site would not lend itself to have trees planted either since the area was needed access to maintain the field.

CONCLUSION

In my opinion, based on field observations and the photographs supplied by your office, the portable classrooms were installed in an area void of trees and consequently none had to be removed.

If you have any questions, please contact me.

Thank you,

Richard S. Wolowicz
NJ Approved Forester
NJ Certified Tree Expert #281

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Local Parkland – Major Diversion**

**Item 6
Alignment with State Plan**

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Consistency with State Development and Redevelopment Plan

Both the 2001 State Plan and the 2010 Final Draft align with the proposed project as they speak to the need to carefully consider cost and to maximize the power of partnerships to deliver the highest quality public services and facilities. The North Bergen Board of Education, the Township of North Bergen, and the County of Hudson have been collaborating these past several years so that North Bergen students have the highest quality preschool education that can be provided while appropriate high quality facilities can be constructed without spending public funds irresponsibly or unnecessarily. This is consistent with the 2010 Draft Final plan's mandate to "provide adequate public facilities and services by supporting investments based on comprehensive planning and by providing financial incentives at reasonable cost for jurisdictions that cooperate in providing public infrastructure and shared services" (21).

The need to spend frugally on public services and facilities is echoed in the 2001 plan, along with an additional component that speaks to the provision of said services and facilities for vulnerable populations: "Find ways to deliver public services and facilities at lower cost and higher quality. Partnerships...in reengineering public facilities and services, particularly to those most disadvantaged, is essential to maintaining competitive cost structures...while providing the often higher level services needed by many city residents and sectors" (32).

The Preschool has remained in the park largely so that extensive planning measures for the permanent facility can be fully executed – as set forth by the NJ Department of Education – while providing services to a high percentage of low-income, and in some case disabled, youth. Further, this arrangement has allowed the school to execute planning initiatives that have brought staffing levels back recommended minimums for educational adequacy and to expend funds on other emergency projects directly impacting the health and safety of district's entire student body.

The proposed compensation projects also align with the goals of the state plan, especially Goal 7 – to "Preserve and Enhance Areas with Historic, Cultural, Scenic, Open Space, and Recreational Value." The re-purposing of the area under the 14th Street viaduct provides an open space use in that area for the first time in 100 years, while securing the River Road and Paterson Plank road parcels reclaims land from private developers and provides value for both recreational and scenic purposes.

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**Item 7
Permits and Approvals**

**Green Acres Program
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River Road "bird sanctuary" - replacement parcel

ATTACHMENT IV: PERMIT/APPROVAL CHECKLIST

This is a listing of any Federal, interstate, State and local approvals or permits required for the proposed project. Please include the application, permit, or docket number, the status of each permit or approval and the name and phone number of the contact at the Federal, interstate, State or local agency responsible for giving approval or permit issuance.

☐ Federal Approvals/Permits: N/A

☐ Federal Consistency Determination: N/A

☐ Interstate Approvals/Permits: N/A

☒ County/Municipal Approvals:

Future improvements on the subject site are subject to
County and Municipal review.
Township of North Bergen Building Department / Code
Enforcement: 201 392 2051

State Approvals/Permits

☐ CAFRA
Exemption Request: N/A
Individual Permit: _____
General Permit: _____
Permit by Rule: _____

☐ D&R Canal Commission Certificate: N/A

☐ Dam Safety Permit: N/A

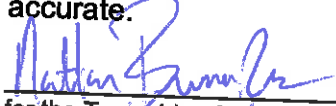
☐ Freshwater Wetlands
Exemption: N/A
Individual Permit: _____
Transition Area Waiver: _____
Letter of Interpretation: _____
General Permit (specify #): _____
Open Water Fill Permit: _____

☐ Highlands
Resource Area Determination: N/A
Preservation Area Approval: _____
HPAA with Waiver: _____
HPAA Emergency: _____
Pre- Application: _____

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<input type="checkbox"/> Pinelands Certificate of Filing:	<u>NA</u>
<input type="checkbox"/> Stream Encroachment Waiver:	<u>N/A</u>
Permit:	
<input type="checkbox"/> Tidal Wetlands (1970) Permit:	<u>N/A</u>
<input type="checkbox"/> Tidelands (Riparian) Conveyance:	<u>N/A</u>
<input type="checkbox"/> Upland Waterfront Development Residential:	<u>N/A</u>
Commercial:	
<input type="checkbox"/> Water Quality Certificate:	<u>N/A</u>
<input type="checkbox"/> Waterfront Development Permit Individual:	<u>N/A</u>
Commercial:	
<input checked="" type="checkbox"/> Jurisdictional Determination:	Future improvements are subject to NJ DOE review for educational requirements; NJ State and local building code review (North Bergen Bldg Dept 201 392 2051); and local Municipal Utilities Authority 201 422 0100).
<input type="checkbox"/> Permit Modification (Specify # & type)	<u>N/A</u>
<input type="checkbox"/> Other:	

I hereby certify that the information provided in this Permit/Approval Checklist is true and accurate.


for the Township of North Bergen

1/26/16
Date

Preparer of Application

(Info provided by L+C Design Consultants, PA)

**Green Acres Program
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Paterson Plank Road, Replacement Parcel

ATTACHMENT IV: PERMIT/APPROVAL CHECKLIST

This is a listing of any Federal, interstate, State and local approvals or permits required for the proposed project. Please include the application, permit, or docket number, the status of each permit or approval and the name and phone number of the contact at the Federal, interstate, State or local agency responsible for giving approval or permit issuance.

☐ Federal Approvals/Permits: N/A

☐ Federal Consistency Determination: N/A

☐ Interstate Approvals/Permits: N/A

☒ County/Municipal Approvals:

Future improvements on the subject site are subject to
County & Municipal review.
Township of North Bergen Building Department / Code
Enforcement: 201 392 2051

State Approvals/Permits

☐ CAFRA
Exemption Request: N/A
Individual Permit: _____
General Permit: _____
Permit by Rule: _____

☐ D&R Canal Commission Certificate: N/A

☐ Dam Safety Permit: N/A

☐ Freshwater Wetlands
Exemption: N/A
Individual Permit: _____
Transition Area Waiver: _____
Letter of Interpretation: _____
General Permit (specify #): _____
Open Water Fill Permit: _____

☐ Highlands
Resource Area Determination: N/A
Preservation Area Approval: _____
HPAA with Waiver: _____
HPAA Emergency: _____
Pre- Application: _____

**Green Acres Program
State House Commission Pre-Application
Local Parkland—Major Disposal/diversion**

<input type="checkbox"/> Pinelands Certificate of Filing:	NA
<input type="checkbox"/> Stream Encroachment Waiver:	N/A
Permit:	
<input type="checkbox"/> Tidal Wetlands (1970) Permit:	N/A
<input type="checkbox"/> Tidelands (Riparian) Conveyance:	N/A
<input type="checkbox"/> Upland Waterfront Development Residential:	N/A
Commercial:	
<input type="checkbox"/> Water Quality Certificate:	N/A
<input type="checkbox"/> Waterfront Development Permit Individual:	N/A
Commercial:	
<input checked="" type="checkbox"/> Jurisdictional Determination:	Future improvements on the subject site are subject to County & Municipal review. Township of North Bergen Building Department / Code Enforcement: 201 392 2051
<input type="checkbox"/> Permit Modification (Specify # & type)	
<input type="checkbox"/> Other:	

I hereby certify that the information provided in this Permit/Approval Checklist is true and accurate.

Date

Preparer of Application

**Green Acres Program
State House Commission Pre-Application
Local Parkland—Major Disposal/diversion**

14th Street Viaduct, Hoboken, Replacement Parcel

ATTACHMENT IV: PERMIT/APPROVAL CHECKLIST

This is a listing of any Federal, interstate, State and local approvals or permits required for the proposed project. Please include the application, permit, or docket number, the status of each permit or approval and the name and phone number of the contact at the Federal, interstate, State or local agency responsible for giving approval or permit issuance.

☐ Federal Approvals/Permits: N/A

☐ Federal Consistency Determination: N/A

☐ Interstate Approvals/Permits: N/A

☐ County/Municipal Approvals: N/A

State Approvals/Permits

☐ CAFRA
Exemption Request: N/A
Individual Permit: _____
General Permit: _____
Permit by Rule: _____

☐ D&R Canal Commission Certificate: N/A

☐ Dam Safety Permit: N/A

☐ Freshwater Wetlands
Exemption: N/A
Individual Permit: _____
Transition Area Waiver: _____
Letter of Interpretation: _____
General Permit (specify #): _____
Open Water Fill Permit: _____

☐ Highlands
Resource Area Determination: N/A
Preservation Area Approval: _____
HPAA with Waiver: _____
HPAA Emergency: _____
Pre-Application: _____

**Green Acres Program
State House Commission Pre-Application
Local Parkland—Major Disposal/diversion**

<input type="checkbox"/> Pinelands Certificate of Filing:	NA
<input type="checkbox"/> Stream Encroachment Waiver:	N/A
Permit:	
<input type="checkbox"/> Tidal Wetlands (1970) Permit:	N/A
<input type="checkbox"/> Tidelands (Riparian) Conveyance:	N/A
<input type="checkbox"/> Upland Waterfront Development Residential:	N/A
Commercial:	
<input type="checkbox"/> Water Quality Certificate:	N/A
<input type="checkbox"/> Waterfront Development Permit Individual:	N/A
Commercial:	
<input type="checkbox"/> Jurisdictional Determination:	N/A
<input type="checkbox"/> Permit Modification (Specify # & type)	N/A
<input type="checkbox"/> Other:	

I hereby certify that the information provided in this Permit/Approval Checklist is true and accurate.

Date

Preparer of Application

**Green Acres Program
State House Commission Pre-Application
Local Parkland—Major Disposal/diversion**

North Hudson Park, Pre-Kindergarten Diversion Site

ATTACHMENT IV: PERMIT/APPROVAL CHECKLIST

This is a listing of any Federal, interstate, State and local approvals or permits required for the proposed project. Please include the application, permit, or docket number, the status of each permit or approval and the name and phone number of the contact at the Federal, interstate, State or local agency responsible for giving approval or permit issuance.

☐ Federal Approvals/Permits:

N/A

☐ Federal Consistency Determination:

N/A

☐ Interstate Approvals/Permits:

N/A

☒ County/Municipal Approvals:

Future improvements on the subject site are subject to County and Municipal review.
Township of North Bergen Building Department / Code Enforcement: 201 392 2051

State Approvals/Permits

☐ CAFRA
Exemption Request:
Individual Permit:
General Permit:
Permit by Rule:

N/A

☐ D&R Canal Commission Certificate:

N/A

☐ Dam Safety Permit:

N/A

☐ Freshwater Wetlands

Exemption:
Individual Permit:
Transition Area Waiver:
Letter of Interpretation:
General Permit (specify #):
Open Water Fill Permit:

N/A

☐ Highlands

Resource Area Determination:
Preservation Area Approval:
HPAA with Waiver:
HPAA Emergency:
Pre- Application:

N/A

**Green Acres Program
State House Commission Pre-Application
Local Parkland—Major Disposal/diversion**

<input type="checkbox"/> Pinelands Certificate of Filing:	NA
<hr/>	
<input type="checkbox"/> Stream Encroachment Waiver:	N/A
Permit:	
<hr/>	
<input type="checkbox"/> Tidal Wetlands (1970) Permit:	N/A
<hr/>	
<input type="checkbox"/> Tidelands (Riparian) Conveyance:	N/A
<hr/>	
<input type="checkbox"/> Upland Waterfront Development Residential:	N/A
Commercial:	
<hr/>	
<input type="checkbox"/> Water Quality Certificate:	N/A
<hr/>	
<input type="checkbox"/> Waterfront Development Permit Individual:	N/A
Commercial:	
<hr/>	
<input checked="" type="checkbox"/> Jurisdictional Determination:	Future improvements are subject to NJ DOE review for educational requirements; NJ State and local building code review (North Bergen Bldg Dept 201 392 2051); and local Municipal Utilities Authority 201 422 0100).
<hr/>	
<input type="checkbox"/> Permit Modification (Specify # & type)	N/A
<hr/>	
<input type="checkbox"/> Other:	
<hr/>	

I hereby certify that the information provided in this Permit/Approval Checklist is true and accurate.

for the Township of North Bergen

Date

Preparer of Application

**County of Hudson/Township of North Bergen
Green Acres Program
State House Commission Pre-Application
Local Parkland – Major Diversion**

**Item 8
Deed Copies**

ASSESSORS

2 This Deed, made the 30th day of April 19 76.

Between HUDSON COUNTY PARK COMMISSION, a Body Politic and Corporate of the State of New Jersey,

a corporation existing under and by virtue of the laws of the State of New Jersey having its principal office at Lincoln Park, in the City of Jersey City, in the County of Hudson and State of New Jersey, herein designated as the Grantor, And COUNTY OF HUDSON, a Body Politic and Corporate of the State of New Jersey,

COUNTY OF HUDSON
CONCORDANT
REALTY TRANSFER
DATE 4/2/79 BY *TM*

residing or located at 595 Newark Avenue, in the City of Jersey City, in the County of Hudson and State of New Jersey, herein designated as the Grantee;

Witnesseth, that the Grantor, for and in consideration of ONE (\$1.00) DOLLAR

lawful money of the United States of America, to it in hand well and truly paid by the Grantee, at or before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, and the Grantor being therewith fully satisfied, does by these presents grant, bargain, sell and convey unto the Grantee forever,

All those tracts or parcels of land and premises, situate, lying and being in the Township of NORTH BERGEN in the County of HUDSON and State of New Jersey, more particularly described as follows:

BEING commonly known and designated as North Hudson - James J. Braddock Park, consisting of approximately 163 acres more or less, and described in the Deeds, the Books and Pages of which are set forth as follows:

DEED DATE	RECORDED	BOOK	PAGE
9/12/1905	9/13/1905	921	241
9/5/1905	9/15/1905	904	583
9/14/1905	9/15/1905	904	585
12/19/1905	12/23/1905	927	599
6/17/1906	6/12/1906	958	154
12/24/1906	1/2/1907	969	336
12/29/1906	1/2/1907	969	339
12/6/1907	2/10/1908	1003	421
10/29/1908	10/29/1908	1017	531
6/15/1906	7/11/1906	951	418
7/21/1909	7/26/1909	1044	8
2/15/1910	2/15/1910	1057	325
3/24/1910	5/11/1910	1063	307
3/14/1910	5/11/1910	1063	304
9/2/1910	9/29/1910	1069	460
9/21/1910	9/29/1910	1069	458
11/8/1918	11/12/1918	1291	460

3281 1162

Unrecorded

ASSESSORS

<u>DEED DATE</u>	<u>RECORDED</u>	<u>BOOK</u>	<u>PAGE</u>
10/8/1918	10/22/1918	1291	375
5/15/1917	6/8/1917	1254	502

This conveyance is being made in conformance with the provisions of the Administrative Code of the County of Hudson, passed by the Board of Chosen Freeholders at a special meeting held April 6, 1976, which County Administrative Code is effective May 1, 1976, and by virtue of a Resolution passed by the Hudson County Park Commission, dated April 28, 1976, it being the intention of the Grantor herein to convey all of its right, title and interest to the Grantee in compliance with the aforesaid County Administrative Code and this conveyance shall not, of itself, create or establish any restriction or limitation on the title hereby conveyed.

premises
Also/described in the following Deeds, the Books and Pages of which are set forth as follows:

<u>DEED DATE</u>	<u>RECORDED</u>	<u>BOOK</u>	<u>PAGE</u>
11/8/1912	11/17/1912	1146	23
12/15/1911	1/9/1913	1133	436
12/20/1912	12/27/1912	1140	283
2/10/1913	3/3/1913	1133	646
6/3/1913	6/13/1913	1159	112
6/27/1921	10/7/1922	1461	165
8/4/1937	8/7/1937	1904	441

101-3281-1163

Together with all and singular the buildings, improvements, ways, woods, waters, watercourses, rights, liberties, privileges, hereditaments and appurtenances to the same belonging or in anywise appertaining; and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and of every part and parcel thereof; And also all the estate, right, title, interest, use, possession, property, claim and demand whatsoever, of the Grantor both in law and in equity, of, in and to the premises herein described, and every part and parcel thereof, with the appurtenances. To Have and to Hold all and singular, the premises herein described, together with the appurtenances, unto the Grantees and to Grantees' proper use and benefit forever.

And the Grantor covenants that it has not done or executed, or knowingly suffered to be done or executed, any act, deed or thing whatsoever whereby or by means whereof the premises conveyed herein, or any part thereof, now are or at any time hereafter, will or may be charged or encumbered in any manner or way whatsoever.

In all references herein to any parties, persons, entities or corporations, the use of any particular gender or the plural or singular number is intended to include the appropriate gender or number as the text of the within instrument may require.

Wherever in this instrument any party shall be designated or referred to by name or general reference, such designation is intended to and shall have the same effect as if the words "heirs, executors, administrators, personal or legal representatives, successors and assigns" had been inserted after each and every such designation.

In Witness Whereof, the Grantor has caused these presents to be signed and attested by its proper corporate officers and its corporate seal to be hereto affixed the day and year first above written.

ATTEST:


WILLIAM R. ALBERS, Exec. Secretary

HUDSON COUNTY PARK COMMISSION

By: 
DOMINICK FORTE President


State of New Jersey, County of HUDSON } ss.: Be it Remembered,
that on April 30th 1976, before me, the undersigned,
An Attorney At Law of New Jersey
personally appeared WILLIAM R. ALBERS,

who, being by me duly sworn on his oath, deposes and makes proof to my satisfaction, that he is the Executive Secretary of the HUDSON COUNTY PARK COMMISSION

that DOMINICK FORTE is the President of said Corporation; that the execution, as well as the making of this instrument, has been duly authorized by a proper resolution of the Board of Directors of the said Corporation; that deponent well knows the corporate seal of said Corporation; and that the seal affixed to said instrument is the proper corporate seal and was thereto affixed and said instrument signed and delivered by said President as and for the voluntary act and deed of said Corporation;

in presence of deponent, who thereupon subscribed his name thereto as attesting witness; and that the full and actual consideration paid or to be paid for the transfer of title to realty evidenced by the within deed, as such consideration is defined in P.L. 1968, c. 49, Sec. 1(c), is \$1.00.

Sworn to and subscribed before me,
the date aforesaid.


LEO S. CARNEY, JR.,
An Attorney At Law of New Jersey


WILLIAM R. ALBERS, Executive Secretary

Prepared by:
LEO S. CARNEY, JR., ESQ.

3281 71164

4245

1225

No Change
Red

HUDSON COUNTY PARK COMMISSION,
a Body Politic and Corporate
of the State of New Jersey,

A corporation of
New Jersey

TO

COUNTY OF HUDSON, a Body
Politie and Corporate of the
State of New Jersey.

X Unlocated

Dated April 30th 1976

LAW OFFICE
LEO B. CARNEY, JR.
405 Kearny Avenue
Kearny, New Jersey 07032

RECEIVED
APR 27 1976

3281 1165

Prepared By:


Robert Davis, Esq.

DEED

This Deed is made on the 25th day of September 2015

BETWEEN

1811 PPR, LLC,

A Limited Liability Company of the State of New Jersey

Having its principal office at

37 Lincoln Avenue
Cliffside Park, New Jersey 07010

Referred to as the "Grantor."

AND

COUNTY OF HUDSON,

Whose post office address is about to be

567 Pavonia Avenue
Jersey City, New Jersey 07306

Referred to as the "Grantee."

1. Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property (called the "Property") described below to the Grantee. This transfer is made for the sum of One Million Six Hundred Seventy Five Thousand and 00/100 (\$1,675,000.00) Dollars.

The Grantor acknowledges receipt of this money.

2. Tax Map Reference. (N.J.S.A. 46:15-1.1) Municipality of North Bergen. Block No. 27 Lot No. 27.
3. Property. The Property consists of the land and all the buildings and structures on the land in the Township of North Bergen, County of Hudson, and State of New Jersey. The legal description is annexed hereto and made a part hereof.

Being the same Property transferred to Grantor by Deed from Rafi Yacoubian, married, dated December 15, 2010, and recorded January 13, 2011 in the Hudson County Clerk/Register's Office in Deed Book 8772, Page 475.

The Street Address for the property is 1811 Paterson Plank Road, North Bergen, New Jersey.

4. Promises by Grantor. The Grantor promises that the Grantor has done no act to encumber the Property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise

means that the Grantor has not allowed anyone else to obtain any legal rights which affect the Property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

5. Signatures. This Deed is signed and attested to by the Grantor's proper corporate officers as of the date at the top of the first page.

Witnessed or Attested By:

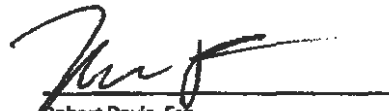


1811 PPR, LLC
By: Joe Slusarczyk, Its Managing Member

STATE OF NEW JERSEY)
COUNTY OF BERGEN)
SS:

I CERTIFY that on September , 2015, Joe Slusarczyk personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) Was the maker of the attached Deed;
- (b) Was authorized to and did execute this Deed as the Managing Member of 1811 PPR, LLC, the entity named in this Deed;
- (c) Made this Deed for \$1,675,000.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5); and
- (d) Executed this Deed as an act of the entity.



Robert Davis, Esq.
Attorney at Law State of New Jersey

RECORD AND RETURN TO:

Hudson Realty Abstract Co.
659 Newark Avenue
Jersey City, New Jersey 07306

**DEED NOTICE (N.J.S.A. 58:10B-13), HUDSON COUNTY
14TH STREET VIADUCT, CITY OF HOBOKEN & CITY OF UNION CITY
COUNTY OF HUDSON, STATE OF NEW JERSEY**

2015 OCT 1 AM 10 45

Record and Return to:
Susan A. McCurrie, Esq.
Office of the County Counsel
County of Hudson
4th Floor
567 Pavonia Avenue
Jersey City, New Jersey 07306



20150902010000290 1/22
09/02/2015 10:51:16 AM DEED
Bk: 9061 Pg: 565
Pamela E. Gardner
Hudson County, Register of Deeds
Receipt No. 1050326

APPENDIX F - DEED NOTICE

IN ACCORDANCE WITH N.J.S.A. 58:10B-13, THIS DOCUMENT IS TO BE RECORDED IN THE SAME MANNER AS ARE DEEDS AND OTHER INTERESTS IN REAL PROPERTY.

Prepared by:
[Signature]



Susan A. McCune, Esq.
[Print name below signature]

Recorded by: _____
[Signature, Officer of County Recording Office]

[Print name below signature]

DEED NOTICE

This Deed Notice is made as of the 31st day of August, 2015, by County of Hudson, a body corporate and politic of the State of New Jersey with offices at 567 Pavonia Avenue, Jersey City, New Jersey 07306 (together with his/her/its/their successors and assigns, collectively "Owner").

1. THE PROPERTY. The County of Hudson is the owner in fee simple of certain real property designated as the public right-of-way known as the 14th Street Viaduct over Conrail and Local Streets Structure No. 0900-016, on the tax map of the City of Union City and the City of Hoboken, Hudson County; the New Jersey Department of Environmental Protection Case Tracking Number for the contaminated site which includes this property is 10-0420-1310-04; and the property is more particularly described in Exhibit A, which is attached hereto and made a part hereof (the "Property").

2. REMEDIATION.

i. Christopher Schmitt, Licensed Site Remediation Professional (LSRP License No. 586933), has approved this Deed Notice as an institutional control for the Property, which is part of the remediation of the Property.

ii. N.J.A.C. 7:26C-7 requires the Owner, among other persons, to obtain a soil remedial action permit for the soil remedial action at the Property. That permit will contain the monitoring, maintenance and biennial certification requirements that apply to the Property.

3. SOIL CONTAMINATION. The County of Hudson has remediated contaminated soil at the Property, such that soil contamination remains in certain areas of the Property that contains contaminants in concentrations that do not allow for the unrestricted use of the Property; this soil contamination is described, including the type, concentration and specific location of such contaminants, in Exhibit B, which is attached hereto and made a part hereof. As a result, there is a statutory requirement for this Deed Notice and engineering controls in accordance with N.J.S.A. 58:10B-13.

4. CONSIDERATION. In accordance with the remedial action for the site which included the Property, and in consideration of the terms and conditions of that remedial action, and other good and valuable consideration, Owner has agreed to subject the Property to certain statutory and regulatory requirements that impose restrictions upon the use of the Property, to restrict certain uses of the Property, and to provide notice to subsequent owners, lessees and operators of the restrictions and the monitoring, maintenance, and biennial certification requirements outlined in this Deed Notice and required by law, as set forth herein.

5A. RESTRICTED AREAS. Due to the presence of contamination remaining at concentrations that do not allow for unrestricted use, the Owner has agreed, as part of the remedial action for the Property, to restrict the use of certain parts of the Property (the "Restricted Areas"); a narrative description of these restrictions is provided in Exhibit C, which is attached hereto and made a part hereof. The Owner has also agreed to maintain a list of these restrictions on site for inspection by governmental officials.

5B. RESTRICTED LAND USES. The following statutory land use restrictions apply to the Restricted Areas:

i. The Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-12.g(10), prohibits the conversion of a contaminated site, remediated to non-residential soil remediation standards that require the maintenance of engineering or institutional controls, to a child care facility, or public, private, or charter school without the Department's prior written approval, unless a presumptive remedy is implemented; and

ii. The Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-12.g(12), prohibits the conversion of a landfill, with gas venting systems and or leachate collection systems, to a single family residence or a child care facility without the Department's prior written approval.

5C. ENGINEERING CONTROLS. Due to the presence and concentration of these contaminants, the Owner has also agreed, as part of the remedial action for the Property, to the placement of certain engineering controls on the Property; a narrative description of these engineering controls is provided in Exhibit C.

6A. CHANGE IN OWNERSHIP AND REZONING.

i. The Owner and the subsequent owners and lessees, shall cause all leases, grants, and other written transfers of an interest in the Restricted Areas to contain a provision expressly

requiring all holders thereof to take the Property subject to the restrictions contained herein and to comply with all, and not to violate any of the conditions of this Deed Notice. Nothing contained in this Paragraph shall be construed as limiting any obligation of any person to provide any notice required by any law, regulation, or order of any governmental authority.

ii. The Owner and the subsequent owners shall provide written notice to the Department of Environmental Protection on a form provided by the Department and available at www.nj.gov/srp/forms within thirty (30) calendar days after the effective date of any conveyance, grant, gift, or other transfer, in whole or in part, of the owner's interest in the Restricted Area.

iii. The Owner and the subsequent owners shall provide written notice to the Department, on a form available from the Department at www.nj.gov/srp/forms, within thirty (30) calendar days after the owner's petition for or filing of any document initiating a rezoning of the Property to residential.

6B. SUCCESSORS AND ASSIGNS. This Deed Notice shall be binding upon Owner and upon Owner's successors and assigns, and subsequent owners, lessees and operators while each is an owner, lessee, or operator of the Property.

7A. ALTERATIONS, IMPROVEMENTS, AND DISTURBANCES.

i. The Owner and all subsequent owners and lessees shall notify any person, including, without limitation, tenants, employees of tenants, and contractors, intending to conduct invasive work or excavate within the Restricted Areas, of the nature and location of contamination in the Restricted Areas, and, of the precautions necessary to minimize potential human exposure to contaminants.

ii. Except as provided in Paragraph 7B, below, no person shall make, or allow to be made, any alteration, improvement, or disturbance in, to, or about the Property which disturbs any engineering control at the Property without first obtaining a soil remedial action permit modification pursuant to N.J.A.C. 7:26C-7. Nothing herein shall constitute a waiver of the obligation of any person to comply with all applicable laws and regulations including, without limitation, the applicable rules of the Occupational Safety and Health Administration.

iii. Notwithstanding subparagraph 7Aii., above, a soil remedial action permit modification is not required for any alteration, improvement, or disturbance provided that the owner, lessee or operator:

(A) Notifies the Department of Environmental Protection of the activity by calling the DEP Hotline, at 1-877-WARN-DEP or 1-877-927-6337, within twenty-four (24) hours after the beginning of each alteration, improvement, or disturbance;

(B) Restores any disturbance of an engineering control to pre-disturbance conditions within sixty (60) calendar days after the initiation of the alteration, improvement or disturbance;

(C) Ensures that all applicable worker health and safety laws and regulations are followed during the alteration, improvement, or disturbance, and during the restoration;

(D) Ensures that human exposure to contamination in excess of the remediation standards does not occur; and

(E) Describes, in the next biennial certification the nature of the alteration, improvement, or disturbance, the dates and duration of the alteration, improvement, or disturbance, the name of key individuals and their affiliations conducting the alteration, improvement, or disturbance, a description of the notice the Owner gave to those persons prior to the disturbance.

7B. EMERGENCIES. In the event of an emergency which presents, or may present, an unacceptable risk to the public health and safety, or to the environment, or immediate environmental concern, see N.J.S.A. 58:10C-2, any person may temporarily breach an engineering control provided that that person complies with each of the following:

i. Immediately notifies the Department of Environmental Protection of the emergency, by calling the DEP Hotline at 1-877-WARNDEP or 1-877-927-6337;

ii. Hires a Licensed Site Remediation Professional (unless the Restricted Areas includes an unregulated heating oil tank) to respond to the emergency;

iii. Limits both the actual disturbance and the time needed for the disturbance to the minimum reasonably necessary to adequately respond to the emergency;

iv. Implements all measures necessary to limit actual or potential, present or future risk of exposure to humans or the environment to the contamination;

v. Notifies the Department of Environmental Protection when the emergency or immediate environmental concern has ended by calling the DEP Hotline at 1-877-WARNDEP or 1-877-927-6337; and

vi. Restores the engineering control to the pre-emergency conditions as soon as possible, and provides notification to the Department of Environmental Protection within sixty (60) calendar days after completion of the restoration of the engineering control, including: (a) the nature and likely cause of the emergency; (b) the potential discharges of or exposures to contaminants, if any, that may have occurred; (c) the measures that have been taken to mitigate the effects of the emergency on human health and the environment; (d) the measures completed or implemented to restore the engineering control; and (e) the changes to the engineering control or site operation and maintenance plan to prevent reoccurrence of such conditions in the future.

8. TERMINATION OF DEED NOTICE.

i. This Deed Notice may be terminated only upon filing of a Termination of Deed Notice, available at N.J.A.C. 7:26C Appendix C, with the office of the County Clerk of Hudson County, New Jersey, expressly terminating this Deed Notice.

ii. Within thirty (30) calendar days after the filing of a Termination of Deed Notice, the owner of the property shall apply to the Department for termination of the soil remedial action permit pursuant to N.J.A.C. 7:26C-7.

9. ACCESS. The Owner, and the subsequent owners, lessees and operators agree to allow the Department, its agents and representatives access to the Property to inspect and evaluate the continued protectiveness of the remedial action that includes this Deed Notice and to conduct additional remediation to ensure the protection of the public health and safety and of the environment if the subsequent owners, lessees and operators, during their ownership, tenancy, or operation, and the Owner fail to conduct such remediation pursuant to this Deed Notice as required by law. The Owner, and the subsequent owners and lessees, shall also cause all leases, subleases, grants, and other written transfers of an interest in the Restricted Areas to contain a provision expressly requiring that all holders thereof provide such access to the Department.

10. ENFORCEMENT OF VIOLATIONS.

i. This Deed Notice itself is not intended to create any interest in real estate in favor of the Department of Environmental Protection, nor to create a lien against the Property, but merely is intended to provide notice of certain conditions and restrictions on the Property and to reflect the regulatory and statutory obligations imposed as a conditional remedial action for this site.

ii. The restrictions provided herein may be enforceable solely by the Department against any person who violates this Deed Notice. To enforce violations of this Deed Notice, the Department may initiate one or more enforcement actions pursuant to N.J.S.A. 58:10-23.11, and N.J.S.A. 58:10C, and require additional remediation and assess damages pursuant to N.J.S.A. 58:10-23.11, and N.J.S.A. 58:10C.

11. SEVERABILITY. If any court of competent jurisdiction determines that any provision of this Deed Notice requires modification, such provision shall be deemed to have been modified automatically to conform to such requirements. If a court of competent jurisdiction determines that any provision of this Deed Notice is invalid or unenforceable and the provision is of such a nature that it cannot be modified, the provision shall be deemed deleted from this instrument as though the provision had never been included herein. In either case, the remaining provisions of this Deed Notice shall remain in full force and effect.

12A. EXHIBIT A. Exhibit A includes the following maps of the Property and the vicinity:

i. Exhibit A-1: Vicinity Map - A map that identifies by name the roads, and other important geographical features in the vicinity of the Property;

ii. Exhibit A-2: Metes and Bounds Description - A tax map of lots and blocks as wells as metes and bounds description of the Property, including reference to tax lot and block numbers for the Property;

iii. Exhibit A-3: Property Map - A scaled map of the Property, scaled at one inch to 200 feet or less, and if more than one map is submitted, the maps shall be presented as overlays, keyed to a base map; and the Property Map shall include diagrams of major surface topographical features such as buildings, roads, and parking lots.

12B. EXHIBIT B. Exhibit B includes the following descriptions of the Restricted Areas:

i. Exhibit B-1: Restricted Area Map - A separate map for each restricted area that includes:

(A) As-built diagrams of each engineering control, including caps, fences, slurry walls, ground water monitoring wells, extent of the ground water classification exception area, pumping and treatment systems that may be required as part of a ground water engineering control in addition to the deed notice

(B) As-built diagrams of any buildings, roads, parking lots and other structures that function as engineering controls; and

(C) Designation of all soil and sediment sample locations within the restricted areas that exceed any soil or sediment standard that are keyed into one of the tables described in the following paragraph.

ii. Exhibit B-2: Restricted Area Data Table - A separate table for each restricted area that includes either (A) or (B) through (F):

(A) Only for historic fill extending over the entire site or a portion of the site and for which analytical data are limited or do not exist, a narrative that states that historic fill is present at the site, a description of the fill material (e.g., ash, cinders, brick, dredge material), and a statement that such material may include, but is not limited to, contaminants such as PAHs and metals;

(B) Sample location designation from Restricted Area map (Exhibit B-1);

(C) Sample elevation based upon mean sea level;

(D) Name and chemical abstract service registry number of each contaminant with a concentration that exceeds the unrestricted use standard;

(E) The restricted and unrestricted use standards for each contaminant in the table;
and

(F) The remaining concentration of each contaminant at each sample location at each elevation.

12C. EXHIBIT C. Exhibit C includes narrative descriptions of the institutional controls and engineering controls as follows:

i. Exhibit C-1: Deed Notice as Institutional Control: Exhibit C-1 includes a narrative description of the restriction and obligations of this Deed Notice that are in addition to those described above, as follows:

(A) Description and estimated size of the Restricted Areas as described above;

(B) Description of the restrictions on the Property by operation of this Deed Notice;
and

(C) The objective of the restrictions.

ii. Exhibit C-2: Cap as Engineering Control: Exhibit C-2 includes a narrative description of the Cap as follows:

(A) Description of the engineering control;

(B) The objective of the engineering control; and

(C) How the engineering control is intended to function.

13. SIGNATURES. IN WITNESS WHEREOF, Owner has executed this Deed Notice as of the date first written above.

ATTEST:



Alberto G. Santos
Clerk Board of Chosen Freeholders

County of Hudson

By  _____

Abraham Antun

County Administrator

STATE OF NEW JERSEY SS.:
COUNTY OF HUDSON

I certify that on July 31st, 2015, Abraham Antun, Hudson County Administrator, personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Hudson County Administrator of Owner, the County named in this document;
- (b) this person is the attesting witness to the signing of this document by the proper County officer who is the Administrator of the County;
- (c) this document was signed and delivered by the County as its voluntary act and was duly authorized;
- (d) this person knows the proper seal of the County which was affixed to this document; and
- (e) this person signed this proof to attest to the truth of these facts.

[Signature]

Alberto G. Santos

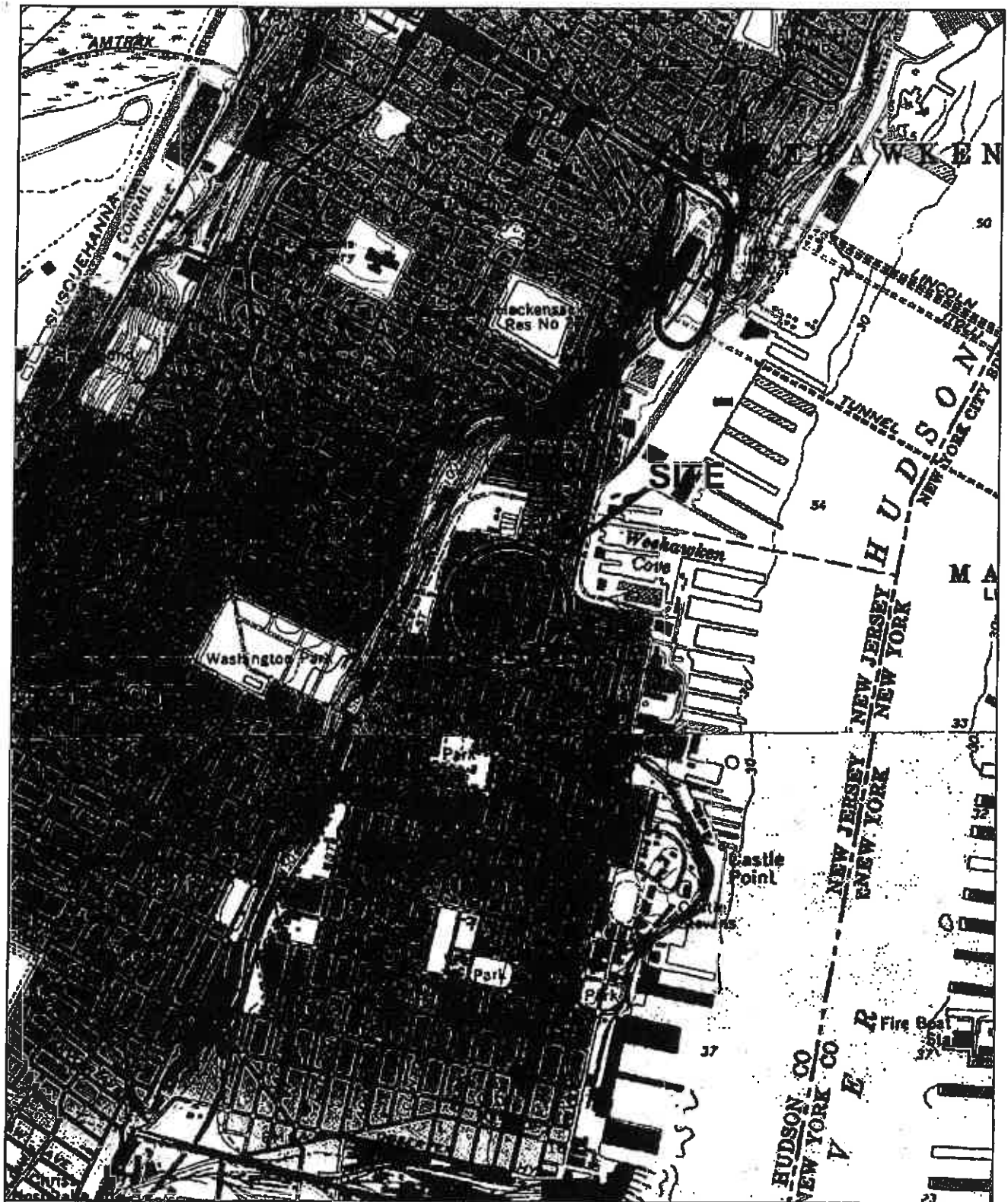
Clerk Board of Chosen Freeholders

MARIA CORSO
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Feb. 27, 2018
ID# 2108977

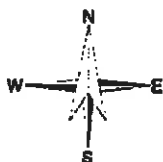
Signed and sworn before me on July 31, 2015

Maria Corso, Notary Public

MARIA CORSO
[Print name and title]



SITE COORDINATES: 40°45'16"N 74°1'32"W



U.S.G.S. QUADRANGLE: WEEHAWKEN, NJ

**HALEY
ALDRICH**

14TH STREET VIADUCT REPLACEMENT
14TH STREET FROM WILLOW AVE (HOBOKEN, NJ)
TO MANHATTAN AVE (UNION CITY, NJ)
HOBOKEN, NEW JERSEY

VICINITY MAP

SCALE: 1:24,000
MARCH 2015

EXHIBIT A-1

METES AND BOUNDS AND TAX MAP

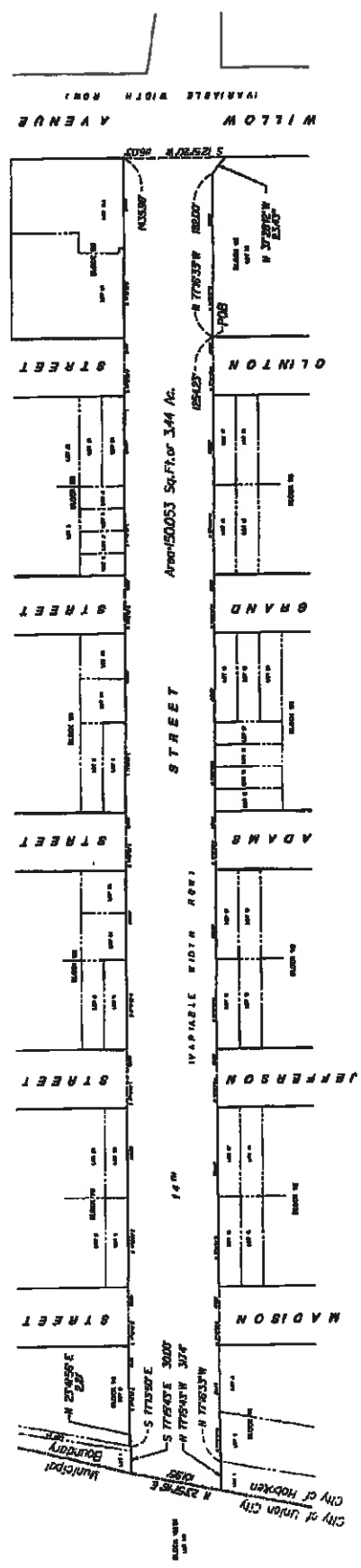
SCALE: AS INDICATED
MARCH 20 19

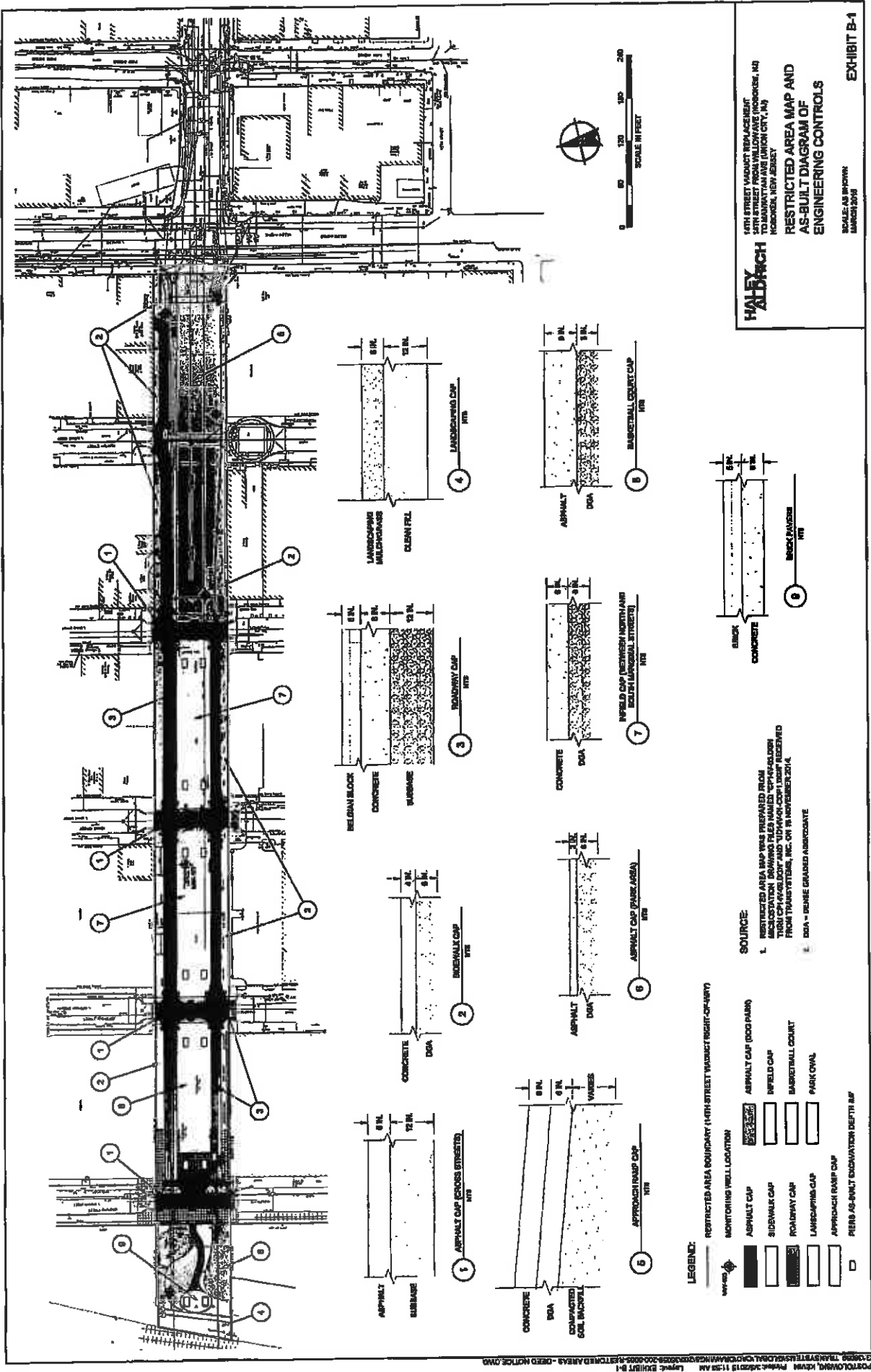
EXHIBIT A-2



NOTE:

1. SITE PLAN WAS PREPARED FROM AN ELECTRONIC IMAGE OF A GRADING FILE NAMED "RIGHT-OF-WAY PLAN - WITH STREET, CITY OF HOBBOKEN" SITE ENTITLED "REPLACEMENT OF 14th STREET, HUDSON COUNTY, NEW JERSEY," PREPARED BY THE ENGINEERS OF HEMLOCK, NEW JERSEY.





14TH STREET VAGRANT REPLACEMENT
 14TH STREET FROM 10TH STREET TO 15TH STREET
 HOUSTON, TEXAS 77001

HALEY ALBACH

RESTRICTED AREA MAP AND
 AS-BUILT DIAGRAM OF
 ENGINEERING CONTROLS

SCALE: AS SHOWN
 MARCH 2018

EXHIBIT B-1

LEGEND:

RESTRICTED AREA BOUNDARY (14TH STREET VAGRANT RIGHT-OF-WAY)

MONITORING WELL LOCATION

ASPHALT CAP

BIOREACTOR CAP

ROADWAY CAP

LANDSCAPING CAP

APPROACH RAMP CAP

PERF AS-BUILT EXCAVATION DEPTH REF

ASPHALT CAP (DOO PARK)

INFIELD CAP

BASKETBALL COURT

PARK OVAL

BRICK PAVES

CONCRETE

DOA

WALKERS

APPROACH RAMP CAP

PERF AS-BUILT EXCAVATION DEPTH REF

SOURCE:

1. RESTRICTED AREA MAP WAS PREPARED FROM
 MACROSTATION DRAWING FILES NAMED "SP-400000"
 "SP-400000" AND "SP-400000" RECEIVED
 FROM TRANSISTERS, INC. ON 11/11/2014

2. DOA = DENSE GRADED ASPHALT

DeCOTIS, FITZPATRICK & COLE, LLP
Michael J. Ash, Esq. (I.D. # 035042004)
GlenPointe Centre West
500 Frank W. Burr Boulevard
Teaneck, New Jersey 07666
Attorneys for Plaintiff, the County of Hudson
(201) 928-1100

20151202010113840 1/5
12/02/2015 01:01:26 PM DEED
Bk: 9883 Pg: 640
Pamela E. Gardner
Hudson County, Register of Deeds
Receipt No. 1075389

COUNTY OF HUDSON, a Body Corporate and
Politic of the State of New Jersey

Plaintiff,

v.

7903 RIVER ROAD, LLC; RIVER PLAY, LLC;
FIRST INDEMNITY OF AMERICA
INSURANCE COMPANY; BANK OF NEW
JERSEY; TEACHERS INSURANCE AND
ANNUITY ASSOCIATION OF AMERICA;
JANE AND JOHN DOES 1 through 50 (fictitious
name defendants); and ABC BUSINESS
ENTITIES (fictitious name defendants),

Defendants..

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - HUDSON COUNTY

DOCKET NO: HUD-L-2529-15

CIVIL ACTION

DECLARATION OF TAKING

Plaintiff, the County of Hudson, a Body Corporate and Politic of the State of New Jersey,
having its offices at 567 Pavonia Avenue, Jersey City, New Jersey 07306, hereby declares that:

1. Possession of the land, premises and interests described in the Verified Complaint
filed in this matter, including any improvements thereon (collectively, the "Property"), is hereby
taken by and for the use of the County of Hudson and is necessary for the purposes set forth in
N.J.S.A. 40A:12-1 et seq. and N.J.S.A. 20:3-1 et seq. and the Verified Complaint.

2. The Plaintiff is entitled to the possession and use of the Property, as described in
Exhibit A annexed hereto, and will forthwith enter into and take possession of it pursuant to the

powers granted to the County of Hudson, as set forth above, and specifically, the power of eminent domain granted pursuant to N.J.S.A. 20:3-17 and N.J.S.A. 40A:12-3.

3. The Property is described in **Exhibit B** annexed hereto. The Property is identified on the official tax assessment maps of the Township of North Bergen as Block 437, Lots 2.01 and 2.02 commonly referred to as 7903-7909 River Road, North Bergen, New Jersey (together referred to hereinafter as the "Property").

4. Plaintiff will acquire the fee simple interest in the Property.

5. The sum of money estimated by the Plaintiff to be just compensation for the taking is Seven Hundred Thirty Thousand (\$730,000.00) Dollars, which is no less than the fair market value of the Property, as appraised, and the written offer made to the owner of record.

6. The only person(s) or corporation(s) appearing of record or known to the Plaintiff to have an interest in the Property are: 7903 RIVER ROAD, LLC; RIVER PLAY, LLC; FIRST INDEMNITY OF AMERICA INSURANCE COMPANY; BANK OF NEW JERSEY; TEACHERS INSURANCE AND ANNUITY ASSOCIATION OF AMERICA; JANE AND JOHN DOES 1 through 50 (fictitious name defendants); and ABC BUSINESS ENTITIES (fictitious name defendants).

7. The Plaintiff herewith declares the taking of the aforesaid fee simple interest in the Property, which shall be determined taken for use by the County of Hudson.

DeCOTIS, FITZPATRICK & COLE, LLP
Attorneys for Plaintiff, the County of Hudson

By:


MICHAEL J. ASH

Dated:

6/9/15

VERIFICATION

STATE OF NEW JERSEY)
) SS:
COUNTY OF HUDSON)

I, LAURIE COTTER, of full age, being duly sworn according to law, upon his oath,
deposes and says:

1. I am the Deputy Administrator of Hudson County, a Body Corporate and Politic of
the State of New Jersey, Plaintiff in the foregoing Declaration of Taking, and its
authorized agent acting on its behalf.
2. I have read this Declaration of Taking and I am familiar with the contents thereof.
3. To the best of my knowledge, all of the statements set forth in said Declaration of
Taking are true.


Laurie Cotter, Deputy County Administrator

Sworn to and Subscribed
before me this 9th day
of June, 2015


Notary Public, State of New Jersey

Susan A. McGuire
Attorney, STATE OF NJ

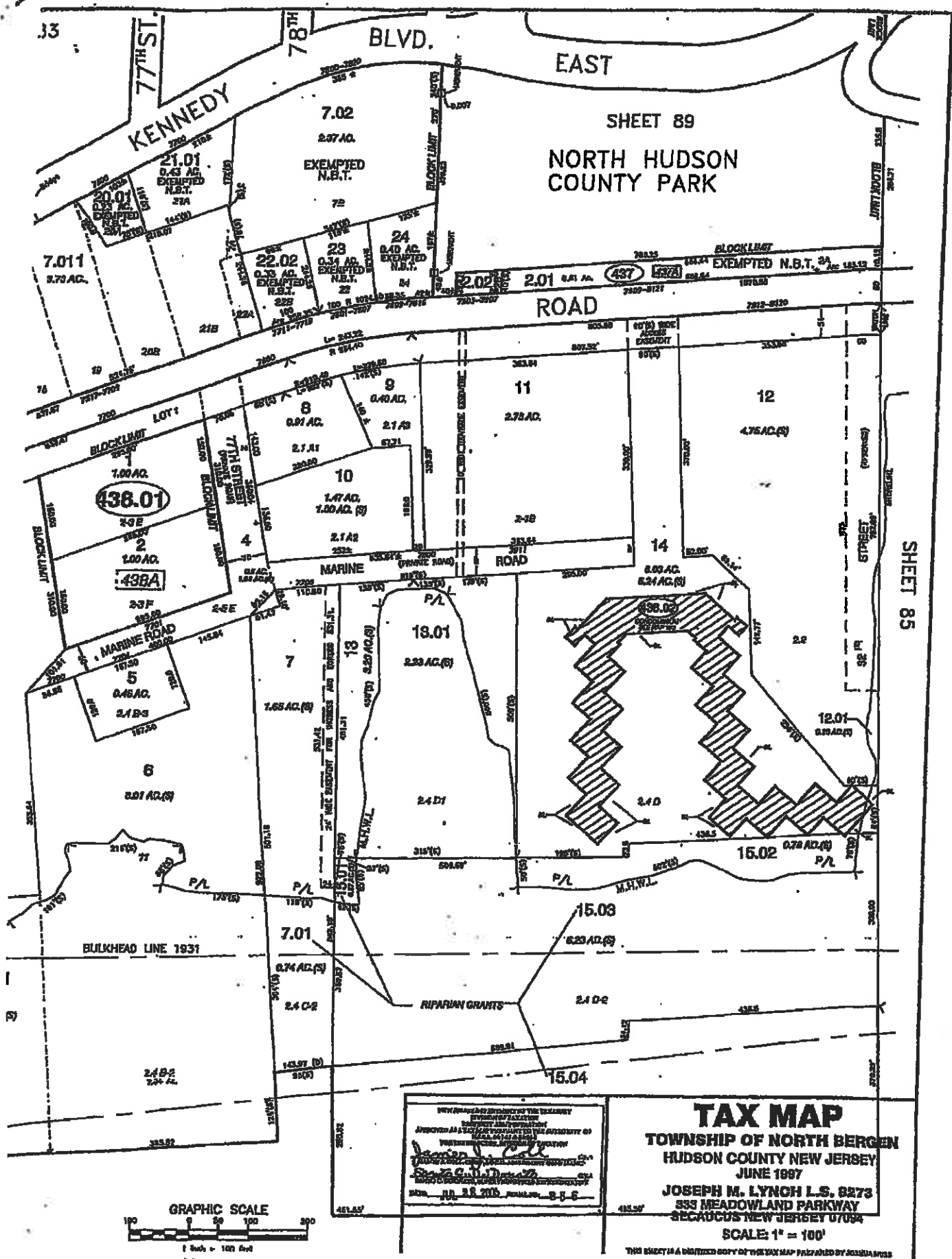


EXHIBIT A

LEGAL DESCRIPTION OF 7903-7909 RIVER ROAD, NORTH BERGEN

BLOCK 437, LOTS 2.01 AND 2.02

For informational purposes: the property was formerly referred to as Block 437A, Lots 2A and 2B, currently referred to as Block 437, Lots 2.01 and 2.02 on the official tax map of the Township of North Bergen

AS TO LOT 2.01:

Beginning at the intersection formed by the northwesterly sideline of River Road with division line between lot 2A and lot 2B in Block 437A as shown on the municipal tax map of the Township of North Bergen, Hudson County and running; thence,

1. Along said division line North 58 degrees 37 minutes 03 seconds West 40.03 feet; thence,
2. Along the division line between plot 1 and lot 2A in Block 437A North 26 degrees 24 minutes 33 seconds East 666.28 feet to the northeasterly line of plot 1 and lot 2A in Block 437A; thence
3. Along the same South 59 degrees 08 minutes 07 seconds East 40.00 feet to said northwesterly sideline of River Road; thence,
4. Along the same South 26 degrees 24 minutes 33 seconds West 666.64 feet to the Point or Place of Beginning.

Containing 26,578 square feet (0.610 acres)

AS TO LOT 2.02:

Beginning at a point in the northwesterly sideline of River Road, said point being in the northeasterly line of lands now or formerly of Hudson County Parks, said point also being in the dividing line between Tax Lot 1 and Tax Lot 2B, Block 437A as shown on a municipal tax map of the Township of North Bergen, Hudson County and running; then

1. Along said dividing line, North 58 degrees 23 minutes 22 seconds West, 39.82 feet to a point in the southeasterly line of lands now or formerly of Hudson County Parks; thence
2. Along said line, North 26 degrees 38 minutes 14 seconds East, 80.00 feet to a point in the dividing line between Tax Lots 2A and 2B as shown in the municipal tax map of the Township of North Bergen; thence
3. Along said dividing line, South 58 degrees 23 minutes 22 seconds East, 39.82 feet to a point in the above mentioned northwesterly sideline of River Road; thence
4. Along said sideline, South 26 degrees 38 minutes 14 seconds West, 80.00 feet to the above mentioned northeasterly line of lands now or formerly of Hudson County Park and the point and place of the BEGINNING.

The above mentioned description was drawn in accordance with a survey made by Hallard and Associates dated March 12, 1998.

Hudson County Register's Office
Pamela E. Gardner, County Register
257 Cornelson Avenue
Jersey City, NJ 07302
Phone: 201-395-4760

Receipt for Services

Lorraine Senerchia, County Deputy Register

Cashier KGRISALES

Batch # 1075389

Date: 12/02/2015 Time: 01:01:26PM

Date	Instrument No	Document Type	Transaction Type	Pg/Amt
12/2/2015 1:01:26PM	20151202010113840	DEED	DEED9083 640	5
Party 1: 7903 RIVER ROAD LLC		Party 2: HUDSON COUNTY COUNTY OF		
Total:				0.00
Fee Total:				0.00

**County of Hudson/Township of North Bergen
Green Acres Program
State House Commission Pre-Application
Local Parkland – Major Diversion**

**Item 9
Location Maps
Tax Maps
Aerial Site Maps
Reference Map
Park Facilities Maps
USDA Soils Information Maps
NJDEP Wetlands Maps
USGS 7.5 Minute QUAD Map
Flood Zone Map
Survey**

**Green Acres Program
State House Commission Pre-Application
Local Parkland—Major Disposal/diversion**

ATTACHMENT V: MAP REQUIREMENTS

For all Pre-application submissions please submit the following (# of copies):

Location Maps (8½" x 11" in size):

- ☒ County Road Maps: Showing the proposed disposal/diversion parcel or area and the proposed compensation area (1)

Tax Maps (8½" x 11" or 11" x 17" in size):

- ☒ A) Showing the proposed disposal/diversion parcel(s)/area and any adjacent parkland; depict the entire park boundary and separately depict the proposed disposal/diversion area (1)
- ☒ B) Showing the proposed compensation parcel(s)/area and any adjacent parkland (1)

Aerial Site Maps* (11" x 17" or larger in size):

- ☒ A) A small scale site map showing the proposed disposal/diversion parcel(s) or area; depict the entire park boundary and separately depict the proposed disposal/diversion area (1)
- ☒ B) A small scale site map showing the proposed compensation (parcel(s)/area) and any adjacent parkland (1)

****If the Project is of such size/scale that the Aerial Site Map(s) also show the proposed disposal/diversion in relation to the proposed compensation, you do not need to include a large scale Reference Map requested below. If this is the case, please include 15 copies of the Aerial Site Map instead.****

Reference Map* (Attachment VI) (11" x 17" or larger in size):

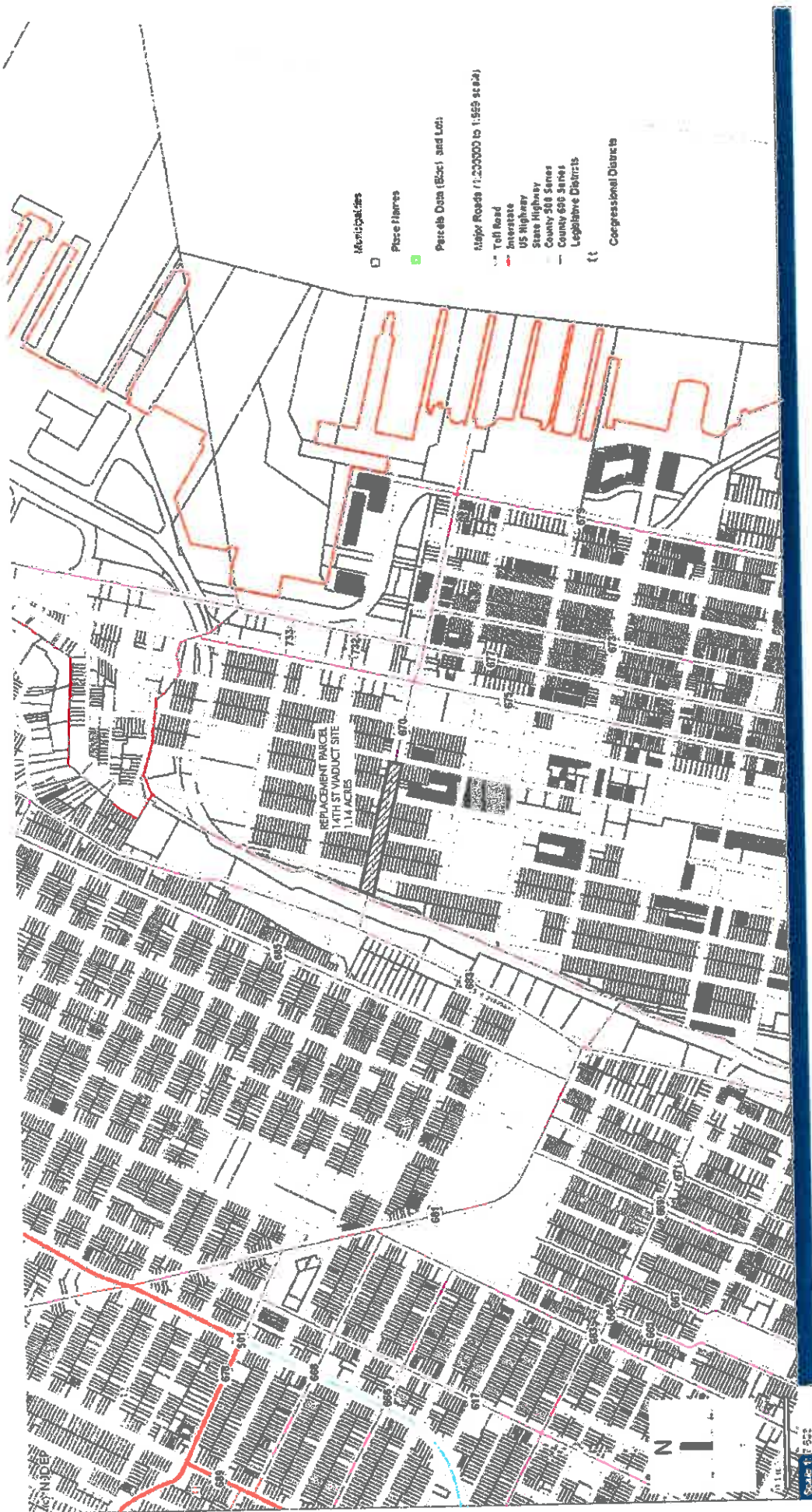
- ☒ A large scale site map showing the proposed disposal/diversion in relation to the proposed compensation. Please include aerial imagery. (1)

If the proposed disposal or diversion will result in the loss of any development, additionally submit:

Park Facilities Maps (11" x 17"):

- ☒ A site plan showing all recreational facilities and identifying those facilities proposed to be removed (1)
- ☒ A site plan showing all proposed replacement recreational facilities (1)



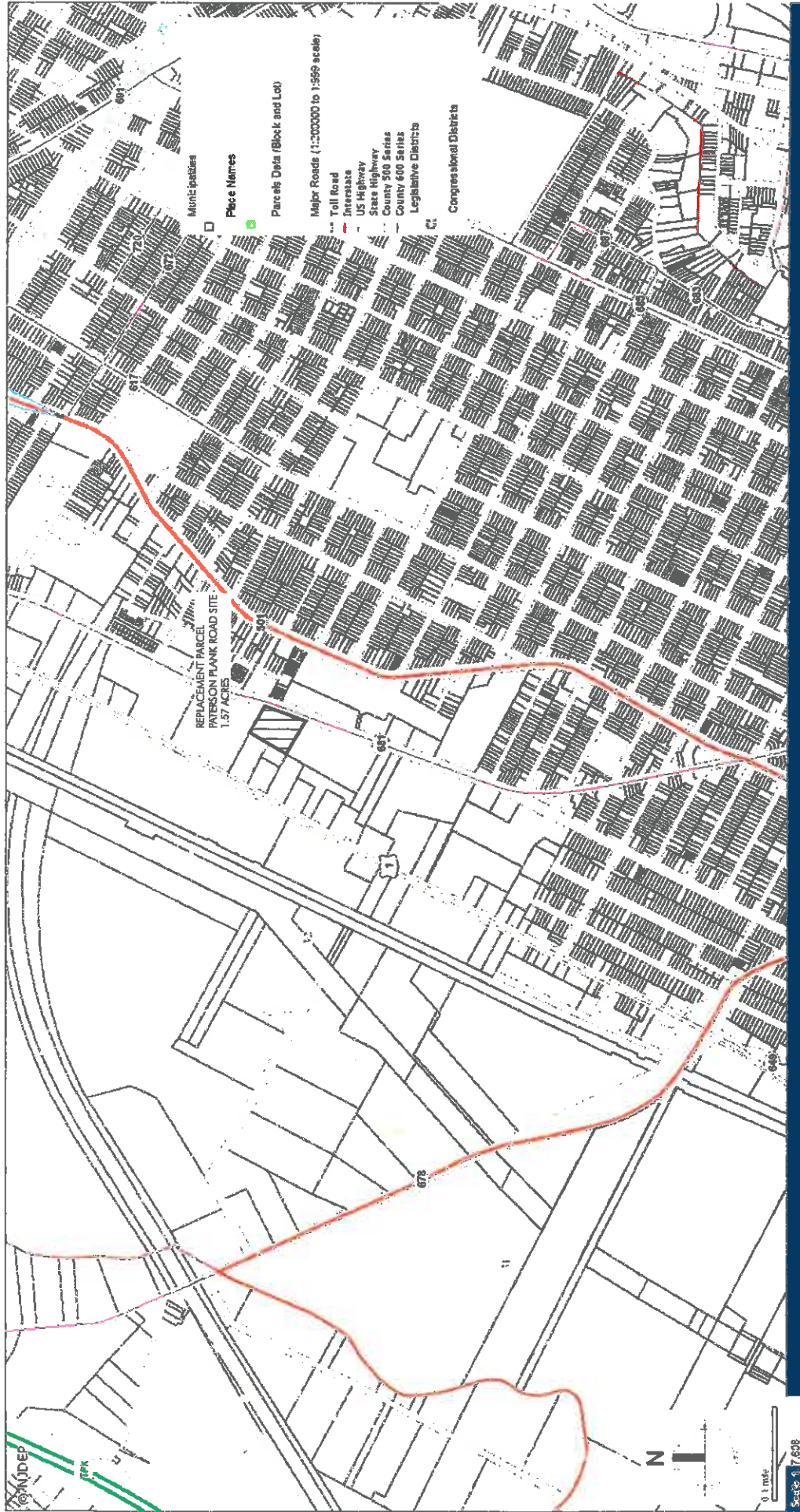


NJDEP COUNTY ROAD LOCATION MAP
1:7,608
14TH ST VIADUCT SITE

HUDSON COUNTY
HOBOKEN MUNICIPALITY

BRADDOCK PARK DIVERSION
[SHC #]

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM



BRADDOCK PARK DIVERSION
[SHC #]

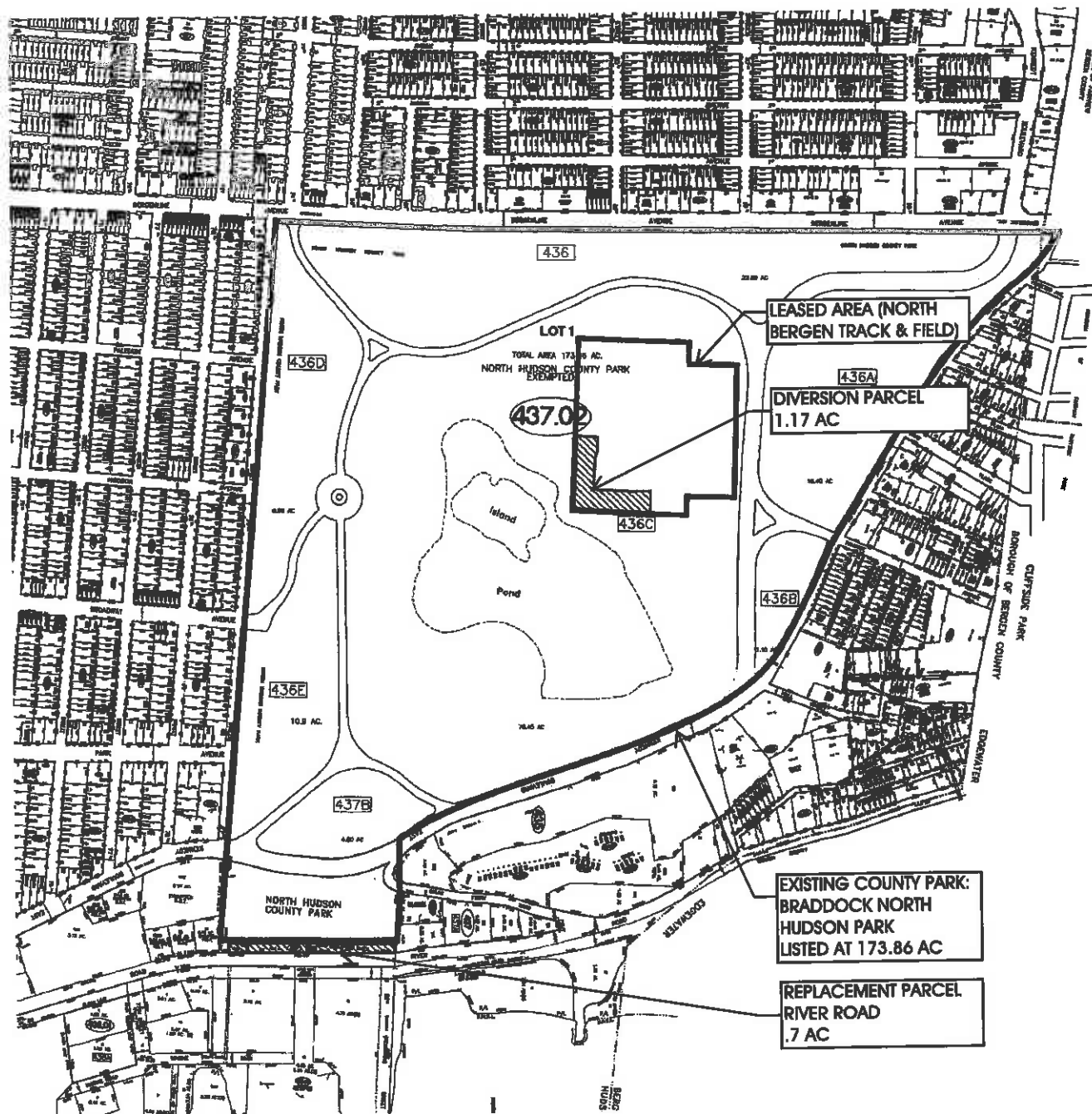
STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM

HUDSON COUNTY
NORTH BERGEN MUNICIPALITY

NJDEP COUNTY ROAD LOCATION MAP
PATERSON PLANK ROAD SITE

Scale: 1:7,608





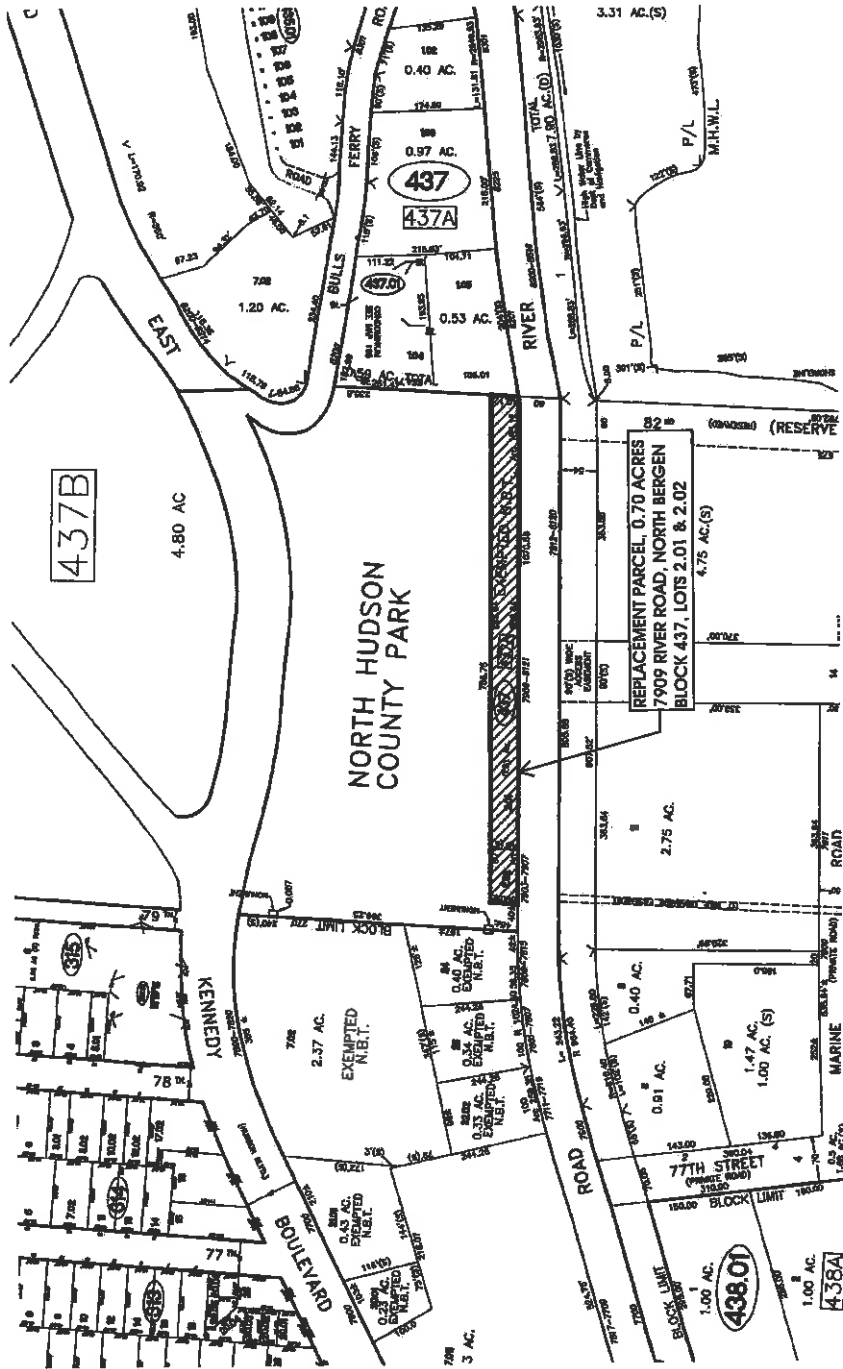
BRADDOCK PARK DIVERSION [SHC #]

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM

HUDSON COUNTY NORTH BERGEN MUNICIPALITY

TAX MAP NORTH HUDSON BRADDOCK PARK SITE



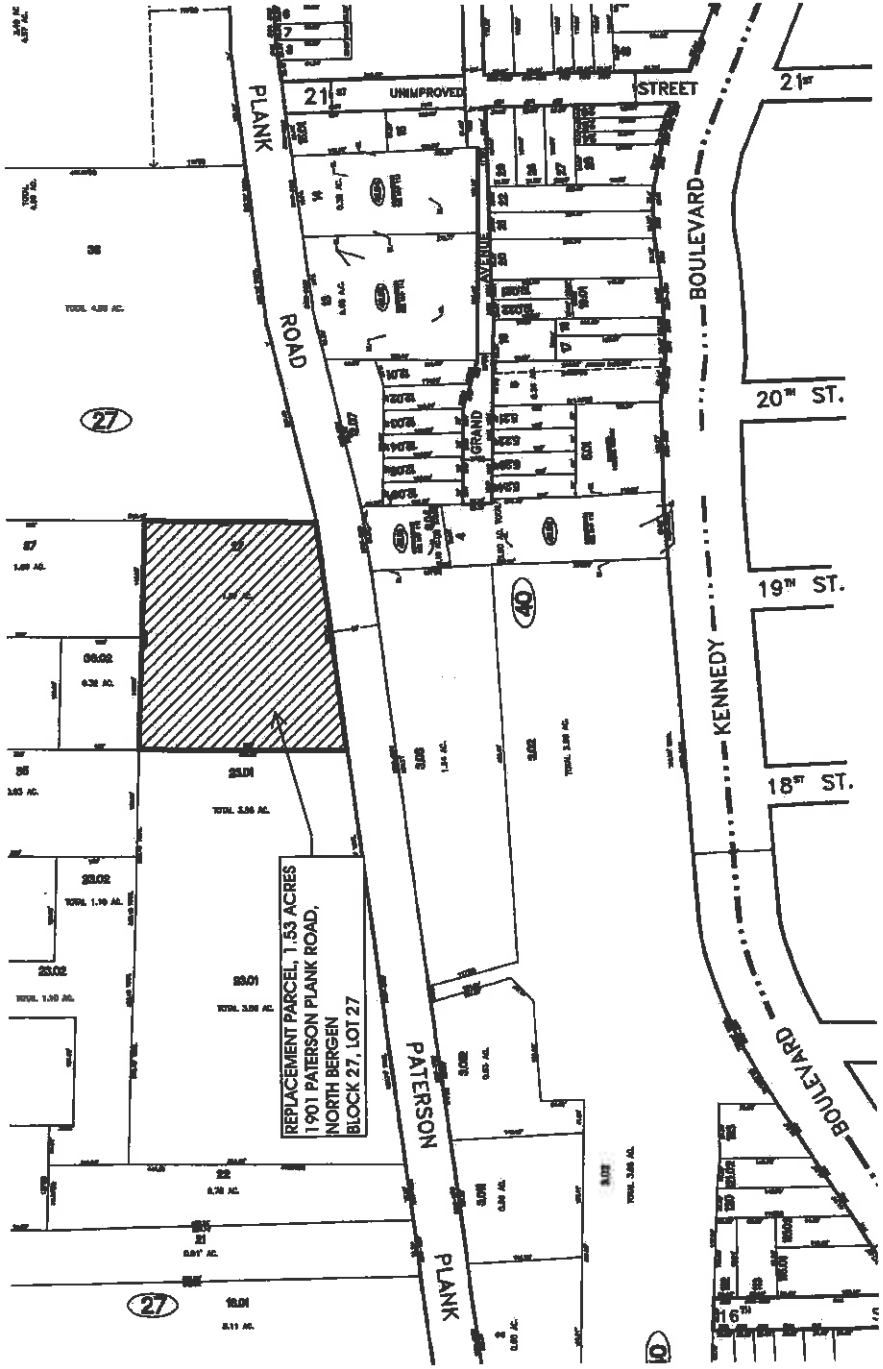


TAX MAP
BIRD SANCTUARY SITE

HUDSON COUNTY
NORTH BERGEN MUNICIPALITY

BRADDOCK PARK DIVERSION
[SHC #]

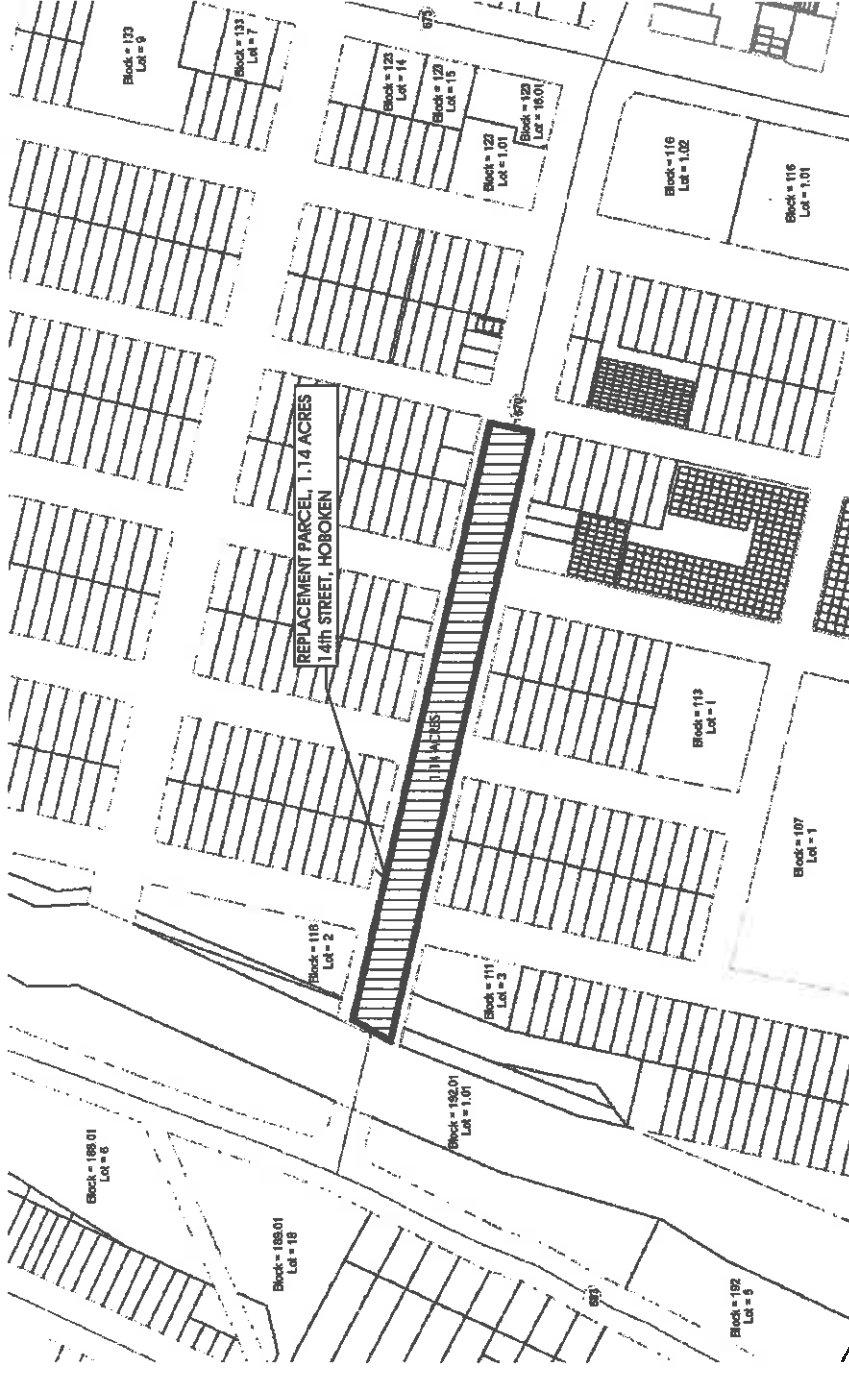
STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM



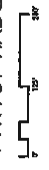
TAX MAP
PATERSON PLANK ROAD SITE

HUDSON COUNTY
NORTH BERGEN MUNICIPALITY

BRADDOCK PARK DIVERSION
[SHC #]
STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM



TAX MAP OVERALL
14TH ST VIADUCT SITE



HUDSON COUNTY
HOBOKEN MUNICIPALITY

BRADDOCK PARK DIVERSION
[SHC #]
STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM

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SHEET 28

**REPLACEMENT PARCEL, 1.14 ACRES
14th STREET, HOBOKEN**

SHEET 2

SHEET 37

15

THIS MAP HAS BEEN GIVEN A
FORMAL CERTIFICATION BY THE
COMMISSION OF EVALUATION ON
FEBRUARY 12, 2014.
BY JUNE BRONKHORST, CITY CLERK

TAX MAP
CITY OF HOBOKEN
CHARLES A. ATKINSON

SHEET 34

33

33

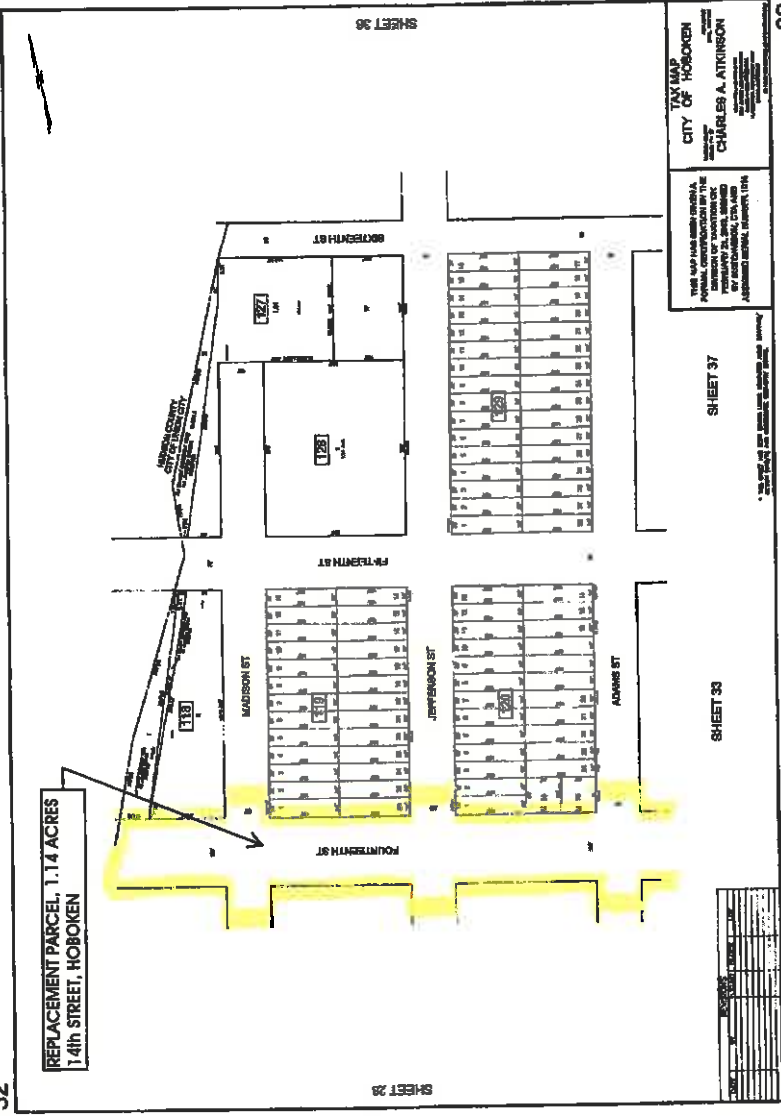
TAX MAP SHEET 33 (3 OF 4)
14TH ST VIADUCT SITE

HUDSON COUNTY
HOBOKEN MUNICIPALITYBRADDOCK PARK DIVERSION
[SHC #]

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM

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32



32

32

TAX MAP SHEET 32 (4 OF 4)
14TH ST VIADUCT SITE

HUDSON COUNTY
HOBOKEN MUNICIPALITY

BRADDOCK PARK DIVERSION
[SHC #]
STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM



REPLACEMENT PARCEL
1.53 ACRES
1901 PATERSON PLANK ROAD
NORTH BERGEN
BLOCK 27, LOT 27

BRADDOCK PARK DIVERSION

SHC #

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM

HUDSON
NORTH BERGEN



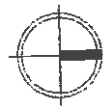


REPLACEMENT PARCEL
1.14 ACRES
14th STREET, HOBOKEN

BRADDOCK PARK DIVERSION
SHC #

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM

HUDSON
NORTH BERGEN





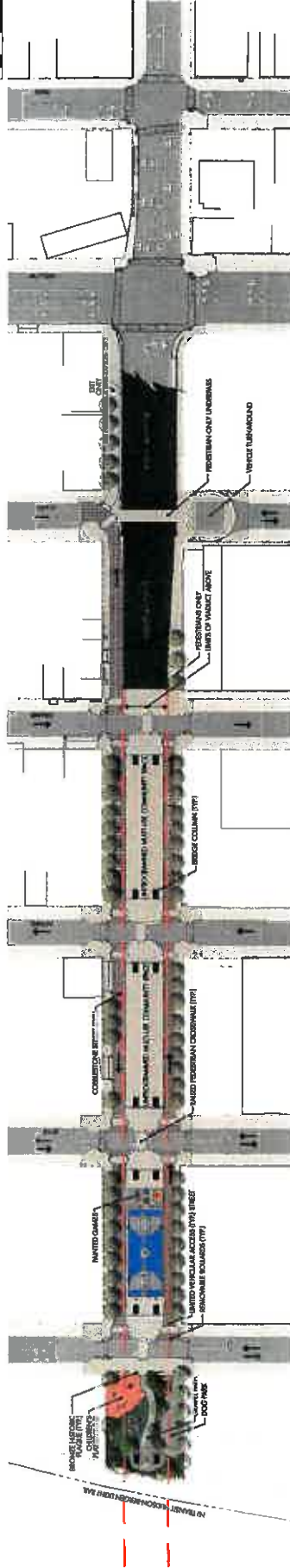
BRADDOCK PARK DIVERSION
[SHC #]

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM

HUDSON COUNTY
NORTH BERGEN & HOBOKEN
MUNICIPALITIES

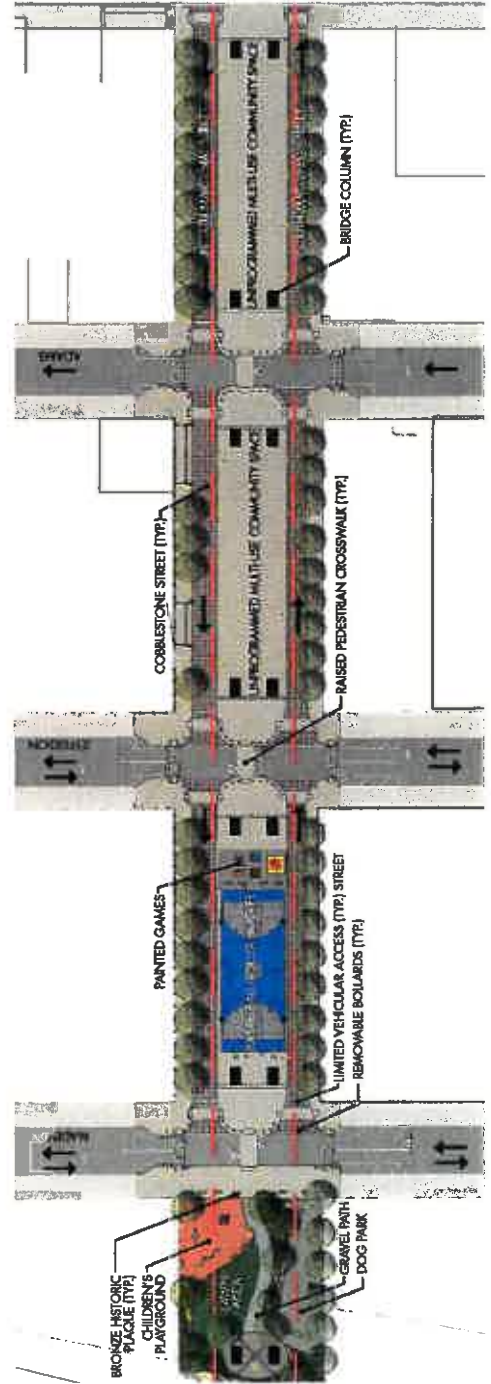
REFERENCE MAP ALL SITES





PARK FACILITIES MAP, 2010 PLANS- STANTEC & TRANSYSTEMS

THE REPLACEMENT OF THE 14TH STREET VIADUCT
HOBOKEN AND UNION CITY, HUDSON COUNTY, NEW JERSEY
STREETSCAPE AND COMMUNITY IMPROVEMENTS PLAN, JULY, 2010



PARK FACILITIES MAP, DETAIL

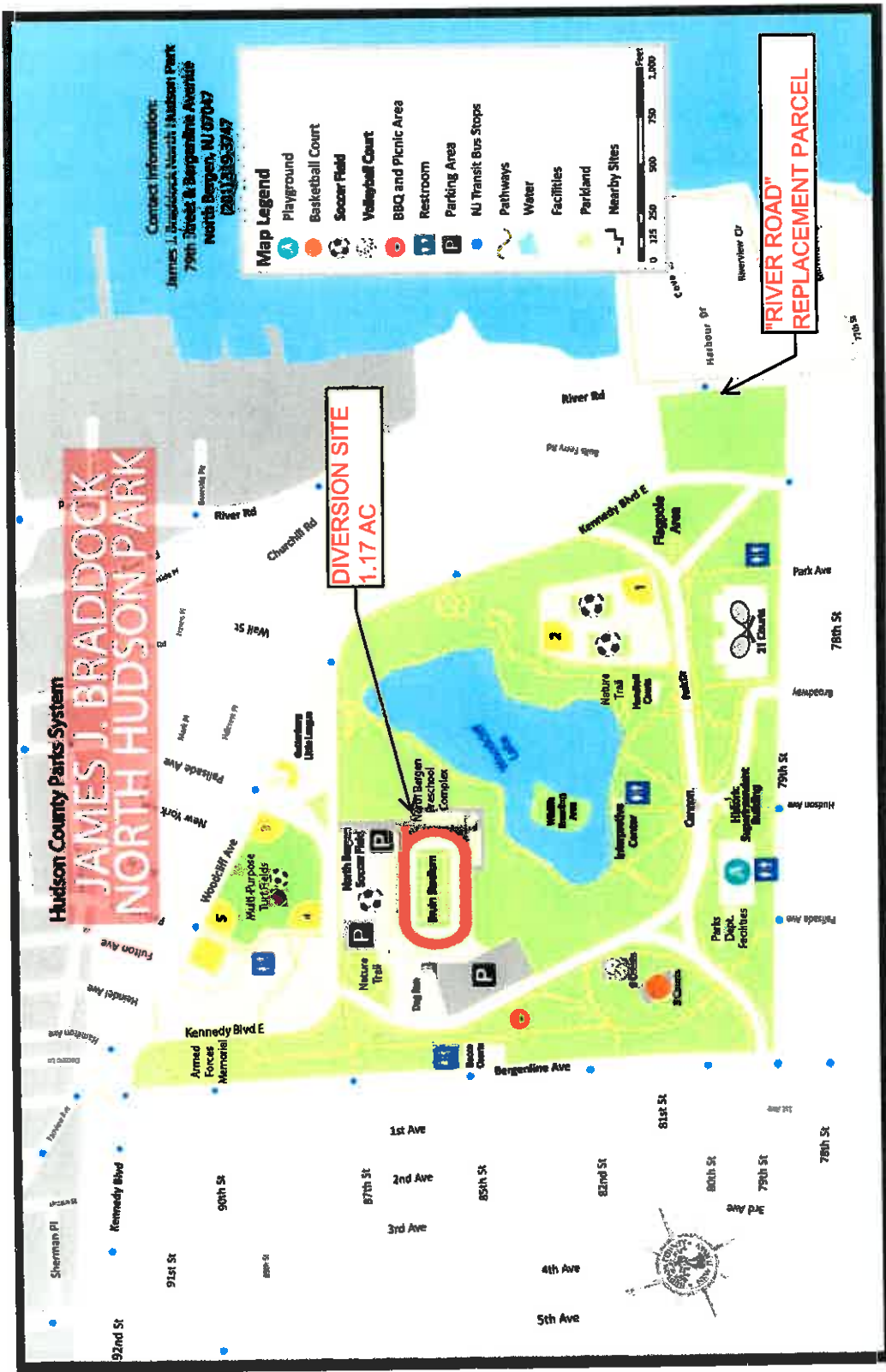
BRADDOCK PARK DIVERSION
[SHC #]

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM

HUDSON COUNTY
HOBOKEN MUNICIPALITY

PARK FACILITIES MAP
14TH ST VIADUCT SITE





HUDSON COUNTY PARKS SYSTEM
 BROCHURE MAP
 DIVERSION SITE

HUDSON COUNTY
 NORTH BERGEN MUNICIPALITY

BRADDOCK PARK DIVERSION
 [SHC #]
 STATE OF NEW JERSEY
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 GREEN ACRES PROGRAM





USDA SOILS INFORMATION MAP NORTH HUDSON BRADDOCK PARK & BIRD SANCTUARY SITES

HUDSON COUNTY NORTH BERGEN MUNICIPALITY

BRADDOCK PARK DIVERSION [SHC #]

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM

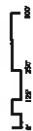


BRADDOCK PARK DIVERSION
[SHC #]
STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM

HUDSON COUNTY
NORTH BERGEN MUNICIPALITY

USDA SOILS INFORMATION MAP
PATERSON PLANK ROAD SITE



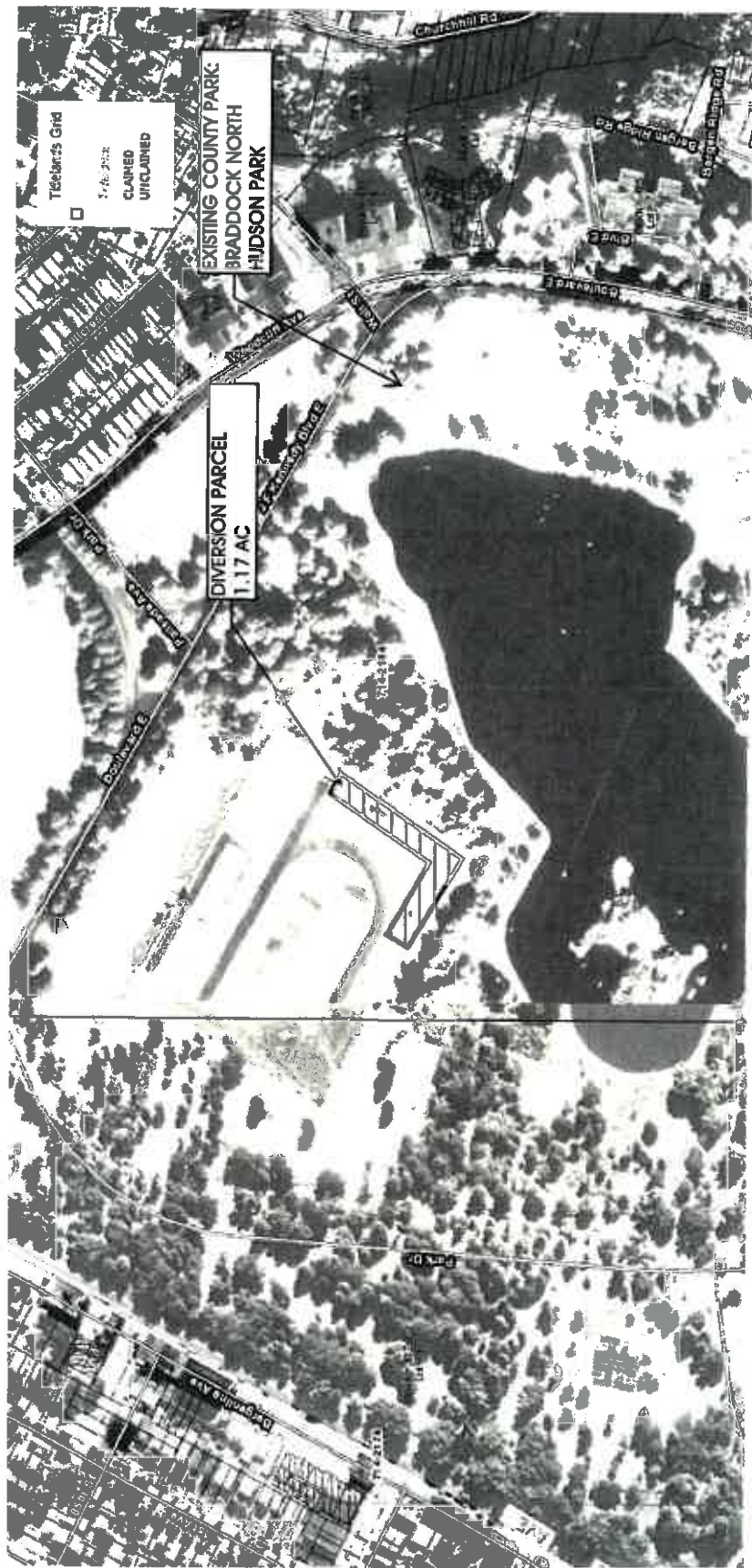


USDA SOILS INFORMATION MAP
14TH ST VIADUCT SITE

HUDSON COUNTY
HOBOKEN MUNICIPALITY

BRADDOCK PARK DIVERSION
[SHC #]

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM



BRADDOCK PARK DIVERSION
 [SHC #]
 STATE OF NEW JERSEY
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 GREEN ACRES PROGRAM

HUDSON COUNTY
 NORTH BERGEN MUNICIPALITY

NJDEP WETLANDS MAP
 DIVERSION SITE

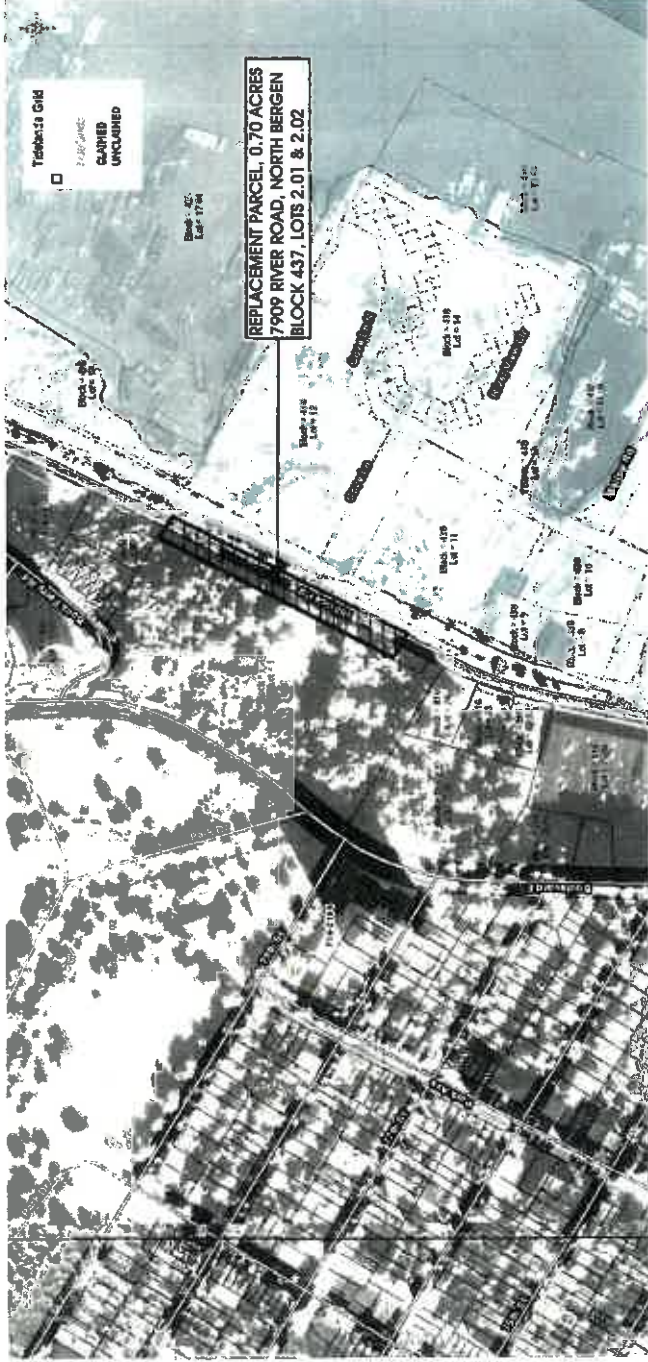




NUDEP WETLANDS MAP
PATERSON PLANK ROAD SITE

HUDSON COUNTY
NORTH BERGEN MUNICIPALITY

BRADDOCK PARK DIVERSION
[SHC #]
STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM



NUDEP WETLANDS MAP
BIRD SANCTUARY SITE

HUDSON COUNTY
NORTH BERGEN MUNICIPALITY

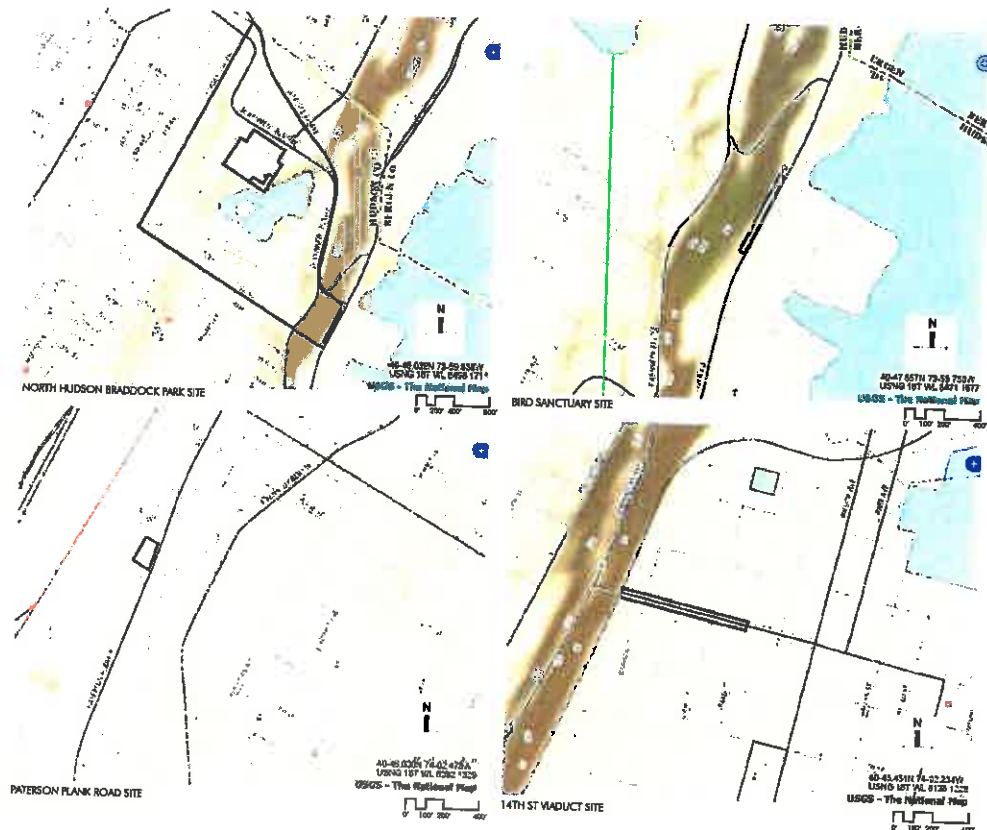
BRADDOCK PARK DIVERSION
[SHC #]
STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM



NJDEP WETLANDS MAP
14TH ST VIADUCT
HOBOKEN SITE

HUDSON COUNTY
HOBOKEN MUNICIPALITY

BRADDOCK PARK DIVERSION
[SHC #]
STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM



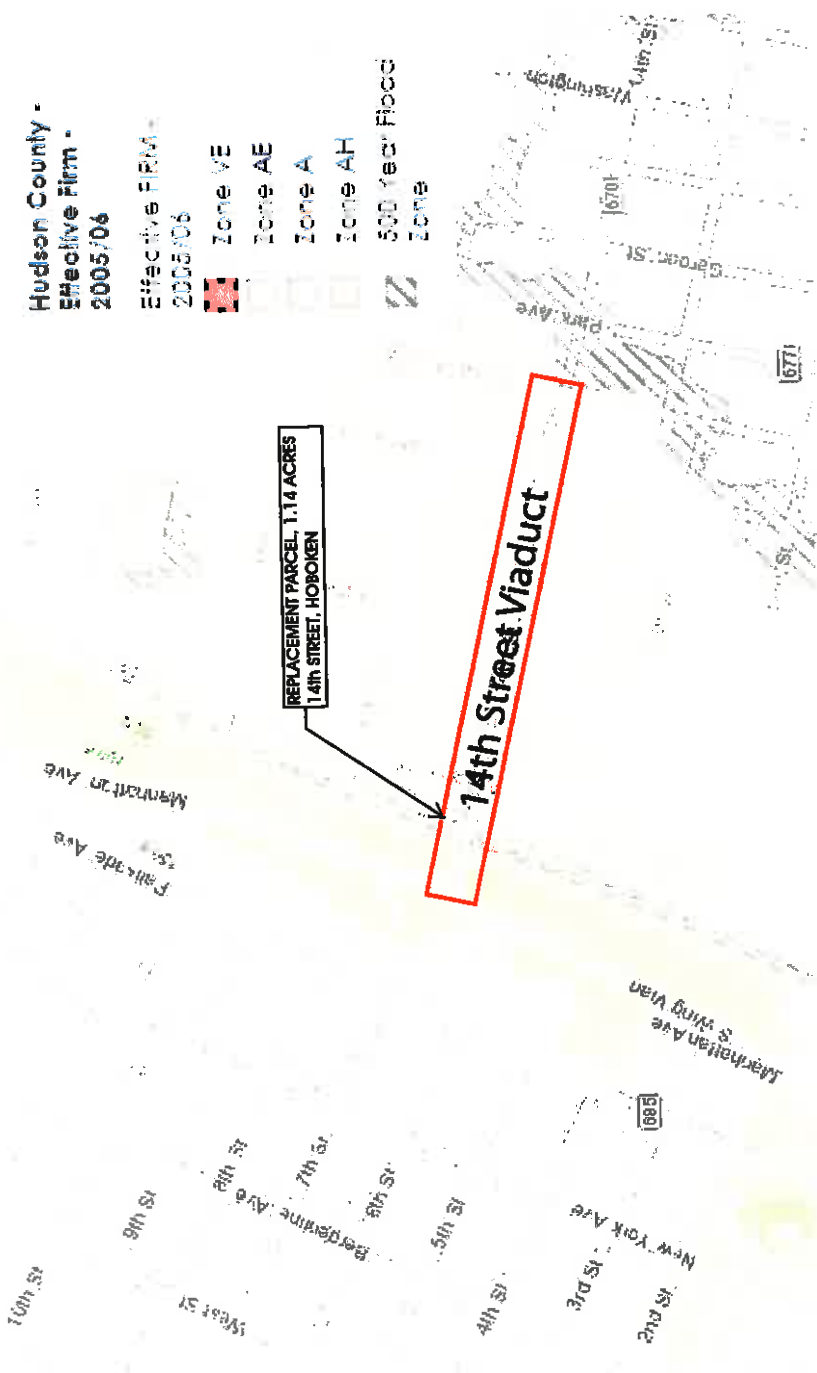
BRADDOCK PARK DIVERSION
[SHC #]

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM

HUDSON COUNTY
NORTH BERGEN MUNICIPALITY

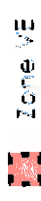
USGS 7.5 MINUTE QUAD
ALL SITES





Hudson County -
Effective Firm -
2005/06

Effective FIRM -
2005/06



Zone VE

Zone AE

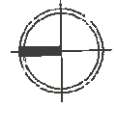
Zone A

Zone AH

500 Year Flood
Zone

REPLACEMENT PARCEL, 1.14 ACRES
14th STREET, HOBOKEN

14th Street Viaduct

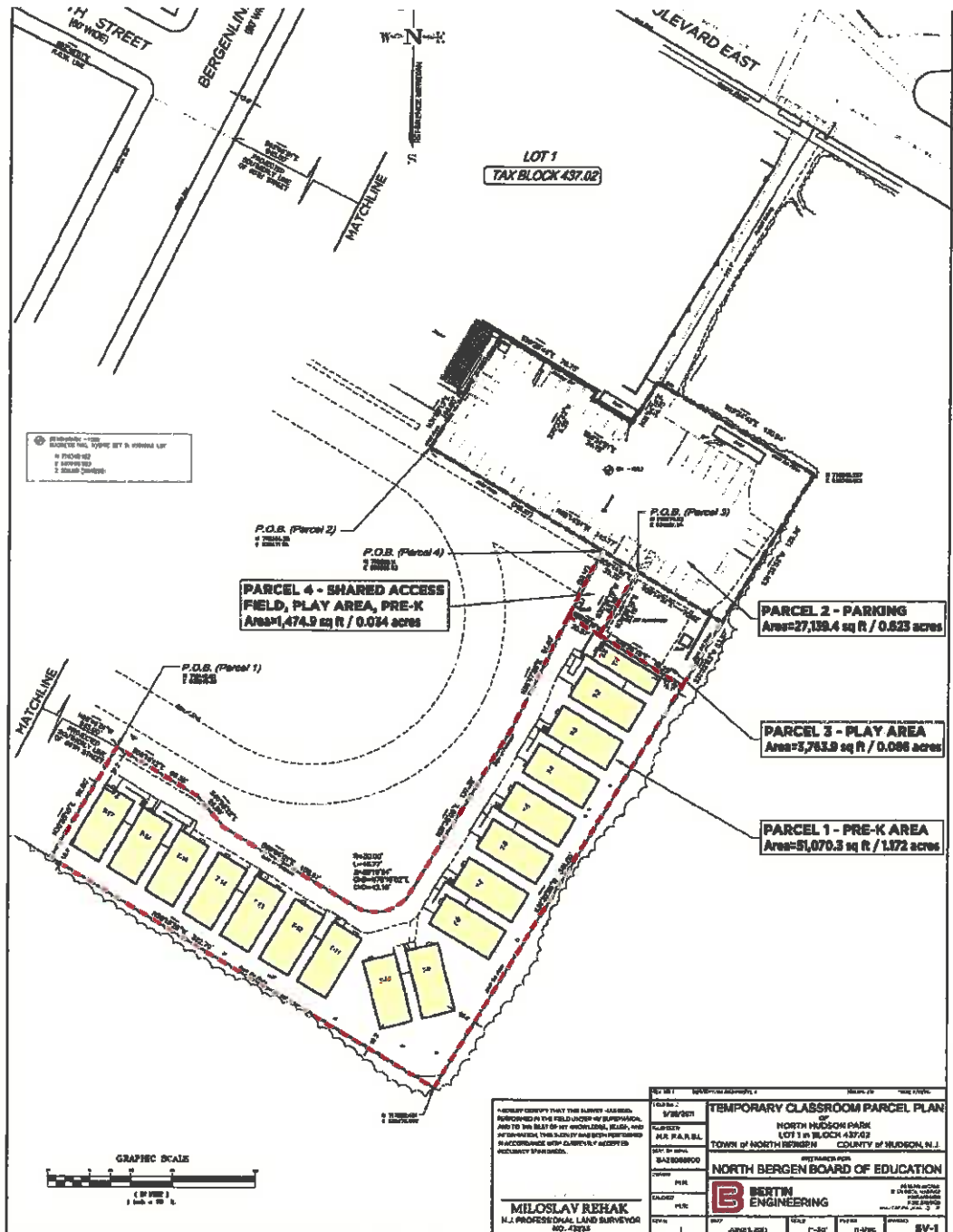


FLOOD ZONE MAP
14TH ST VIADUCT
HOBOKEN SITE

HUDSON COUNTY
HOBOKEN MUNICIPALITY

BRADDOCK PARK DIVERSION
[SHC #]

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM



BRADDOCK PARK DIVERSION
[SHC #]

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM

HUDSON COUNTY
NORTH BERGEN MUNICIPALITY

SURVEY DIVERSION SITE



**County of Hudson/Township of North Bergen
Green Acres Program
State House Commission Pre-Application
Local Parkland – Major Diversion**

**Item 10
Confirmation of Scoping Hearing**

BE IT RESOLVED by the Board of Chosen Freeholders of the County of Hudson that:

1. The hearing on an appeal by Shipyard Associates, L.P. of Hudson County Planning Board Application #2011-096-SP scheduled on Tuesday, September 23, 2014 at 6:00 p.m. is carried to Tuesday, October 28, 2014 at 6:00 p.m., at the Administration Building Annex, 3rd Floor, 567 Pavonia Avenue, Jersey City, New Jersey.
2. The necessary parties shall be notified of the date and time of the special meeting by receiving a copy of this Resolution

PUBLIC SCOPING HEARING NOTICE

Wednesday, November 5, 2014, 6:00 p.m.

TAKE NOTICE that the Township of North Bergen and the County of Hudson have contacted the New Jersey Department of Environmental Protection, Green Acres Program, proposing to divert 1.1 acres of the James J. Braddock North Hudson County Park, Bergenline Avenue, North Bergen New Jersey 07047, Block 437.02 and Lot 1 in order to keep the North Bergen Pre-School in its current location within the park.

Pursuant to N.J.A.C. 7:36-26.8(a) a scoping hearing to obtain public comment on this request will be held at

the North Bergen High School Auditorium, 7417 Kennedy Boulevard, North Bergen, NJ 07047 on Wednesday November 5, 2014 at 6:00 P.M. Please note that this marks a change from the previously posted date of October 21, 2014.

All interested parties are invited to attend and participate in the scoping hearing. Written comments on the diversion request may be directed to the office of the North Bergen Township Administrator at 4233 Kennedy Boulevard, North Bergen, NJ 07047; to the office of the Hudson County Administrator at 567 Pavonia Ave., 4th fl., Jersey City, NJ 07306; or to the North Bergen Diversion Coordinator at (908) 763-2077. Please send a copy of any comments submitted on this request to the New Jersey Department of Environmental Protection, Green Acres Program, Bureau of Legal Services and Stewardship, Mail Code 501-01, 501 East State St., P.O. Box 420, Trenton, NJ 08625-0420.

Public comment on this diversion request will be accepted during the scoping hearing or until November 19, 2014.

- Get Help from the NJ State Library
- NJOEM Hurricane Safety Guide
- North Bergen Police
- North Hudson Regional Fire & Rescue
- Senator Sacco
- Community Pool
- North Bergen Public Library
- Parking Authority
- Board of Education
- Municipal Utilities Authority
- NJ Hurricane Survival Guide
- New Jersey Transit
- Hudson County
- Hudson County Sheriff
- Hudson County Alliance to End Homelessness



The Official Website of the Township of North Bergen, NJ Home

Positive Recruitment on Tuesday, September 30, 2014 from 10 a.m. to 1:00 p.m. at 400 38th Street, Suite 214, Union City.

[Click Here For Additional Information](#)

Burlington Coat Factory

The Burlington Coat Factory is hiring for all positions. Please apply online.

Date Change - Green Acres Scoping Hearing

PUBLIC NOTICE

REVISED

PUBLIC SCOPING HEARING NOTICE

HEARING DATE & PUBLIC COMMENT PERIOD RESCHEDULED

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Public Affairs

- Business License
- Community Service
- Courts & Violations
- Health Department
- Mayor's Office
- Rent Control
- Township Clerk
- Urban Enterprise Zone - General Info
- Urban Enterprise Zone - Business Info
- Vital Statistics

Public Safety

- Alcoholic Beverage Control
- Fire Prevention
- Public Safety

Public Works [+]

Revenue & Finance


- Bureau of Housing Inspectors
- Tax Assessor
- Tax Collector



**PAY YOUR
TICKETS
ONLINE**

Visit the New Jersey
Municipal Court Internet
Traffic Ticket Information
and payment site.

CLICK HERE




**Parks & Recreation
Schedules**




**ZONING
MAP**

North
Bergen

Department of Environmental Protection, Green Acres Program, Bureau of Legal Services and Stewardship, Mail Code 501-01, 501 East State St., P.O. Box 420, Trenton, NJ 08625-0420.

Public comment on this diversion request will be accepted during the scoping hearing or until November 19, 2014.

**VIEW
OFFICIAL NOTICE**



Macy's Job Fair at North Bergen Public Library



Macy's Logistics and Operations, Secaucus, NJ is now hiring Seasonal Picking and Packing associates, and will be having a job fair at the North Bergen Public Library, 8411 Bergenline Ave., on Wednesday, Oct. 15, from 4 to 7 p.m.

Macy's Logistics and Operations distribution center in Secaucus, NJ is seeking talented individuals for Seasonal Picking and Packing positions. Associates are responsible to receive, putaway, pick, pack and ship merchandise in a safe, productive and accurate manner. Associates will be cross-trained in multiple areas.

**Master Plans
Housing Plans &
ReExamination
Reports**




**MAYOR'S
COUNCIL
ON
AGING**

The newspapers of New Jersey make public notices from their printed pages available electronically in a single database for the benefit of the public. This enhances the legislative intent of public notice - keeping a free and independent public informed about activities of their government and business activities that may affect them. Importantly, Public Notices now are in one place on the web (www.PublicNoticeAds.com), not scattered among thousands of government web pages.

County: Bergen
Printed In: The Record, Hackensack
Printed On: 2014/10/20

PUBLIC NOTICE TAKE NOTICE that the Township of North Bergen and the County of Hudson have contacted the New Jersey Department of Environmental Protection, Green Acres Program, proposing to divert approximately 1.1 acres of the James J. Braddock North Hudson County Park, Bergenline Avenue, North Bergen New Jersey 07047, Block 437.02 and Lot 1 in order to keep the North Bergen Pre-School in its current location within the park. Pursuant to N.J.A.C. 7:36-26.8(a) as copying hearing to obtain public comment on this request will be held at the North Bergen High School Auditorium, 7417 Kennedy Boulevard, North Bergen, NJ 07047 on Wednesday November 5, 2014 at 6:00 PM. All interested parties are invited to attend and participate in the scoping hearing. Written comments on the diversion request may be directed to the office of the North Bergen Township Administrator at 4233 Kennedy Boulevard, North Bergen, NJ 07047; to the office of the Hudson County Administrator at 567 Pavonia Ave., 4th fl., Jersey City, NJ 07306; or to the North Bergen Diversion Coordinator at (908) 763-2077. Please send a copy of any comments submitted on this request to the New Jersey Department of Environmental Protection, Green Acres Program, Bureau of Legal Services and Stewardship, Mail Code 501-01,501 East State St., P.O. Box 420, Trenton, NJ 08625-0420. Public comment on this diversion request will be accepted during the scoping hearing or until November 19, 2014. October 20, 2014 - Fee: \$49.14 (52) 3766107

Public Notice ID: 21848374



**New Patient - Cleaning, Exam, and Digital X-Rays
(Includes Custom Home Whitening Kit) \$149**

Zoom! 1 hour whitening only \$299

(With complimentary limited examination, 30 days not included)

Invisalign Full Case only \$3499

(Type Consult for Intelligibility)

"Affordable Dental Implants by Periodontist"

223 Mallory Avenue Jersey City, NJ 07304

(201) 332-3358

persey@ivdmd.com • www.ivdadvanceddental.com

TAKE NOTICE that the Township of North Bergen and the County of Hudson have contacted the New Jersey Department of Environmental Protection, Green Acres Program, proposing to divert approximately 1.1 acres of the James J. Bradlock North Hudson County Park, Bergenline Avenue, North Bergen New Jersey 07047, Block 437.02 and Lot 1 in order to keep the North Bergen Pre-School in its current location within the park.

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Public comment on this diversion request will be accepted during the scoping hearing or until November 19, 2014.

SECURITY TRAINING

Sora Class \$99.00

Become a NJ Certified Security Officer
Job Application & Solid Job Referrals

Call 201 760 8818

NEWARK PENN STATION

Free Parking
Special Weekly SORA 24 Hr Class/ Job Info
Plus 8 Hr Renewal Class - Call for info
No Experience Required

DONATE YOUR CAR

To Benefit the Sick Children of:
\$500-\$5000
or More Tax-Deduction!

Better Than Selling Your Old Car!
Receive a FREE iPod Shovel!

Free Vehicle Pickup ANYWHERE
We Accept All Vehicles Running or Not
Also Accept Trucks, RVs, SUVs & Boats

Personalized Songs For
All Children With
Cancer
Like Kaleb

888-909-7664

DONATE YOUR CAR

Wheels For Wishes
Benefiting

MAKE A WISH

New Jersey

- *Free Vehicle Pickup ANYWHERE
- *We Accept All Vehicles Running or Not
- *We Also Accept Boats, Motorcycles & RVs
- *Fully Tax Deductible

Call: (973) 536-0606
WheelsForWishes.org

RECEIVED
PUBLIC SCOPING HEARING NOTICE
HEARING DATE & PUBLIC COMMENT
PERIOD RESCHEDULED

TAKE NOTICE that the Township of North Bergen and the County of Hudson have contracted the New Jersey Department of Environmental Protection, Green Acres Program, to divert approximately 1.1 acre of the James J. Brodbeck North Hudson County Park, Bergenline Avenue, North Bergen, New Jersey 07047, Block 437.02 and Lot in order to keep the North Bergen Pre-School in its current location within the park.

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All interested parties are invited to attend and participate in the scoping hearing. Written comments on the diversion request may be directed to the office of the North Bergen Township Administrator at 423 Kennedy Boulevard, North Bergen, NJ 07047; to the office of the Hudson County Administrator or 567 Pavonia Ave., 4th fl., Jersey City, NJ 07306; or to the North Bergen Division Coordinator at (98) 763-2077. Please send a copy of any comments submitted on this request to the New Jersey Department of Environmental Protection, Green Acres Program, Bureau of Code 501-01, 501 East State St., P.O. Box 420, Trenton, NJ 08646-0420.

Public comment on this diversion request will be accepted during the scoping hearing or until November 19, 2014.

HUDSON COUNTY NEW JERSEY
BOURGH OF EAST NEWARK
10/03/14
\$63.97

PUBLIC NOTICE

The next regular meeting of the Hudson County Constitution Board of Appeals is scheduled for October 6, 2014 @ 5:00 p.m. in the "Freeholders' Assembly Chamber, 567 Pavonia Avenue, Jersey City, NJ

Appeals scheduled for hearing:

13-27 Tom Jim, LLC 512-14th St.
Union City, NJ
13-38 Zaky Todoros 130 40th St. Union City, NJ
13-01 2911 Central Ave. Union City, NJ
13-02 811 28th Street Union City, NJ
13-03 2801 Summit Ave. Union City, NJ

D. Arcencio, P.E., PP
Board Secretary
10/03/14
\$53.26

COUNTY OF HUDSON

Site: The following information is provided for the use of the County of Hudson. The County of Hudson is not responsible for the accuracy of the information provided. The County of Hudson is not responsible for the accuracy of the information provided.

Public Notices

Public Notices

**WESTWOOD PARKING AUTHORITY
COMPARATIVE STATEMENT OF NET POSITION
AS OF DECEMBER 31, 2013 AND 2012**

	2013	2012
Assets		
Cash Equivalents	\$80,357	\$84,547
Accounts Receivable	-	3,636
Intangible Assets	90,357	99,183
Liabilities		
Accounts Payable	445,164	445,164
Long-Term Debt	230,773	230,773
Capital Assets	18,700	18,700
and Materials	250,231	250,231
Accumulated Depreciation	954,898	944,673
(959,030)	(916,871)	
Net Assets (Net of Accumulated Depreciation)	96,838	128,205
	179,185	196,389
Liabilities		
Accounts Payable	4,346	4,346
Long-Term Debt	5,400	5,778
Capital Assets	9,746	9,778
and Materials	98,838	128,206
Accumulated Depreciation	70,611	61,405
Net Assets	199,449	199,611

**WESTWOOD PARKING AUTHORITY
COMPARATIVE STATEMENT OF REVENUES, EXPENSES AND
CHANGES IN NET POSITION
FOR THE YEARS ENDED DECEMBER 31, 2013 AND 2012**

	2013	2012
Revenues	\$178,471	\$174,571
Expenses	7,706	8,636

Public Notices

**TOWNSHIP OF LYNDHURST
NOTICE TO BIDDERS**

Notice is hereby given that the Township of Lyndhurst, County of Bergen, New Jersey, will receive sealed bids on Wednesday, December 3, 2014 at 2:00 p.m., prevailing time at the Office of the Township Clerk, Municipal Annex, 253 Sylvan Avenue, Lyndhurst, NJ, and opened and read publicly for:

Collection, Removal, and Transportation of Disposed Site of Garage and Bulky Waste from properties within the Borough of Wanaque, in accordance with the specifications.

Plans, Specifications and forms of bid for the proposed work are available at the office of the Township Clerk, Municipal Annex, 253 Sylvan Avenue, Lyndhurst, NJ between the hours of 8:00 a.m. and 4:00 p.m.

Bids must be made on the Proposal form in the manner designated therein and must be enclosed in a sealed envelope bearing the name of the bidder and the name of the project on the outside, addressed to the Township of Lyndhurst, and must be accompanied by a Certified Check, Bid Bond or Cashier's Check drawn to the order of the Township of Lyndhurst for ten percent (10%) of the total amount bid, provided said security not be more than \$20,000.00. All bid guarantees shall be accompanied by an executed consent from an approved surety company, licensed to conduct business in the State of New Jersey, agreeing to furnish the required Performance and Maintenance Bond upon award of the Contract.

The signed Proposal forms and bid security must be delivered to the place and on or before the hour named above. The accepted bidder must sign the Contract within ten (10) days of award or forfeit the

Public Notices

**REVISED
PUBLIC SCOPING HEARING NOTICE
HEARING DATE & PUBLIC COMMENT
PERIOD RESCHEDULED**

TAKE NOTICE that the Township of North Bergen and the County of Hudson have contracted the New Jersey Department of Environmental Protection, Green Acres Program, proposing to divert approximately 1.1 acres of the James J. Braddock North Hudson County Park, Bergenline Avenue, North Bergen, New Jersey 07047, Block 437.02 and Lot 1 in order to keep the North Bergen High School in its current location within the park.

Pursuant to N.J.A.C. 7:36-28.8(e) a scoping hearing to obtain public comment on this request will be held at the North Bergen High School Auditorium, 7417 Kennedy Boulevard, North Bergen, NJ 07047 on Wednesday, November 5, 2014 at 6:00 P.M.

All interested parties are invited to attend and participate in the scoping hearing. Written comments on the diversion request may be directed to the office of the North Bergen Township Administrator at 4233 Kennedy Boulevard, North Bergen, NJ 07047, to the office of the Hudson County Administrator at 657 Payson Avenue, 4th Fl., Jersey City, NJ 07310; or to the North Bergen Diversion Coordinator at (201) 763-2077. Please send a copy of any comments submitted on the request to the New Jersey Department of Environmental Protection, Green Acres Program, Bureau of Legal Services and Stewardship, Mail Code 501-01501 East State St., P.O. Box 420 Trenton, NJ 08646-0420.

Public comment on this diversion request will be accepted during the scoping hearing on October 2, 2014 from 2:00 PM to 5:00 PM.

Public Notices

**BOROUGH OF PARAMUS
PLANNING BOARD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE: That an application has been made by Lightbridge Academy in connection with premises located at 45 Eisenhower Drive, Paramus, New Jersey 07652 (Block 1802, Lot 6) in the BIL Zone for site plan, and variance approval so as to allow use of part of the premises as a child care center, along with certain site modifications, inclusive of installation of a playground area. As such, the Applicant requests the following variances, waivers and/or exceptions from the Borough of Paramus Ordinances:

1) Required parking spaces is 639. Applicant proposes 634 spaces (current requirement is 603 spaces and existing is 605 spaces);

2) Wall Sign on an office building which is greater than 60 sq. ft. and

3) Such other variances, exceptions, design waivers, and other approvals and relief as may be required to effect complete approval of the application.

A public hearing before the Paramus Planning Board has been ordered for October 16, 2014 at 7:00 p.m. in the Borough Hall, 1000 Main Street, Paramus, New Jersey and, in the case of the application, or by attorney, to present any comments which you may have in connection with this application. Documents relating to this application may be inspected by the public in the office of the Paramus Planning Board and/or the designated administrative official at the Borough's Office during normal business hours. This notice is given to you by order of the Paramus Planning Board.

Public Notices

NOTICE TO ABSENT DEFENDANTS

Docket No.: F-024167-14
Superior Court of New Jersey
Chancery Division
Bergen County

(1-5) STATE OF NEW JERSEY TO:

SUNGLAON PARK, hereafter their heirs, devisees, and personal representatives, and his, her, their or any of their successors in right, title and interest; and

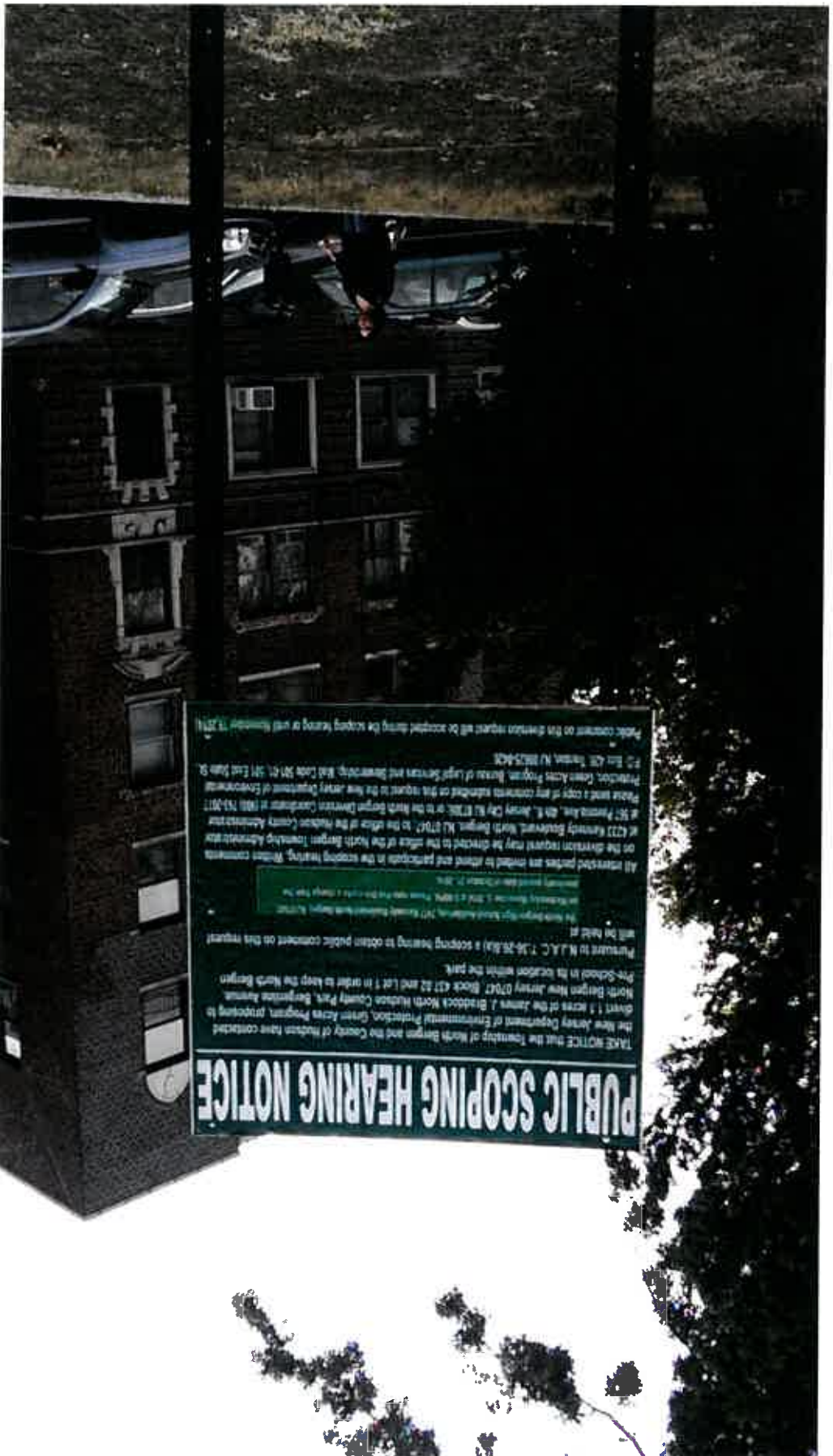
APPEX METAL WORKS INC., MONMOUTH-OCEAN COLLECTION SVC., INC., ASSIGNEE OF ERIC A. WURMSER M.D.,

CHRISTINE PARK, hereafter their heirs, devisees, and personal representatives, and his, her, their or any of their successors in right, title and interest;

YOU ARE HEREBY SUMMONED AND REQUIRED TO serve upon ZUCKER, GOLDBERG & ACKERMAN, LLC, ESQS., plaintiffs attorneys, whose address is 200 Sherrill Street, Suite 101, Mountainside, New Jersey 07092-0024, telephone number 1-800-238-6500, an answer to the Complaint filed in a civil action in which Federal Home Loan Mortgage Corporation (Freddie Mac), the plaintiff, and the State of America is the defendant, and the State of America is the plaintiff, and the State of New Jersey is the defendant, pending in the Superior Court of New Jersey, Chancery Division, Bergen County, and hearing Docket F-024167-14 within thirty-five (35) days after October 3, 2014 exclusive of such date, or it published after October 3, 2014, (35) days after the actual date of such publication, exclusive of such date. If you fail to do so, judgment by default may be rendered against you for the

Signs corrected in North Hudson County Park – September 29, 2014

79th & Bergenline





79th & Broadway

North Bergen Preschool/Bruin Stadium

PUBLIC SCOPING HEARING NOTICE

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Woodcliff Ave.

PUBLIC SCOPING HEARING NOTICE

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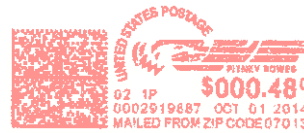
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TOWNSHIP OF NORTH BERGEN
DEPT OF PUBLIC AFFAIRS
4233 KENNEDY BOULEVARD
NORTH BERGEN, NJ 07047



Hudson County Board of Chosen Freeholders
567 Pavonia Avenue
Jersey City, NJ 07306



CHRISTOPHER PLANESE
TOWNSHIP ADMINISTRATOR

TOWNSHIP OF NORTH BERGEN
DEPARTMENT OF PUBLIC AFFAIRS
4233 KENNEDY BOULEVARD
NORTH BERGEN, NEW JERSEY 07047

TELEPHONE
(201) 896-8027
FAX
(201) 896-7084
CRANE@NORTHBERGEN.NJ.US

September 30, 2014

Hudson County Board of Chosen Freeholders
567 Pavonia Avenue
Jersey City, NJ 07306

RE: Notices of Scoping Hearing for Proposed Diversion

Dear Hudson County Board of Chosen Freeholders,

The purpose of this letter is to inform you that the Township of North Bergen and the County of Hudson have contacted the New Jersey Department of Environmental Protection, Green Acres Program proposing to divert approximately 1.1 acres of the James J. Braddock North Hudson County Park in order to keep the North Bergen Pre-School in its current location within the park. A scoping hearing will be held at the North Bergen High School Auditorium - 7417 Kennedy Boulevard, North Bergen, NJ 07047 - on Wednesday November 5, 2014 at 6:00 PM in order to obtain public comment this proposal. Please note that this marks a change to the previous hearing date about which you were recently notified. Pursuant to N.J.A.C. 7:36-26.8(e), on or before October 5, 2014 all interested parties will be notified of this hearing and invited to attend and participate.

As per the various methods of notification required by this process, the public will be provided the additional means by which to comment on the matter by submitting said comments to this office at 4233 Kennedy Boulevard, North Bergen, NJ 07047; to the office of the Hudson County Administrator at 567 Pavonia Ave., 4th fl., Jersey City, NJ 07306; or to the North Bergen Diversion coordinator at (908) 763-2077.

Please do not hesitate to contact me or any of the other designated offices with questions or comments.

Sincerely,


Christopher Planese
Township Administrator

TOWNSHIP OF NORTH BERGEN
DEPT OF PUBLIC AFFAIRS
4233 KENNEDY BOULEVARD
NORTH BERGEN, NJ 07047



Randi Moore
Division Director
Hudson County Div of Housing & Comm
Development
257 Cornelison Ave, 2nd Floor
Jersey City, NJ 07302



TOWNSHIP OF NORTH BERGEN
DEPARTMENT OF PUBLIC AFFAIRS
4233 KENNEDY BOULEVARD
NORTH BERGEN, NEW JERSEY 07047

TELEPHONE:
(201) 888-2027
FAX:
(201) 880-7884
CPIANESE@NORTHBERGEN.NJ.GOV

September 30, 2014

Randi Moore
Division Director
Hudson County Division of Housing and Community Development
257 Cornelison Ave, 2nd Floor
Jersey City, NJ 07302

RE: Notice of Scoping Hearing for Proposed Diversion

Dear Ms. Moore,

The purpose of this letter is to inform you that the Township of North Bergen and the County of Hudson have contacted the New Jersey Department of Environmental Protection, Green Acres Program proposing to divert approximately 1.1 acres of the James J. Braddock North Hudson County Park in order to keep the North Bergen Pre-School in its current location within the park. A scoping hearing will be held at the North Bergen High School Auditorium - 7417 Kennedy Boulevard, North Bergen, NJ 07047 - on Wednesday November 5, 2014 at 6:00 PM in order to obtain public comment this proposal. Please note that this marks a change to the previous hearing date about which you were recently notified. Pursuant to N.J.A.C. 7:36-26.8(c), on or before October 5, 2014 all interested parties will be notified of this hearing and invited to attend and participate.

As per the various methods of notification required by this process, the public will be provided the additional means by which to comment on the matter by submitting said comments to this office at 4233 Kennedy Boulevard, North Bergen, NJ 07047; to the office of the Hudson County Administrator at 567 Pavonia Ave., 4th fl., Jersey City, NJ 07306; or to the North Bergen Diversion coordinator at (908) 763-2077.

Please do not hesitate to contact me or any of the other designated offices with questions or comments.

Sincerely,

A handwritten signature in blue ink, reading "Christopher Pianese".

Christopher Pianese
Township Administrator

TOWNSHIP OF NORTH BERGEN
DEPT OF PUBLIC AFFAIRS
4233 KENNEDY BOULEVARD
NORTH BERGEN, NJ 07047



Massiel Medina Ferrara, PP/AICP
Hudson County Division of Planning
Meadowview Campus, Bldg. 1, 2nd Floor
595 County Avenue
Secaucus, NJ 07094



CHRISTOPHER PINARESE
TOWNSHIP ADMINISTRATOR

TOWNSHIP OF NORTH BERGEN
DEPARTMENT OF PUBLIC AFFAIRS
4233 KENNEDY BOULEVARD
NORTH BERGEN, NEW JERSEY 07047

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(201) 363-2027
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(201) 363-7884
CPINARESE@NORTHBERGEN.NJ.NG

September 30, 2014

Massiel Medina Ferrara, PP/AICP
Division Chief/Planning Board Secretary
Hudson County Division of Planning
Meadowview Campus, Bldg. 1, 2nd Floor
595 County Avenue
Secaucus, New Jersey 07094

RE: Notice of Scoping Hearing for Proposed Diversion

Dear Ms. Ferrara,

The purpose of this letter is to inform you that the Township of North Bergen and the County of Hudson have contacted the New Jersey Department of Environmental Protection, Green Acres Program proposing to divert approximately 1.1 acres of the James J. Braddock North Hudson County Park in order to keep the North Bergen Pre-School in its current location within the park. A scoping hearing will be held at the North Bergen High School Auditorium – 7417 Kennedy Boulevard, North Bergen, NJ 07047 – on Wednesday November 5, 2014 at 6:00 PM in order to obtain public comment this proposal. Please note that this marks a change to the previous hearing date about which you were recently notified. Pursuant to N.J.A.C. 7:36-26.8(e), on or before October 5, 2014 all interested parties will be notified of this hearing and invited to attend and participate.

As per the various methods of notification required by this process, the public will be provided the additional means by which to comment on the matter by submitting said comments to this office at 4233 Kennedy Boulevard, North Bergen, NJ 07047; to the office of the Hudson County Administrator at 567 Pavonia Ave., 4th fl., Jersey City, NJ 07306; or to the North Bergen Diversion coordinator at (908) 763-2077.

Please do not hesitate to contact me or any of the other designated offices with questions or comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Christopher Pinarese".

Christopher Pinarese
Township Administrator

TOWNSHIP OF NORTH BERGEN
DEPT OF PUBLIC AFFAIRS
4233 KENNEDY BOULEVARD
NORTH BERGEN, NJ 07047



Caroline Armstrong
State of NJ-Department of Env Protection
Green Acres Program
Mail Code 501-01/ P.O. Box 420
Trenton, NJ 08625-0420



CHRISTOPHER PIANESE
TOWNSHIP ADMINISTRATOR

TOWNSHIP OF NORTH BERGEN
DEPARTMENT OF PUBLIC AFFAIRS
4233 KENNEDY BOULEVARD
NORTH BERGEN, NEW JERSEY 07047

TELEPHONE
(201) 808-2027
Fax
(201) 890-7844
FAXED TO NORTH BERGEN, NJ

September 30, 2014

Caroline Armstrong
State of New Jersey
Department of Environmental Protection
Green Acres Program
Mail Code 501-01
P.O. Box 420
Trenton, NJ 08625-0420

RE: Notice of Scoping Hearing for Proposed Diversion

Dear Ms. Armstrong,

The purpose of this letter is to inform you that the Township of North Bergen and the County of Hudson have contacted the New Jersey Department of Environmental Protection, Green Acres Program proposing to divert approximately 1.1 acres of the James J. Braddock North Hudson County Park in order to keep the North Bergen Pre-School in its current location within the park. A scoping hearing will be held at the North Bergen High School Auditorium - 7417 Kennedy Boulevard, North Bergen, NJ 07047 - on Wednesday November 5, 2014 at 6:00 PM in order to obtain public comment this proposal. Please note that this marks a change to the previous hearing date about which you were recently notified. Pursuant to N.J.A.C. 7:36-26.8(e), on or before October 5, 2014 all interested parties will be notified of this hearing and invited to attend and participate.

As per the various methods of notification required by this process, the public will be provided the additional means by which to comment on this matter by submitting said comments to this office at 4233 Kennedy Boulevard, North Bergen, NJ 07047; to the office of the Hudson County Administrator at 567 Pavonia Ave., 4th fl., Jersey City, NJ 07306; or to the North Bergen Diversion coordinator at (908) 763-2077.

We are grateful for your guidance throughout this process. Please do not hesitate to contact me or any of the other designated offices with questions or comments.

Sincerely,


Christopher Pianese
Township Administrator

TOWNSHIP OF NORTH BERGEN
DEPT OF PUBLIC AFFAIRS
4233 KENNEDY BOULEVARD
NORTH BERGEN, NJ 07047



Massiel Ferrara, PP/AICP
Hudson County Division of Planning
Meadowview Campus, Bldg. 1, 2nd Floor
595 County Avenue
Secaucus, NJ 07094



CHRISTOPHER PIAMESE
TOWNSHIP ADMINISTRATOR

TOWNSHIP OF NORTH BERGEN
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NORTH BERGEN, NEW JERSEY 07047

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CPIAMESE@NORTHBERGEN.NJ.GOV

September 30, 2014

Massiel Ferrara, PP/AICP
Hudson County Open Space Advisory Board
Hudson County Division of Planning
Meadowview Campus, Bldg. 1, 2nd Floor
595 County Avenue
Secaucus, New Jersey 07094

RE: Notice of Scoping Hearing for Proposed Diversion

Dear Hudson County Open Space Advisory Board,

The purpose of this letter is to inform you that the Township of North Bergen and the County of Hudson have contacted the New Jersey Department of Environmental Protection, Green Acres Program proposing to divert approximately 1.1 acres of the James J. Braddock North Hudson County Park in order to keep the North Bergen Pre-School in its current location within the park. A scoping hearing will be held at the North Bergen High School Auditorium - 7417 Kennedy Boulevard, North Bergen, NJ 07047 - on Wednesday November 5, 2014 at 6:00 PM in order to obtain public comment this proposal. Please note that this marks a change to the previous hearing date about which you were recently notified. Pursuant to N.J.A.C. 7:36-26.8(e), on or before October 5, 2014 all interested parties will be notified of this hearing and invited to attend and participate.

As per the various methods of notification required by this process, the public will be provided the additional means by which to comment on the matter by submitting said comments to this office at 4233 Kennedy Boulevard, North Bergen, NJ 07047; to the office of the Hudson County Administrator at 567 Pavonia Ave., 4th fl., Jersey City, NJ 07306; or to the North Bergen Diversion coordinator at (908) 763-2077.

Please do not hesitate to contact me or any of the other designated offices with questions or comments.

Sincerely,

Christopher Piamese
Township Administrator



North Bergen Township Board of Commissioners
4233 Kennedy Boulevard
North Bergen, NJ 07047



CHRISTOPHER PLANESSE
TOWNSHIP ADMINISTRATOR

TOWNSHIP OF NORTH BERGEN
DEPARTMENT OF PUBLIC AFFAIRS
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CRANZCO@NORTH.BERGEN.NJ

September 30, 2014

North Bergen Township Board of Commissioners
4233 Kennedy Boulevard
North Bergen, NJ 07047

RE: Notice of Scoping Hearing for Proposed Diversion

Dear North Bergen Township Board of Commissioners,

The purpose of this letter is to inform you that the Township of North Bergen and the County of Hudson have contacted the New Jersey Department of Environmental Protection, Green Acres Program proposing to divert approximately 1.1 acres of the James J. Braddock North Hudson County Park in order to keep the North Bergen Pre-School in its current location within the park. A scoping hearing will be held at the North Bergen High School Auditorium - 7417 Kennedy Boulevard, North Bergen, NJ 07047 - on Wednesday November 5, 2014 at 6:00 PM in order to obtain public comment this proposal. Please note that this marks a change to the previous hearing date about which you were recently notified. Pursuant to N.J.A.C. 7:36-26.8(c), on or before October 5, 2014 all interested parties will be notified of this hearing and invited to attend and participate.

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Please do not hesitate to contact me or any of the other designated offices with questions or comments.

Sincerely,

A handwritten signature in blue ink that reads "Christopher Planesse".

Christopher Planesse
Township Administrator

TOWNSHIP OF NORTH BERGEN
DEPT OF PUBLIC AFFAIRS
4233 KENNEDY BOULEVARD
NORTH BERGEN, NJ 07047



Gerry Baker
Planning Board Secretary
North Bergen Township Planning Board
4233 Kennedy Blvd., Room # 201
North Bergen, NJ 07047



CHRISTOPHER PIANESE
TOWNSHIP ADMINISTRATOR

TOWNSHIP OF NORTH BERGEN

DEPARTMENT OF PUBLIC AFFAIRS

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TRANSP@NORTHBERGEN.NJ.NG

September 30, 2014

Gerry Baker
Planning Board Secretary
North Bergen Township Planning Board
4233 Kennedy Blvd. Room #201
North Bergen, NJ 07047

RE: Notice of Scoping Hearing for Proposed Diversion

Dear Ms. Baker,

The purpose of this letter is to inform you that the Township of North Bergen and the County of Hudson have contacted the New Jersey Department of Environmental Protection, Green Acres Program proposing to divert approximately 1.1 acres of the James J. Braddock North Hudson County Park in order to keep the North Bergen Pre-School in its current location within the park. A scoping hearing will be held at the North Bergen High School Auditorium – 7417 Kennedy Boulevard, North Bergen, NJ 07047 – on Wednesday November 5, 2014 at 6:00 PM in order to obtain public comment this proposal. Please note that this marks a change to the previous hearing date about which you were recently notified. Pursuant to N.J.A.C. 7:36-26.8(c), on or before October 5, 2014 all interested parties will be notified of this hearing and invited to attend and participate.

As per the various methods of notification required by this process, the public will be provided the additional means by which to comment on the matter by submitting said comments to this office at 4233 Kennedy Boulevard, North Bergen, NJ 07047; to the office of the Hudson County Administrator at 567 Pavonia Ave., 4th fl., Jersey City, NJ 07306; or to the North Bergen Diversion coordinator at (908) 763-2077.

Please do not hesitate to contact me or any of the other designated offices with questions or comments.

Sincerely,

Christopher Pianese
Township Administrator

County of Hudson/Township of North Bergen

Green Acres Program State House Commission Pre-Application Local Parkland – Major Diversion

Summary of Public Comments

➔ There were both concerns over and support for the proposal to execute the diversion of land within Braddock Park. Several recurring themes of concern echoed both during the scoping hearing and during the public comment period. They can best be summarized by the following:

- Dangerous precedents being set for the breaking up of public parks and removal of recreational facilities and open space
- Interfering with the continuity of Braddock park
- Restricting access to areas that would otherwise be enjoyed by the public
- Inadequacies with the replacement properties, such as the location of replacement land in a jurisdiction outside of North Bergen and lots of inadequate size to be properly enjoyed
- Other places for the preschool not being explored, especially with actions taken by other districts in the county in mind
- General safety of the area
- Dissatisfaction with the impression that the “committee” (Twp, BOE, County) presents this concept as a “done deal”

➔ Many residents spoke in favor of the Diversion, most noting the following:

- Social disconnect between those for and those against the proposal, noting that Braddock park is generally more accessible to the more affluent citizens of North Bergen and that the proposal provides for recreational facilities in neighborhoods where none now exist
- The park’s safe atmosphere for the children
- The positive learning environment and improvement over space that is afforded for the general population within other local schools
- The fact that the trailers have been there for years and have not impacted “anyone’s” enjoyment of the park
- The proposed replacement facilities would get much more/better use than would the current site of the current site were vacant of trailers

➔ At the hearing, members from the applicant group spoke in direct response to the concerns of the public, expressing the following:

- The proposal in no way opens the door for further development beyond the footprint of the existing parcel, especially not private development
- The cost of all of the options explored prior to the meeting and those suggested at the hearing cannot/should not be borne by the taxpayers, and that the State paid for the expensive projects previously referenced at the hearing
- The BOE has gone through “tireless” efforts to find other locations for schools over the past 12 years
- The park is an extremely safe location for the children

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STATE OF NEW JERSEY
COUNTY OF HUDSON
TOWNSHIP OF NORTH BERGEN
WEDNESDAY, NOVEMBER 5, 2014
COMMENCING AT 6:12 P.M.

IN THE MATTER OF : TRANSCRIPT OF
SCOPING HEARING : PROCEEDING

B E F O R E:

BRIAN M. CHENCASKIE, MODERATOR

LAURIE COTTER, DEPUTY ADMINISTRATOR

SUSAN MCCURRIE, HUDSON COUNTY COUNSEL'S OFFICE

CHRISTOPHER PIANESE, TOWNSHIP ADMINISTRATOR

ROBERT DOWD, CHIEF OF POLICE

STEVEN SOMICK, BUSINESS ADMINISTRATOR, BOE

GEORGE SOLTER, JR., SUPERINTENDENT OF SCHOOLS

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
P.O. BOX 505
SADDLE BROOK, NEW JERSEY 07663
(201) 641-1812
(201) 843-0515 FAX
LauraACarucciLLC@gmail.com

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 ALSO PRESENT:

2 NATHAN BURROUGHS, BRUNO ASSOCIATES, INC.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

I N D E X

SPEAKERS PAGE

NATHAN BURROUGHS

ROBERT WALDEN 19
7855 Boulevard East

JODI JAMISON 23
8600 Boulevard East

LILI MARTINEZ 26
405 79th Street

JOHN AMATO 27
135 78th Street

PEGGY WONG 32
8550 Boulevard East

ALAN WEISSMAN 37
7855 Boulevard East

MURIEL WOLLANE 38
7855 Boulevard East

SUZANNE WARSHAVSKY 40
7855 Boulevard East

JOSEPH PATTON 42

LARRY WAISTEIN 42
7414 4th Avenue, North Bergen

FRANSISCO COMPANIONI 44
300 Woodcliff Avenue

JULIO MARENZO 46
1214 9th Street

ESTHER ORTEGA 48
8306 5th Avenue

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

I N D E X (continued)

SPEAKERS PAGE

KRISTIN RUDD-DIAZ 52
603 81st Street

ANTHONY VAINIERI 55
7803 5th Avenue

ABE GARCIA 56
6405 Durham Avenue

INAYA JAASAR 58
1433 70th Street

HILDA FRENES 59
5012 43rd Street

GLORIA ALCOSER 61
1216 12th Street

ALLICIA GIANNAKOS 63
703 Columbia Avenue

STACY MANZI 64
723 Columbia Avenue

LISSETTE MALPICA 66
729 Liberty Avenue

ANABIA OVALLES 68
1203 80th Street

LESLIE CORREA 69
1808 West Street

MARIA HIDALGO 72
7055 Boulevard East

MAYOR NICHOLAS J. SACCO 74

MARICIMA JAUREGUY 80
7631 1st Avenue

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

06:06PM 1 that are set up to outline specifically the
06:06PM 2 properties set that we are going to be speaking with and
06:06PM 3 Grace Lynch and Michael Milla, the school board
06:06PM 4 architect, will be here to address any questions that
06:06PM 5 might be had in the audience for the specific
06:06PM 6 facilities.

06:05PM **7** Mr. Borroughs will give an overview and
06:06PM **8** what is required by law, what is being proposed, what
06:06PM **9** has been done by the Township, Board of Education and
06:06PM **10** the County in order to address the issues.

06:06PM **11** And then there will be a question
06:06PM **12** period. Those questions will be limited to the
06:06PM **13** speakers who have identified themselves on the list.
06:06PM **14** And also will be limited to three minutes. Certainly
06:06PM **15** that time period will be extended depending on the
06:06PM **16** types of questions that are being asked.

06:06PM **17** In addition I would ask everyone to
06:06PM **18** wait until the question period and Mr. Burroughs
06:06PM **19** finishes his presentation.

06:06PM **20** By law we have to keep of stenographic
06:06PM **21** transcript of what is transpiring in this hearing for
06:06PM **22** both the state and federal governments. So there is
06:06PM **23** a Court Stenographer present that will be taking down
06:06PM **24** all the comments that are made.

So it's important that when your
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

6

08:04PM 1 MR. CHEWCASKIE: Good evening,
08:04PM 2 everybody. The purpose of tonight's hearing is a
08:04PM 3 scoping meeting which I will explain more about
08:04PM 4 later, but it's required by the New Jersey Department
08:04PM 5 of Environmental Protection and Parkland Service Land
08:04PM 6 Water Observation Fund.

08:04PM 7 My name is Brian Chewcaskie. I am an
08:04PM 8 attorney. I have been assisting the Township and the
08:04PM 9 Board of Education with respect to this process.

08:04PM 10 With me this evening on behalf of the
08:04PM 11 County of Hudson sitting to my right are Laurie
12 Cotter the Deputy Administrator and Susan McCurrie of
13 the Hudson County Counsel's Office.

14 To my left on behalf of the Township of
15 North Bergen is Christopher Pianese the Township
16 Administrator and Robert Dowd the Chief of Police.

17 And further to my right George Solter,
18 Superintendent of Schools and Steven Somick, Business
19 Administrator.

20 Standing at the podium is our
21 consultant Nate Burroughs who is been handling this
22 diversionary process with the state and federal
23 governments. And he is with the firm of Bruno
24 Associates.

25 In addition, we have several boards

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

08:06PM 1 question is asked that there be sufficient period of
08:06PM 2 time for a response before we get to the next
08:06PM 3 question.

08:06PM 4 So without anything further, I would
08:06PM 5 turn it over to Mr. Burroughs.

08:06PM 6 Nate?

08:06PM 7 MR. BURROUGHS: Thank you, Brian.

08:06PM 8 Good evening, everyone. As Brian said
08:06PM 9 my name is Nate Burroughs. I am a consultant. I
08:07PM 10 work for the firm of Bruno Associates. I have been
08:07PM 11 working with the Township and the Board of Ed for the
08:07PM 12 past several years. And this process has been
08:07PM 13 ongoing to the past several years.

08:07PM 14 For the purpose of the hearing and for
08:07PM 15 all of you in the crowd, I'm going to be following
08:07PM 16 pretty closely with the handout so if you have
08:07PM 17 trouble hearing me or if you're more of a visual
08:07PM 18 person, follow along, go right along with this
08:07PM 19 (indicating). And I'll try to be as clear as
08:07PM 20 possible.

08:07PM 21 The purpose of the hearing, the history
08:07PM 22 of the preschool, and the proposal to achieve
08:07PM 23 compliance with state and federal regulations is
08:07PM 24 going to be pretty much summarized. It's been a long
08:07PM 25 process, all the details we cannot give you in the

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201-641-1812

06:07PM 1 next couple of hours. I hopefully will clarify your
06:07PM 2 understanding of what is going on.
06:07PM 3 As Mr. Chewcaskie said, try to hold all
06:08PM 4 your questions until we get to the end then everyone
06:08PM 5 will be given a chance to speak.

06:08PM 6 And I ask if you do speak, just make
06:08PM 7 sure you get your name down on this paper
06:08PM 8 (indicating).

06:08PM 9 So, what we're doing tonight just so
06:08PM 10 you are all made aware of the diversion and the
06:08PM 11 conversion proposals, and you're provided an
06:08PM 12 opportunity to offer your opinions and concerns,
06:08PM 13 support, whatever you want to say on that.

06:08PM 14 At first I think it's important to
06:08PM 15 understand those terms. As you can see on the paper
06:08PM 16 here what a "diversion" is, a diversion is a term
06:08PM 17 that's used by the New Jersey Department of
06:08PM 18 Environmental Protection. It just means a transition
06:08PM 19 from the originally intended recreational use.
06:08PM 20 Because the County and the Township both received
06:08PM 21 funds from New Jersey Department of Environmental
06:08PM 22 Protection for Green Acres Program and the park,
06:08PM 23 itself, where the preschool is, is on the list of
06:09PM 24 protected properties, that is why we must go through
06:09PM 25 this diversion because the use of that land, as a

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

06:09PM 1 preschool, is not considered an acceptable use.

06:09PM 2 Again, just make note that no diversion
06:09PM 3 will be approved by the State unless it goes through
06:09PM 4 a public meeting which is what over the past several
06:09PM 5 years we have determined.

06:09PM 6 And it goes without saying that the
06:09PM 7 service provided of themselves are in public/private
06:09PM 8 land.

06:09PM 9 The conversion, I don't want to confuse
06:09PM 10 anyone but it's important that we state that -- tell
06:09PM 11 you what conversion is. As with diversion, it's a
06:09PM 12 term used by the National Park Service at a federal
06:09PM 13 level to mean a transition from the originally
06:09PM 14 intended recreational use.

06:09PM 15 The county received funds from the
06:09PM 16 National Park Service Land and Water Conservation
06:09PM 17 Fund back almost 40 years ago to develop the park,
06:10PM 18 and I believe possibly to purchase some land.

06:10PM 19 MS. McCURRIE: That was for
06:10PM 20 improvements to the property.

06:10PM 21 MR. BURROUGHS: Improvements.

06:10PM 22 So it wasn't for -- it was for
06:10PM 23 improvements to the overall 174 acre park of which
06:10PM 24 the -- the parcel in question makes up about a little
06:10PM 25 over half a percentage of that.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

06:10PM 1 So, similarly, because 40 years ago
06:10PM 2 funding was received through that program, we've got
06:10PM 3 to go through this conversion process in order to
06:10PM 4 allow the preschool to remain. That is our proposal.

06:10PM 5 A little bit of history here. The
06:10PM 6 preschool trailers were placed where they are now
06:10PM 7 within the park, corner of Bruin stadium which is
06:10PM 8 leased from the county by the township, roughly
06:10PM 9 12 years ago September, as a temporary measure and
06:10PM 10 they stayed there for a number of reasons.

06:10PM 11 Perhaps number one, I can't really
06:11PM 12 speak for them, but one of the top reasons was
06:11PM 13 because everyone found the location to be safe and
06:11PM 14 secure and comfortable. Another is because they
06:11PM 15 didn't seem to be disrupting anyone. Another is that
06:11PM 16 they actually brought benefit to the park. And by
06:11PM 17 that I mean that during the day hours when the park
06:11PM 18 is rarely used by the public, and there isn't sort of
06:11PM 19 any formal sort of supervision, at least there's some
06:11PM 20 sort of supervisory presence in the form of
06:11PM 21 administrators or even just families with parent and
06:11PM 22 adults being in the park.

06:11PM 23 Additionally, at first, local officials
06:11PM 24 were not aware that the unauthorized land use was an
06:11PM 25 issue until notified by the state in 2011.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

06:11PM 1 So at first the issue was we've got to
06:11PM 2 find a place because the State has mandated that we
06:11PM 3 need a preschool. Where can we put it? Temporarily
06:12PM 4 let's place it here it, it's out of the way, and move
06:12PM 5 forward.

06:12PM 6 So back here in 2011 personnel from DEP
06:12PM 7 contacted the township in writing and made us aware
06:12PM 8 that the pre-K was not allowed -- is not an allowed
06:12PM 9 land use under state regulations.

06:12PM 10 So for about -- from that point on for
06:12PM 11 about two-and-a-half years the township, together
06:12PM 12 with the Board of Education evaluated a lot of
06:12PM 13 potential options with every intention from day one
06:12PM 14 of moving on that site.

06:12PM 15 I think at first we didn't think it was
06:12PM 16 going to be so difficult to come up with an alternate
06:12PM 17 site. And then we started evaluating all the
06:12PM 18 different aspects and that proved not to be the case.

06:12PM 19 So there were a number of drawbacks
06:12PM 20 that we found. And number one was safety. We didn't
06:12PM 21 find another alternative that was nearly as safe and
06:13PM 22 secure for the children as the current location is in
06:13PM 23 the park.

06:13PM 24 Another was cost, acquisition and
06:13PM 25 construction costs, in some cases, depending on the

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06:13PM 1 site that we looked at, the most expensive
06:13PM 2 alternatives were -- every alternative was found to
06:13PM 3 be much, much more expensive than the current
06:13PM 4 situation in the park.

06:13PM 5 And as you see in the write up that
06:13PM 6 could end up costing the public seven to \$10 million.
06:13PM 7 Logistics and traffic, neighborhood disruptions, all
06:13PM 8 these were found to be significant factors deterring
06:13PM 9 us from moving forward with any of the alternatives
06:13PM 10 that we evaluated. And there were many.

06:13PM 11 If you look below, I've listed five of
06:13PM 12 the ones we looked at along the way.

06:13PM 13 As you can see 54th Street and Tonnelle
06:14PM 14 Avenue (indicating), that was -- there was some
06:14PM 15 logistical issues, vehicle access was projected to be
06:14PM 16 an issue. High preliminary cost was an issue, as
06:14PM 17 estimates for construction. There was a suspicion of
06:14PM 18 contamination, we didn't push forward -- we thought
06:14PM 19 we'd find a better option. Then we continued on.

06:14PM 20 There was a location on 16th Street.
06:14PM 21 We found that one, after entertaining nearly a year's
06:14PM 22 worth of -- we went through an RFP process looking
06:14PM 23 for a lease-purchase proposal. We thought we could
06:14PM 24 achieve that and not exceed budgetary costs and
06:14PM 25 budgetary restraints.

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06:16PM 1 two locations, two.

06:16PM 2 We looked at Hudson News and all --
06:16PM 3 again, as I said, all of these take a significant
06:16PM 4 amount -- have taken a significant amount of time.
06:16PM 5 And we don't -- and our time is limited. And this is
06:16PM 6 the State pushing us to say, listen, we're going to
06:16PM 7 move and with -- with the committee saying we're
06:16PM 8 doing our best.

06:16PM 9 We came to a certain point after
06:16PM 10 evaluating these five options that I listed here --
06:16PM 11 well, more than five. We came to a certain point
06:16PM 12 where we said, listen, the best option seems to be --
06:16PM 13 for the children, for the community, seems to be for
06:16PM 14 us to stay in this location and pursue it as an
06:16PM 15 actual diversion. Like I said at first we thought we
06:16PM 16 wouldn't need a diversion. Two and a half years
06:16PM 17 later we said I think we have to pursue that option.

06:16PM 18 Some of the reasons we think that this
06:16PM 19 is a beneficial proposal I have listed here. The
06:16PM 20 provisions of preschool classes is mandated by the
06:16PM 21 State. In this township the pre-K serves about 270
06:17PM 22 children every year. In a given year anywhere from
06:17PM 23 16 to 19 percent of those attend special classes and
06:17PM 24 four to five percent are classified on the Autism
06:17PM 25 Spectrum. Providing these services to the most

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06:14PM 1 And after going through about a year of
06:14PM 2 development RFPs and waiting for responses and going
06:14PM 3 back to the developers, both of the options that came
06:14PM 4 in were exorbitantly high, between 12 and 14 times
06:14PM 5 the cost to lease the site than was currently
06:15PM 6 expended on the budget by the Board of Education.

06:15PM 7 Liberty Avenue that site had the same
06:15PM 8 issue. It was just an untenable situation in terms
06:15PM 9 of cost.

06:15PM 10 Going through that process we also
06:15PM 11 decided to go through the RFP process after putting a
06:15PM 12 committee together and searching the Board of Ed and
06:15PM 13 the township and local officials thinking about what
06:15PM 14 sites were available, where we could go.

06:15PM 15 FEMALE AUDIENCE MEMBER: What is RFP
06:15PM 16 process?

06:15PM 17 MR. BURROUGHS: Can you just give me --
06:15PM 18 It's a request for proposals.

06:15PM 19 Sorry, I lost my place there.

06:15PM 20 Oh, we did that because we were having
06:15PM 21 trouble on our own finding sites we thought could be
06:15PM 22 viable. I said, okay, we'll put this request for
06:15PM 23 proposal out. We had some developers come back to us
06:15PM 24 and say let's do something at this site A, B or C.

06:15PM 25 We put that RFP out. And only two responses, with

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06:17PM 1 vulnerable members of the community in safest
06:17PM 2 atmosphere possible should be considered, is
06:17PM 3 considered by the group you see here in town and
06:17PM 4 public meetings hopefully most of us here.

06:17PM 5 There are other public benefits that
06:17PM 6 have been created by establishing the preschool at
06:17PM 7 this location that that would continue with the
06:17PM 8 proposal to keep the school here. They include
06:17PM 9 increased daily use of the park by children and
06:17PM 10 families, adding to a greater sense of passive
06:17PM 11 security, as I mentioned earlier. And then there are
06:17PM 12 the physical enhancements to the park that benefit
06:17PM 13 everybody who comes to the park, lighting and
06:17PM 14 landscaping, protective fencing, improvement of the
06:18PM 15 park area, not being more parking, just improving the
06:18PM 16 parking area so that the parking surface is the
06:18PM 17 permeable surface and not creating more parking,
06:18PM 18 improved facilities, playground facilities that are
06:18PM 19 open to the public.

06:18PM 20 As part of this diversion package
06:18PM 21 there's other compensation. And part of that is the
06:18PM 22 addition of the open space for public use.

06:18PM 23 So in the end, nearly 3.4 acres of
06:18PM 24 currently unprotected land will be improved and open
06:18PM 25 protected by statute for recreational and open space

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06:18PM 1 purposes.

06:18PM 2 The acreage will include two sites in
06:18PM 3 North Bergen which you can see here (indicating).
06:18PM 4 Those two sites are the new 1.5 acre park on Paterson
06:18PM 5 Plank Road, which is currently unused car wash and .7
06:18PM 6 acres along River Road where access and security for
06:18PM 7 the Bird Sanctuary would be enhanced.

06:18PM 8 On top of that, 1.1 acres along 14th
06:18PM 9 Street in Hoboken will be converted and preserved for
06:18PM 10 recreational use. The open space and parkland to be
06:18PM 11 gained through the process is equivalent to nearly
06:18PM 12 two percent of Braddock's area while the land
06:18PM 13 currently occupied by the preschool is, as I said,
06:18PM 14 just over one half of a percentage of Braddock's
06:18PM 15 total area.

06:18PM 16 So there is some details on the
06:18PM 17 amenities of each site, but I think this would be a
06:18PM 18 good point for -- and just please remember, I mean
06:18PM 19 we're going to try to give you answers, but as I said
06:18PM 20 I kind of enumerated what went on with five different
06:18PM 21 sites.

06:18PM 22 But to evaluate any -- please suggest
06:18PM 23 any area -- I've heard people and I've seen people
06:18PM 24 say, oh, what about this place or that place.

06:18PM 25 Again, it takes time to look into and
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06:18PM 1 any -- any site that you may have -- you may think is
06:18PM 2 great, may have same problems we ran into along the
06:18PM 3 way.

06:18PM 4 But the purpose of this is to hear what
06:20PM 5 you have to say and to get your concerns or your
06:20PM 6 applause or your opinions for us.

06:20PM 7 So I think that's a good time to open
06:20PM 8 the floor and here we have to say please if you do
06:20PM 9 speak, make sure you state your name on the paper.
06:20PM 10 I've got a microphone so...

06:20PM 11 MR. CHEWCASKIE: For those who have
06:20PM 12 identified themselves as potential speakers, I would
06:20PM 13 ask you that come up and state your name and your
06:20PM 14 address for the record as is required by law for
06:20PM 15 purposes the hearing. And we'll certainly try to
06:20PM 16 entertain all the questions that you may have or any
06:20PM 17 comments.

06:20PM 18 MR. BURROUGHS: If you need a
06:20PM 19 translator, we do have translation services
06:20PM 20 available, just let us know.

06:20PM 21 MR. CHEWCASKIE: Nate, if I could ask
06:20PM 22 you, there is a list, maybe you can ask each person
06:20PM 23 to come up on the list --

06:20PM 24 MR. BURROUGHS: Sure.

06:20PM 25 MR. CHEWCASKIE: -- and is there an
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06:21PM 1 additional mike besides --

06:21PM 2 MR. BURROUGHS: Yes, right here.

06:21PM 3 MR. CHEWCASKIE: Okay. So why don't we
06:21PM 4 do it that way.

06:21PM 5 FEMALE AUDIENCE MEMBER: Is that the
06:21PM 6 extent of the presentation?

06:21PM 7 MR. BURROUGHS: Really the main purpose
06:21PM 8 is to talk about the alternatives we went through and
06:21PM 9 to talk about the town public meeting, the reasons
06:21PM 10 why none of the alternatives we looked at we found to
06:21PM 11 be reasonable. And to give you all the opportunity
06:21PM 12 to say what you think needs to be said and try and
06:21PM 13 give you answers and if we can't, maybe come back to
06:21PM 14 you at a certain -- another point in time to provide
06:21PM 15 those for you.

06:21PM 16 But the panel, hopefully, may have some
06:21PM 17 comments also. Did everybody get to write down their
06:21PM 18 name that wants to say something?

06:21PM 19 (NO RESPONSE.)

06:21PM 20 MR. BURROUGHS: Okay. I'm going to
06:21PM 21 start with Robert Walden.

06:22PM 22 MR. WALDEN: Where do you want me to
23 stand?

24 MR. BURROUGHS: At the podium.

25 MR. WALDEN: I am --

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1 THE COURT REPORTER: Sir, please state
2 your name for the record.

06:22PM 3 MR. WALDEN: Yes, Robert Walden, 7855
06:22PM 4 Boulevard East, North Bergen, New Jersey.

06:22PM 5 THE COURT REPORTER: Please spell your
06:22PM 6 last name?

06:22PM 7 MR. WALDEN: W-a-l-d-e-n.

06:22PM 8 THE COURT REPORTER: Thank you.

06:22PM 9 MR. WALDEN: I am all for a new park in
06:22PM 10 downtown North Bergen, but not at the expense of
06:22PM 11 permanently losing 1.1 acres of parkland next to the
06:22PM 12 Braddock Park Lake.

06:22PM 13 In 2001 -- can I stand over there
06:22PM 14 (indicating) because it's hard for me to stand over
06:22PM 15 here.

06:22PM 16 In 2001, the Mayor, State Senator and
06:22PM 17 Assistant Superintendent of Schools all repeatedly
06:22PM 18 said the preschool trailers would be in the park on a
06:22PM 19 temporary basis. Now 13 years later, the trailers
06:22PM 20 are still there, even though they're in violation of
06:22PM 21 state regulations.

06:22PM 22 They're in violation because the park
06:23PM 23 receives funding from the New Jersey DEP Green Acres
06:23PM 24 program which is intended for park recreation
06:23PM 25 facilities, not for a school.

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<p style="text-align: right;">21</p> <p>06:23PM 1 In an interview published a couple of</p> <p>06:23PM 2 weeks ago the Town Administrator admitted that the</p> <p>06:23PM 3 preschool wasn't allowed -- "wasn't allowed in the</p> <p>06:23PM 4 park".</p> <p>06:23PM 5 I believe the diversion plan will</p> <p>06:23PM 6 result in a cutting down of trees around the Braddock</p> <p>06:23PM 7 Park Lake, the building of a school or another town</p> <p>06:23PM 8 building, and the beginning of the end of a great</p> <p>06:23PM 9 park.</p> <p>06:23PM 10 Braddock Park is a precious natural</p> <p>06:23PM 11 resource. People visit the park from miles around.</p> <p>06:23PM 12 And it should be cared for and saved in one piece for</p> <p>06:23PM 13 future generations.</p> <p>06:23PM 14 In these past 13 years the town could</p> <p>06:23PM 15 have found money for a preschool without raising</p> <p>06:23PM 16 taxes, the commercial and taxpayer base should have</p> <p>06:23PM 17 grown with the increased population, the new upscale</p> <p>06:24PM 18 apartment complexes and new shopping centers full of</p> <p>06:24PM 19 large businesses.</p> <p>06:24PM 20 I dispute the claim that Braddock Park</p> <p>06:24PM 21 is a super safe location for the preschool. Two</p> <p>06:24PM 22 years ago a storm knocked a tree on to an electric</p> <p>06:24PM 23 wire onto two trailers which caught fire and were</p> <p>06:24PM 24 destroyed.</p> <p>06:24PM 25 And this past June a dead body and a</p> <p style="text-align: center;">LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812</p>	<p style="text-align: right;">23</p> <p>06:25PM 1 with the next speaker and then if the panel has any</p> <p>06:25PM 2 comments we can address all of them at the same time.</p> <p>06:25PM 3 MR. BURROUGHS: Okay. Sounds good.</p> <p>06:25PM 4 Okay. The next on the list is Linda?</p> <p>06:25PM 5 FEMALE AUDIENCE MEMBER: No, I'm not</p> <p>06:25PM 6 going to speak tonight. I just signed that.</p> <p>06:25PM 7 MR. BURROUGHS: Okay. Jodi Jamison?</p> <p>06:25PM 8 THE COURT REPORTER: Please state and</p> <p>06:25PM 9 spell your first and last name.</p> <p>06:25PM 10 MS. JAMISON: Yes. My name is Jodi</p> <p>06:25PM 11 Jamison, J-o-d-i J-a-m-i-s-o-n.</p> <p>06:25PM 12 Hi --</p> <p>06:25PM 13 MR. CHEWCASKIE: Ms. Jamison, if we</p> <p>06:25PM 14 could just have your address for the record?</p> <p>06:25PM 15 MS. JAMISON: Sure, 8600 Boulevard</p> <p>06:25PM 16 East, North Bergen.</p> <p>06:25PM 17 Hudson County is one of the most</p> <p>06:25PM 18 densely populated areas of the world. And our urban</p> <p>06:25PM 19 areas -- in our urban areas, the parks are our most</p> <p>06:25PM 20 treasured landscaping. New Jersey will be one of the</p> <p>06:25PM 21 first states -- will be the first state to be totally</p> <p>06:25PM 22 built out, and that means that all of the lands in</p> <p>06:25PM 23 the State will either be developed, have development</p> <p>06:27PM 24 planned or the land will be in preservation.</p> <p>06:27PM 25 And that's going to happen in my</p> <p style="text-align: center;">LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812</p>
<p style="text-align: right;">22</p> <p>06:24PM 1 homeless camp for 10 people were found in a small</p> <p>06:24PM 2 area of woods next to the trailers.</p> <p>06:24PM 3 I understand that there's some money</p> <p>06:24PM 4 problem. I understand you checked other sites. But</p> <p>06:24PM 5 there's no reason why this money can't be found.</p> <p>06:24PM 6 This is a necessary social service, a</p> <p>06:24PM 7 preschool. And you shouldn't take away from a park</p> <p>06:24PM 8 that the public uses.</p> <p>06:24PM 9 These parks are a joke (indicating).</p> <p>06:24PM 10 This one park is next to a hazardous waste site.</p> <p>06:24PM 11 It's surrounded by bus parking lots. There's no</p> <p>06:24PM 12 residences around there. It's underneath a viaduct.</p> <p>06:25PM 13 This other site (indicating) which is</p> <p>06:25PM 14 in North Bergen, is a commercial -- it's a commercial</p> <p>06:25PM 15 site, half of this land that you're talking about</p> <p>06:25PM 16 goes down hill to Tonnelle Avenue. And, again, there</p> <p>06:25PM 17 are very few residences around here.</p> <p>06:25PM 18 (Timer Sounds.)</p> <p>06:25PM 19 MR. WALDEN: Is that the time?</p> <p>06:25PM 20 I say no to this plan. It is a</p> <p>06:25PM 21 diversion.</p> <p>06:25PM 22 (Applause.)</p> <p>06:25PM 23 MR. BURROUGHS: Does anyone on the</p> <p>06:25PM 24 panel want to --</p> <p>06:25PM 25 MR. CHEWCASKIE: I think we should go</p> <p style="text-align: center;">LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812</p>	<p style="text-align: right;">24</p> <p>06:27PM 1 lifetime. And I'm not a spring chicken.</p> <p>06:27PM 2 Yesterday New Jersey voters voted 65</p> <p>06:27PM 3 percent to 35 percent for an increase in funding for</p> <p>06:27PM 4 steady funding for open space Green Acres Blue Acres</p> <p>06:27PM 5 and preserve farmlands and to keep agricultural</p> <p>06:27PM 6 viable in the State of New Jersey.</p> <p>06:27PM 7 And there's plenty of studies that show</p> <p>06:27PM 8 how important open space and parks are for human</p> <p>06:27PM 9 health. And I think we all know this inherently, but</p> <p>06:27PM 10 there are studies out there that show this.</p> <p>06:27PM 11 This park, Braddock Park, North Hudson</p> <p>06:27PM 12 Park, it was created probably almost a hundred years</p> <p>06:27PM 13 ago. It was set aside for future generations. It's</p> <p>06:27PM 14 received -- we've received Green Acres funding to</p> <p>06:27PM 15 maintain it, to develop more recreation in it.</p> <p>06:28PM 16 And all of this is done because we want</p> <p>06:28PM 17 to preserve this for the future. I believe that this</p> <p>06:28PM 18 request for diversion is a violation of the public</p> <p>06:28PM 19 trust. And it's a terrible precedence.</p> <p>06:28PM 20 If we start to cobble up our parks now</p> <p>06:28PM 21 eventually we're just going to have cobbled pieces of</p> <p>06:28PM 22 land in different places. And it's not going to</p> <p>06:28PM 23 amount to much of anything.</p> <p>06:28PM 24 As Bob said earlier this was -- we were</p> <p>06:28PM 25 told that this was only going to be a temporary</p> <p style="text-align: center;">LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812</p>

08:28PM 1 situation. I don't believe that these parks and
08:28PM 2 they're -- they're showing here (indicating) are --
08:28PM 3 these little slivers of land are considered to be of
08:28PM 4 equal value, which is part of the requirement for the
08:28PM 5 diversion. They have to replace the land with land
08:28PM 6 of equal value. This -- this is not seeming to be
08:28PM 7 the case.

08:28PM 8 Our children deserve some places to
08:28PM 9 play. They deserve great parks. The future deserves
08:28PM 10 great parks. And I believe that this is such a
08:28PM 11 violation of public trust that I think we should all
08:28PM 12 stand up and tell them not to do this.

08:28PM 13 I also think that there's probably some
08:28PM 14 better ways to deal with the preschool.

08:28PM 15 (Timer Sounds.)

08:28PM 16 MS. JAMISON: I don't understand why
08:28PM 17 we're not developing small little schools in the
08:28PM 18 different neighborhoods, even buying up a couple of
08:28PM 19 the houses and housing them there, so that these kids
08:28PM 20 can walk to school with their parents in their
08:28PM 21 neighborhoods, instead of being bused or driven back
08:28PM 22 into the park area.

08:28PM 23 That might be -- I think -- I think
08:28PM 24 that this may been an option you should start to
08:28PM 25 check out. I really think that this was a cop out.

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08:30PM 1 Thank you.

08:30PM 2 (Applause.)

08:30PM 3 MR. BURROUGHS: Next on the list we
08:30PM 4 have Lili --

08:30PM 5 MS. MARTINEZ: That's me.

08:30PM 6 MR. BURROUGHS: Lili -- I can't read
08:30PM 7 your last name.

08:30PM 8 MS. MARTINEZ: Martinez?

08:30PM 9 MR. BURROUGHS: Yes. I'm sorry.

08:30PM 10 MS. MARTINEZ: Lili Martinez --

08:30PM 11 THE COURT REPORTER: You have to speak
08:30PM 12 in the microphone so everyone can hear.

08:30PM 13 MS. MARTINEZ: Lili Martinez. And I
08:30PM 14 live at 405 79th Street, North Bergen.

08:30PM 15 THE COURT REPORTER: Spell your name
08:30PM 16 please.

08:30PM 17 MS. MARTINEZ: Lili, L-i-l-i, Martinez,
08:30PM 18 M-a-r-t-i-n-e-z.

08:30PM 19 THE COURT REPORTER: Thank you.

08:30PM 20 MS. MARTINEZ: I just found out about
08:30PM 21 this meeting. I don't understand why if this was the
08:30PM 22 problem in 2011, we went though all of this problem
08:30PM 23 and all this expense without asking the public first.
08:31PM 24 That would be my first question.

08:31PM 25 I didn't come prepared because this is
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08:31PM 1 an emotional issue for me.

08:31PM 2 I grew up in Hudson County, Union City,
08:31PM 3 Weehawkin, North Bergen downtown. And the park was a
08:31PM 4 respite from the urban city life. And it's been the
08:31PM 5 experience of all my peers and probably most of you
08:31PM 6 here. I am aghast that we want to break up this park
08:31PM 7 and build a school on it.

08:31PM 8 I second everything that the gentleman
08:31PM 9 who spoke first and the lady who spoke second -- I
08:31PM 10 second everything that they say and this is, I think,
08:31PM 11 a big problem for the county and especially all the
08:31PM 12 people that live around the park and ride their bike
08:31PM 13 to the park and sit at the park and used to be able
08:32PM 14 to take their little boats in the park. We're losing
08:32PM 15 bits and pieces of the park. That's it.

08:32PM 16 Thank you.

08:32PM 17 (Applause.)

08:32PM 18 MR. BURROUGHS: John Amato.

08:32PM 19 MR. AMATO: Good evening, my name is
08:32PM 20 John Amato, A-m-a-t-o. I live at 135 78th Street in
08:32PM 21 North Bergen.

08:32PM 22 I would like you to close your eyes for
08:32PM 23 a minute. We're 150 to 175 years into the future.
08:32PM 24 We take our spacecraft over the park. What I propose
08:32PM 25 we will see are developments all around the lake.

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08:32PM 1 When I wrote a letter to the county,
08:33PM 2 and the esteemed board, I want to thank you for your
08:33PM 3 response. And it says in that there would be no fear
08:33PM 4 of development by developers.

08:33PM 5 I am not afraid of developers. I'm
08:33PM 6 afraid of the local and county officials who may use
08:33PM 7 the excuse of diversionary Green Acres programs to
08:33PM 8 take away our precious parkland. I, too, was born
08:33PM 9 raised in North -- in Hudson County. And we have a
08:33PM 10 pristine park that little by little is going to be
08:33PM 11 partitioned.

08:33PM 12 When I wrote Green Acres I received
08:33PM 13 back a very long PDF document of 145 pages, but I
08:33PM 14 zeroed in on chapter 36, subchapter 26.

08:33PM 15 And Green Acres was surprised that they
08:34PM 16 didn't hear about it until 2010. Since it was not
08:34PM 17 major -- and I'm going to read to you a quote:

08:34PM 18 "Major diversion after the fact," major
08:34PM 19 -- major diversion after the fact, "since it
08:34PM 20 was not discovered by Green Acres inspectors
08:34PM 21 until 2010, despite the town's confirmation
08:34PM 22 that trailers have been there for 12 years."

08:34PM 23 Green Acres was surprised that the
08:34PM 24 residents have not objected earlier. She was told
08:34PM 25 that this was because it cannot be seen. All you can

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06:34PM 1 see is maybe a person -- a parking attendant or
 06:34PM 2 someone directing cars and the children where they're
 06:34PM 3 going and nothing else in an area in back of the lake
 06:34PM 4 where sometimes you see some undesirables walking
 06:34PM 5 back there.

06:34PM 6 And it says that: "Due to the -- "due
 06:35PM 7 to the after effect, after the fact, that
 06:35PM 8 since 2010 trying to get the township to
 06:35PM 9 vacate the site", that she was not aware of,
 06:35PM 10 "an after the fact diversion may require a
 06:35PM 11 swap of five-to-one, not three-to-one."

06:35PM 12 And the fact that if we use the park
 06:35PM 13 every day that there's going to be space in Hoboken?
 06:35PM 14 We don't use that park in Hoboken. This is our
 06:35PM 15 neighborhood park.

06:35PM 16 2001, The Hudson Reporter --
 06:35PM 17 (Timer Sounds.)

06:35PM 18 MR. AMATO: -- did a story on this.
 06:35PM 19 And it says -- I'm not going to read you the story,
 06:35PM 20 I'm just going to get down to the -- to the nitty
 06:35PM 21 gritty of this.

06:35PM 22 However -- now this is -- this is
 06:35PM 23 quoting Mayor Sacco:

06:35PM 24 "There were problems down at the pool,"
 06:35PM 25 because they talked about about using the

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06:36PM 1 pool area. The talked about using Lincoln
 06:36PM 2 School as an extension. "There we were
 06:36PM 3 problems there because in going to work,
 06:36PM 4 people going to work, to low water area", et
 06:36PM 5 cetera, et cetera.

06:36PM 6 "However, putting classrooms inside
 06:36PM 7 North Hudson Braddock Park has to raise some
 06:36PM 8 eyebrows, especially for those who were so
 06:36PM 9 adamantly against the proposal which would
 06:36PM 10 have been a new North Bergen High School built
 06:36PM 11 inside the park at the most northern end."

06:36PM 12 Everyone knows where we're talking
 06:36PM 13 about, right, Woodcliff Avenue and Bergenline Avenue.
 06:36PM 14 Remember that catastrophe.

06:36PM 15 FEMALE AUDIENCE MEMBER: Yes.

06:36PM 16 MR. AMATO: The plans were scraped.
 06:36PM 17 There were scrapped and there was public outcry
 06:36PM 18 against the plan.

06:36PM 19 Quote from Mayor Sacco: "This is a
 06:36PM 20 different issue. The high school plan
 06:36PM 21 would have been permanent. This is very
 06:36PM 22 temporary. As soon as the extension to
 06:36PM 23 Lincoln School is built," which there were
 06:36PM 24 many problems with, "we will move the students
 06:37PM 25 there."

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06:37PM 1 Fear from developers? Fear from
 06:37PM 2 developers?

06:37PM 3 MR. CHEWCASKIE: Mr. Amato, if you
 06:37PM 4 would finish up please?

06:37PM 5 MR. AMATO: Okay. I'm going to finish
 06:37PM 6 right now.

06:37PM 7 "It's not going to interfere with any
 06:37PM 8 activities in the park. I haven't heard a
 06:37PM 9 single complaint from anyone about this plan.
 06:37PM 10 Everyone understands that it's temporary".

06:37PM 11 There are other locations, that are not
 06:37PM 12 on Mr. Burroughs program. There's -- there's a
 06:37PM 13 school on Barr Place that's for rent, a church and
 06:37PM 14 school. There's Beth El Temple that's at 75th
 06:37PM 15 Street. There's an old Toys R Us. This is just a
 06:37PM 16 few that I did a little research.

06:37PM 17 It took you five years to find out that
 06:37PM 18 you couldn't find those sites.

06:37PM 19 Again, close your eyes, coming over
 06:37PM 20 with a spacecraft in 150 years we won't be here. Our
 06:37PM 21 grandchildren's children will see developments all
 06:37PM 22 over the park, not by the developers, but by our
 06:38PM 23 officials.

06:38PM 24 Thank you.

06:38PM 25 (Applause.)

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06:38PM 1 MR. BURROUGHS: Thank you.

06:38PM 2 Peggy Wong?

06:38PM 3 MS. WONG: My name is Peggy Wong,
 06:38PM 4 W-o-n-g. I live at 8550 Boulevard East, North
 06:38PM 5 Bergen, New Jersey.

06:38PM 6 And the previous speakers, I don't
 06:38PM 7 disagree with any of the comments I've heard tonight.
 06:38PM 8 But I will add to what John Amato said when he said
 06:38PM 9 close your eyes.

06:38PM 10 When I close my eyes and I think when I
 06:38PM 11 come back at my next life, I do believe in a -- in a
 06:38PM 12 second life. I don't know, I may come back as a dog
 06:38PM 13 or a cat or maybe worse yet I'll come back as a
 06:38PM 14 developer.

06:38PM 15 (Laughter.)

06:38PM 16 MS. WONG: But what I am afraid of with
 06:38PM 17 this diversion and if more will follow and you know
 06:38PM 18 they will follow --

06:38PM 19 MALE AUDIENCE MEMBER: That's right.

06:38PM 20 MS. WONG: -- at some point in that
 06:38PM 21 next life when I come back, what I will see ringing
 06:38PM 22 our beloved Braddock Park Lake are high-rises. I
 06:38PM 23 mean think about it. It is the perfect setting for
 06:38PM 24 development of a high-rise. It has magnificent views
 06:38PM 25 of the New York City skyline. It is just perfect.

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06:38PM 1 But right now it's a county park. And
06:38PM 2 my fear is that once one development gets started,
06:38PM 3 and we know that these temporary trailers will have
06:38PM 4 ultimately turned into a permanent structure, that is
06:38PM 5 -- that is my concern.

06:38PM 6 Now, I'm just going off script here a
06:38PM 7 little bit so if you'll excuse me I will read my
06:38PM 8 prepared remarks, and I will try to do this as
06:38PM 9 quickly as possible, without taking up more of the
06:38PM 10 time than I am allowed.

06:38PM 11 I am a long time resident of North
06:40PM 12 Bergen. Two of my nephews are a product of the North
06:40PM 13 Bergen School system. They both went on to graduate
06:40PM 14 from college and have very productive careers in the
06:40PM 15 business world.

06:40PM 16 But when they were students in North
06:40PM 17 Bergen in the late 1970s and early 1980s North Bergen
06:40PM 18 was a small community of approximately 48,000 people.

06:40PM 19 Now, with the 2010 census, we are at
06:40PM 20 about 60 -- almost 61,000 people. We have averaged
06:40PM 21 over a healthy -- we have averaged a healthy
06:40PM 22 20 percent plus increase in population over the these
06:40PM 23 years. And we could see all the changes in our every
06:40PM 24 day life starting with an overcrowded school system
06:40PM 25 and terribly stressed out mass transportation system.

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06:40PM 1 Recent stories in the media have said
06:40PM 2 the population in the United States is shifting back
06:40PM 3 to the urban areas, away from the suburbs. The
06:40PM 4 reasons are varied depending on what section of the
06:41PM 5 country you examine, but here on the east coast some
06:41PM 6 of the main factors driving young people and retirees
06:41PM 7 back to the urban areas are economic, environmental
06:41PM 8 and improved safety due to a lower crime rate.

06:41PM 9 New York City is a prime example of a
06:41PM 10 moving residential market. Hudson County benefits as
06:41PM 11 New York City becomes even more densely populated and
06:41PM 12 expensive.

06:41PM 13 One of the natural alternatives is
06:41PM 14 northern New Jersey for people who can't afford New
06:41PM 15 York City, and especially North Bergen.

06:41PM 16 Our town is an ideal community for
06:41PM 17 those who want to work in New York City, but not live
06:41PM 18 there.

06:41PM 19 And by the way, I'm a prime example of
06:41PM 20 it. I never wanted to live in New York. But I love
06:41PM 21 working there. And I had a very good career there.

06:41PM 22 However, our school system is ill
06:41PM 23 prepared for any new population shifts from the
06:41PM 24 suburbs and a temporary solution of 12 years ago has
06:41PM 25 now morphed into a needed -- a permanent need.

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06:42PM 1 Since the year 2000, North Bergen says
06:42PM 2 we needed a new high school and a location in
06:42PM 3 Braddock Park was proposed. That idea did not go
06:42PM 4 over very well with the residents of both Hudson
06:42PM 5 County and North Bergen. Ultimately the town
06:42PM 6 superintendent of schools, who was then Peter
06:42PM 7 Fishbach, was quoted in The Hudson Reporter in a
06:42PM 8 story of February 22, 2000 as saying:

06:42PM 9 "The fact that the park location is no
06:42PM 10 longer under consideration does not diminish
06:42PM 11 our commitment to effectively address the
06:42PM 12 overcrowding problem. However, it's back to
06:42PM 13 the drawing board and the residents of this
06:42PM 14 area can rest assured the park is safe," end
06:42PM 15 of quote.

06:42PM 16 (Timer Sounds.)

06:42PM 17 MS. WONG: That was 14 years ago. And
06:42PM 18 no high school has been built. No potential sites
06:42PM 19 have been mentioned that -- that I aware of, nor has
06:42PM 20 there been an establishment of a building fund for a
06:42PM 21 new school that I am aware of.

06:42PM 22 Worse after declaring that said park
06:42PM 23 was safe the township located temporary trailers
06:43PM 24 12 years ago on Braddock Park in violation of the
06:43PM 25 Green Acres regulations.

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06:43PM 1 And what exactly is a temporary
06:43PM 2 trailer? And when the numbers grow to 17 at last
06:43PM 3 count, how does that become a civics lesson and the
06:43PM 4 voracity of the public -- of our public officials.

06:43PM 5 Instead of asking Hudson County Green
06:43PM 6 Acres to accept what some now call a land grab of
06:43PM 7 public parkland, the township's focus on a long term
06:43PM 8 plan for the educational needs from the high school
06:43PM 9 level down to pre-K. Braddock Park cannot be the
06:43PM 10 answer. It is a county park, not an experimental
06:43PM 11 development lab. Several sites have been mentioned
06:43PM 12 as alternatives and actually John Amato sort of
06:43PM 13 scoped me on it.

06:43PM 14 MR. CHEWCASKIE: Ms. Wong, if you can
06:43PM 15 please --

06:43PM 16 MS. WONG: Yes, I'm finishing now.

06:43PM 17 The present Temple Beth El across from
06:43PM 18 one of our public schools is for sale, Sacred Heart
06:44PM 19 and its convent one block north of Woodcliff Avenue
06:44PM 20 has been mentioned as possibly being for sale. And
06:44PM 21 there are other unoccupied commercial properties in
06:44PM 22 town.

06:44PM 23 These and others should be looked at
06:44PM 24 thoroughly, explored by a committee established to
06:44PM 25 look at the feasible locations for Braddock Park not

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06:44PM 1 at -- which is not a viable alternative.

06:44PM 2 And the last comment I would like to

06:44PM 3 make is yesterday's vote in support of Green Acres, I

06:44PM 4 hope will make an impression on the town. The public

06:44PM 5 in this state and probably -- and I have not seen the

06:44PM 6 law breakdown for North Bergen, but the vast majority

06:44PM 7 of the public wants open space and parks. We don't

06:44PM 8 want to see a school in the park.

06:44PM 9 Thank you.

06:44PM 10 (Applause.)

06:44PM 11 MR. BURROUGHS: Mr. Weissman?

06:44PM 12 MR. WEISSMAN: My name is Alan Weissman

06:45PM 13 W-e-i-s-s-m-a-n. I live at 7855 Boulevard East.

06:45PM 14 I, too, remember when the town wanted

06:45PM 15 to put a high school in the park, which as previously

06:45PM 16 mentioned was squashed.

06:45PM 17 So yesterday it was -- it was the high

06:45PM 18 school. Today it's a preschool. Tomorrow maybe it

06:45PM 19 will be senior housing or senior recreation center or

06:45PM 20 an elementary school or a new town hall, whatever the

06:45PM 21 town decides they want to put there it's low hanging

06:45PM 22 fruit. And it's an easy choice. I wonder what the

06:45PM 23 response would be if the City of New York decided

06:45PM 24 that they -- they announced that they were going to

06:45PM 25 take a part of Central Park and they were going to

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06:45PM 1 start building preschools there. Do you think the

06:45PM 2 citizenry would stand by?

06:45PM 3 AUDIENCE MEMBERS: No.

06:45PM 4 MR. WEISSMAN: I think the entire City

06:45PM 5 Council and the Mayor would be subject to a recall

06:45PM 6 election. This is our Central Park. And they're

06:45PM 7 going to take this and they're going to cut it up

06:45PM 8 into pieces and they're going to do whatever they

06:46PM 9 want with it.

06:46PM 10 The City of New York requires

06:46PM 11 developers to make space in their buildings to put

06:46PM 12 schools and preschools and such. Why isn't the City

06:46PM 13 of North Bergen doing the same thing?

06:46PM 14 I just think this is just an easy out

06:46PM 15 for the town. And -- and I hope they'll reconsider

06:46PM 16 their decision.

06:46PM 17 Thank you.

06:46PM 18 (Applause.)

06:46PM 19 MR. BURROUGHS: Muriel Wollane?

06:46PM 20 MS. WOLLANE: Hi, Muriel, M-u-r-i-e-l

06:46PM 21 Wollane, W-o-l-l-a-n-e, 7855 Boulevard East.

06:46PM 22 And I am nowhere near as prepared as

06:47PM 23 these previous speakers. But I did bring with me a

06:47PM 24 mailing that was sent to, I assume, all residents of

06:47PM 25 North Bergen.

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06:47PM 1 And it says: "Good news for North

06:47PM 2 Bergen, a permanent home for our youngest

06:47PM 3 students and a brand new park."

06:47PM 4 And a quote from Mayor Sacco:

06:47PM 5 "I'm very proud of this plan because

06:47PM 6 it significantly increases the amount of

06:47PM 7 parkland in our township," a la the boards you

06:47PM 8 see up here (indicating), "and also solves the

06:47PM 9 problem of finding a permanent home for our

06:47PM 10 pre-K classes. It won't be long before my own

06:47PM 11 grandson will be a student there."

06:47PM 12 So my question is, do we have any say

06:47PM 13 in this at all? Has the public trust been completely

06:47PM 14 violated by the fact that this is a fete de complete?

06:47PM 15 Are we here for nothing? Is there an answer to that?

06:48PM 16 MR. CHEWCASKIE: As I indicated, Ms.

06:48PM 17 Wallone, the questions will be answered once everyone

06:48PM 18 speaks.

06:48PM 19 FEMALE AUDIENCE MEMBER: Is somebody

06:48PM 20 writing these questions down? I want every question

06:48PM 21 answered.

06:48PM 22 MR. CHEWCASKIE: As I've indicated

06:48PM 23 there will be a response at the end.

06:48PM 24 MS. WOLLANE: And the other thing, you

06:48PM 25 know I -- I really can't add anything more than the

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06:48PM 1 able people who already spoken, but I did speak with

06:48PM 2 somebody in the township because calling -- first of

06:48PM 3 all changing the meeting to after the election,

06:48PM 4 making it at 6:00 in the evening when most people who

06:48PM 5 live in North Bergen and do work in the City commute,

06:48PM 6 if you've ever been at the Port Authority at rush

06:48PM 7 hour, you would know that people can wait an hour to

06:48PM 8 and hour-and-a-half just to get on a bus, maybe

06:48PM 9 that's a problem that should be addressed as well.

06:48PM 10 So setting it at 6:30, to me, was a

06:48PM 11 very or not so subtle way of making sure that this

06:48PM 12 room was not filled.

06:48PM 13 Thank you.

06:48PM 14 (Applause.)

06:48PM 15 MR. BURROUGHS: Going to have trouble

06:48PM 16 with that. Suzanne Warshavsky.

06:48PM 17 I just skipped some of them because I

06:48PM 18 couldn't read the script. I'll work on it and get

06:48PM 19 back to you.

06:48PM 20 MS. WARSHAVSKY: Suzanne,

06:50PM 21 S-u-z-a-n-n-e, Warshavsky, W-a-r-s-h-a-v-s-k-y. I

06:50PM 22 live at 7855 Boulevard East.

06:50PM 23 I agree with everything that was said

06:50PM 24 about the park. And I've looked at these boards

06:50PM 25 before (indicating) and if I found a problem with

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06:50PM 1 everything that has been proposed for this place.
 06:50PM 2 But I would like the turn our focus --
 06:50PM 3 and I think it's a terrible plan. I want to get that
 06:50PM 4 out of the way.
 06:50PM 5 But I would like to focus on the school
 06:50PM 6 because I think there's a terrible problem with the
 06:50PM 7 school.
 06:50PM 8 And I want to say first that I believe
 06:50PM 9 in pre-K. Second, that I'm a grandmother and that I
 06:50PM 10 have a grand child who is on Autism Spectrum. So I
 06:50PM 11 think it's a very important service. And, third,
 06:50PM 12 that I don't have any children in the North Bergen
 06:51PM 13 school, but it's my privilege to pay taxes to educate
 06:51PM 14 your children because I think the future of our
 06:51PM 15 township and the value of our property is in
 06:51PM 16 investing in our children.
 06:51PM 17 This plan means that these children
 06:51PM 18 stay in trailers. Trailers are not the proper place
 06:51PM 19 for a school.
 06:51PM 20 This does not have any plan for
 06:51PM 21 expansion of classes. Our children deserve a proper
 06:51PM 22 school. Trailers in a park is not a proper place to
 06:51PM 23 educate them. And we have to look at that.
 06:51PM 24 And as I am stating here, we have
 06:51PM 25 overcrowding in all the schools. So that has to be
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06:51PM 1 addressed. We have to look at that.
 06:51PM 2 And I'm sorry to hear that people
 06:51PM 3 haven't addressed that.
 06:51PM 4 So I don't think this is good news for
 06:51PM 5 the town, Mayor. And I think that the cost has to be
 06:52PM 6 addressed. We can't take a cheap way out. We're
 06:52PM 7 failing your children.
 06:52PM 8 Thank you.
 06:52PM 9 (Applause.)
 06:52PM 10 MR. BURROUGHS: Doria Warden? Doria?
 06:52PM 11 (NO RESPONSE.)
 06:52PM 12 MR. BURROUGHS: Sorry.
 06:52PM 13 Joseph Patton?
 06:52PM 14 MR. PATTON: No, I have nothing to say.
 06:52PM 15 Thank you.
 06:52PM 16 MR. BURROUGHS: Okay. I'm trying to--
 06:52PM 17 I apologize. I'm going to come back. If you didn't
 06:52PM 18 get your name called at the end, I guess I just
 06:52PM 19 butchered these names. It's hard to read the
 06:52PM 20 cursive.
 06:52PM 21 Larry Waistein?
 06:52PM 22 MR. WAISTEIN: Good evening, Larry
 06:53PM 23 Waistein, 7414 4th Avenue, North Bergen.
 06:53PM 24 THE COURT REPORTER: Spell your last
 06:53PM 25 name please?
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06:53PM 1 MR. WAISTEIN: Waistein,
 06:53PM 2 W-a-i-s-t-e-i-n.
 06:53PM 3 We do not have enough parkland. And we
 06:53PM 4 keep on losing more parkland. The trailers should
 06:53PM 5 have never been in that park. It's a fire hazard, a
 06:53PM 6 health hazard. There's mold, asbestos, formaldehyde,
 06:53PM 7 which is toxic to humans. And the trailers are
 06:53PM 8 loaded with it.
 06:53PM 9 As a matter of fact, when the trailers
 06:53PM 10 went on fire, the contractor told us that he found
 06:53PM 11 asbestos in those trailers. And he was instructed
 06:53PM 12 just to paint right over it.
 06:53PM 13 The State of New Jersey has been
 06:53PM 14 ordering North Bergen to eliminate them for 11 years.
 06:53PM 15 But Mayor Sacco, as a State Senator, has used his
 06:54PM 16 influence to keep the trailers in the park.
 06:54PM 17 The North Bergen Board of Education
 06:54PM 18 should have built a school where Avalon Cove is
 06:54PM 19 located, but there was a land deal, and the Vainieri
 06:54PM 20 family profited over \$7 million and received a tax
 06:54PM 21 abatement for that land and that would have been the
 06:54PM 22 perfect location for a preschool, right in the middle
 06:54PM 23 of town, accessible to all the children, from 5th
 06:54PM 24 Street all the way down uptown.
 06:54PM 25 All Mayor Sacco wants is to enrich
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06:54PM 1 himself and his developer friends.
 06:54PM 2 North of Avalon Cove on 58th Street and
 06:54PM 3 Kennedy Boulevard is a vacant piece of land. It
 06:54PM 4 would be perfect for a preschool, right at the main
 06:54PM 5 road, accessible for all the children in North
 06:54PM 6 Bergen. And there wouldn't be any loss of taxes
 06:54PM 7 because it's vacant land.
 06:55PM 8 But Sacco just wants to enrich his
 06:55PM 9 friends and that school will never be built on 58th
 06:55PM 10 Street and Kennedy Boulevard because they're just
 06:55PM 11 looking to make another land deal.
 06:55PM 12 Thank you very much.
 06:55PM 13 (Applause.)
 06:55PM 14 MR. BURROUGHS: Fran Companioni?
 06:55PM 15 MR. COMPANIONI: Name Fransisco
 06:55PM 16 Companioni, C-o-m-p-a-b-i-o-n-i, 300 Woodcliff
 06:55PM 17 Avenue.
 06:55PM 18 I can only support and I'm not going to
 06:55PM 19 repeat everything that has been said. I love the
 06:55PM 20 park. I have lived there for the last 41 years.
 06:55PM 21 And before I moved I look forward to
 06:55PM 22 live and enjoy the park. This day, as of today, it's
 06:56PM 23 no longer that feeling.
 06:56PM 24 I know for a fact two of my neighbors
 06:56PM 25 already sold and move away from the area because the
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06:56PM 1 area is deteriorated. I know one more that is moving
06:56PM 2 away. The park is no longer a park for enjoyment.
06:56PM 3 If you have walked around the park or around the lake
06:56PM 4 you know what I mean, crumbling walls, the smell of
06:56PM 5 feces, the -- the rotting animals, the disaster that
06:56PM 6 is all around.

06:56PM 7 Whatever money they had said they have
06:56PM 8 developed, I need glasses to see it because I can't
06:56PM 9 see it. I don't even enjoy walking in the park any
06:56PM 10 more.

06:56PM 11 And let's go back to the issue. The
06:56PM 12 fact that we already had these officials try to build
06:56PM 13 the high school in the park, then it was a new
06:56PM 14 stadium with parking for 300 cars and seating for
06:56PM 15 like 1,200 people in a park. This is a park, that I
06:57PM 16 don't know, 100 years ago was given out for our
06:57PM 17 enjoyment.

06:57PM 18 We should be thinking about not us now
06:57PM 19 but our kids, the kids that they want the students to
06:57PM 20 study in the park, they need to have a park when they
06:57PM 21 grow up to enjoy. The park now is a dump place for
06:57PM 22 Bergen County. A lot of single people from Fairview
06:57PM 23 are no longer destroying the park constantly all the
06:57PM 24 time.

06:57PM 25 What have they done? Nothing.

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06:57PM 1 I am a member of the Braddock Park
06:57PM 2 Conservancy Group. The fact that the group was not
06:57PM 3 informed in advance of this plan or this meeting,
06:57PM 4 they find out about it a week ago because I heard
06:57PM 5 something in Facebook. It's a shame.

06:57PM 6 From what it looks, this is pretty much
06:57PM 7 a done deal. And maybe it is and we will have to
06:58PM 8 take it, but it doesn't have to be the end.

06:58PM 9 We have to make sure as a group that
06:58PM 10 next time that we go to vote, we vote for people that
06:58PM 11 listen to our concerns and to our decide. And we
06:58PM 12 vote for the right people.

06:58PM 13 Thank you very much.

06:58PM 14 (Applause.)

06:58PM 15 MR. BURROUGHS: Julio Marenzo?

06:58PM 16 MR. MARENZO: State, county and local
06:58PM 17 officials, thank you very much for this plan.

06:58PM 18 THE COURT REPORTER: Sir, please state
06:58PM 19 your name and your address.

06:58PM 20 MR. MARENZO: I'm sorry. Julio Marenzo
06:58PM 21 1214 9th Street.

06:58PM 22 THE COURT REPORTER: Spell your last
06:58PM 23 name please?

06:58PM 24 MR. MARENZO: M-a-r-e-n-z-o.

06:59PM 25 I won't ask you guys to close your

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06:59PM 1 eyes. I'm going to ask you all to open your eyes.
06:59PM 2 Not once before me, anywhere below 72nd Street, North
06:59PM 3 Bergen has 91 blocks of densely populated people in
06:59PM 4 the densest county, in the densest state, which
06:59PM 5 yesterday voted 65/35 someone said, for more Green
06:59PM 6 Acres, whether it's one acre or 100 acres, it helps
06:59PM 7 the downtown population have more parks.

06:59PM 8 It is a selfish attitude to just keep
06:59PM 9 worrying about a park here. It's more selfish when
06:59PM 10 you have acres being taken to provide a preschool for
06:59PM 11 children in the densely, again, populated city.

06:59PM 12 We cannot take homes in this town that
06:59PM 13 are over-priced at the top of the market. We are
06:59PM 14 right across from New York City, the most expensive
06:59PM 15 properties in New Jersey. That would be cost
07:00PM 16 un-effective for the people that properly pay their
07:00PM 17 taxes.

07:00PM 18 We also notice that prior to those
07:00PM 19 trailers having been there, while some complained, it
07:00PM 20 never affected the quality of life of the park. In
07:00PM 21 fact if you look at Central Park Grammar School West,
07:00PM 22 Central Park Grammar School East, Central Park
07:00PM 23 Grammar School North, they are all bordering Central
07:00PM 24 Park because people have come to realize that
07:00PM 25 children appreciate educating themselves near Green

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07:00PM 1 Acres.

07:00PM 2 So this is just, while not a perfect
07:00PM 3 solution, and 100 years ago when they built this park
07:00PM 4 it wasn't a perfect solution, people lost their
07:00PM 5 homes. People had to move. But it made people's
07:00PM 6 lives better 100 years later.

07:00PM 7 It's a couple of acres to help
07:00PM 8 preschool children in the entire city, not north of
07:01PM 9 70th -- 70th Street.

07:01PM 10 So to that end we appreciate your help
07:01PM 11 and we do understand the difficulty it is to find
07:01PM 12 land, time and resources in this densely populated
07:01PM 13 community.

07:01PM 14 Thank you.

07:01PM 15 (Applause.)

07:01PM 16 MR. BURROUGHS: The last name here,
07:01PM 17 last name Ortega. I can't read the first name. I
07:01PM 18 can't read the first name.

07:01PM 19 MS. ORTEGA: My name is Esther Ortega,
07:01PM 20 O-r-t-e-g-a.

07:01PM 21 THE COURT REPORTER: Your address
07:01PM 22 please?

07:01PM 23 MS. ORTEGA: 8306 5th Avenue, North
07:01PM 24 Bergen.

07:02PM 25 I come before you, everyone here today,

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07:02PM 1 to talk about the pre-K.
 07:02PM 2 I thank the lady that had the flyer,
 07:02PM 3 showing the flyer. I am in the flyer. I am with the
 07:02PM 4 children of North Bergen in the best setting that
 07:02PM 5 exists in this town.
 07:02PM 6 I have been there for ten years now.
 07:02PM 7 And the land that we have consumed for our preschool,
 07:02PM 8 which is not 70 trailers, the way -- there's 60 of
 07:02PM 9 them, has been the best area for our children. It's
 07:02PM 10 been the safest.
 07:02PM 11 (Applause.)
 07:02PM 12 MS. ORTEGA: And we only use a very
 07:02PM 13 small portion of that land which is also shared with
 07:02PM 14 the football field and what we -- or what the board
 07:02PM 15 is presenting to give you is by far more land than
 07:02PM 16 what we're using there. And I invite you all to come
 07:02PM 17 and see these trailers that are magnificent. There
 07:02PM 18 is not one classroom in North Bergen in any of the
 07:03PM 19 schools that size and that -- are just spectacular
 07:03PM 20 compared to how these trailers are run and kept.
 07:03PM 21 Regarding the mold, well, I got to
 07:03PM 22 share with you something. There are equipment that
 07:03PM 23 are -- come about maybe two or three times a year to
 07:03PM 24 measure the mold in our school, as these devices have
 07:03PM 25 come out to zero.

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07:03PM 1 So I don't know you're talking about.
 07:03PM 2 Regarding the land and us using it and
 07:03PM 3 developing more and developing more. We've already
 07:03PM 4 been there. We've been there 12 plus years. And we
 07:03PM 5 have not bothered anyone. On the contrary we've made
 07:03PM 6 that land look better and better. And, again, we've
 07:03PM 7 made these children happy. Okay?
 07:03PM 8 I am going to -- excuse me, I just
 07:03PM 9 wrote notes as you guys were talking, I don't want to
 07:03PM 10 repeat anything else that was said, so please excuse
 07:03PM 11 me while I look at my notes.
 07:04PM 12 Again, we house -- one of the ladies
 07:04PM 13 said about, you know, possibly getting some housing
 07:04PM 14 all around the town, buying two-family, maybe
 07:04PM 15 three-family homes and creating day cares or
 07:04PM 16 preschools there.
 07:04PM 17 Well, that would be impossible because
 07:04PM 18 we house over 300 to 350 students per year in these
 07:04PM 19 trailers.
 07:04PM 20 (Timer Sounds.)
 07:04PM 21 MS. ORTEGA: So it would be very
 07:04PM 22 difficult for us to find locations that would fit our
 07:04PM 23 needs. We've also looked into downtown areas and
 07:04PM 24 Lincoln School area.
 07:04PM 25 And, again, those -- it was impossible

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07:04PM 1 to build schools because of transportation issues.
 07:04PM 2 And the safety of our children is key.
 07:04PM 3 If we build a school from scratch it
 07:04PM 4 would cost the town over maybe 11, 12, \$15 million.
 07:04PM 5 By creating and staying there it would only cost us a
 07:05PM 6 million or maybe a little bit more, the exact figures
 07:05PM 7 I don't know, but that's a rough estimate, from what
 07:06PM 8 I've been told.
 07:06PM 9 The conservancy did not know about this
 07:06PM 10 meeting? Well, there were signs all around the park
 07:06PM 11 mentioning that this meeting was taking place
 07:06PM 12 tonight.
 07:06PM 13 MR. CHEWCASKIE: Ms. Ortega, can you
 07:06PM 14 finish up.
 07:06PM 15 MS. ORTEGA: I'm sorry.
 07:06PM 16 FEMALE AUDIENCE MEMBER: What you're
 07:06PM 17 saying is not true.
 07:06PM 18 MS. ORTEGA: At the end I just wanted
 07:06PM 19 to tell you that I am proud to be where I am. Our
 07:06PM 20 students are proud and happy where they are and
 07:06PM 21 there's not one parent that leaves this facility that
 07:06PM 22 doesn't rave and talk about our preschool system.
 07:06PM 23 Thank you.
 07:06PM 24 (Applause.)
 07:06PM 25 MR. BURROUGHS: Kristin Rudd-Diaz.

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07:06PM 1 MS. RUDD-DIAZ: Kristin Rudd-Diaz,
 07:06PM 2 K-r-i-s-t-i-n R-u-d-d - Diaz, D-a-i-z.
 07:06PM 3 I live at 603 81st Street, North
 07:06PM 4 Bergen. I've been in North Bergen for 12 years,
 07:06PM 5 going on 13. I come from a very non-densely
 07:06PM 6 populated area, North Dakota. I was in Minnesota,
 07:06PM 7 Minneapolis before I came.
 07:06PM 8 What you love with the lakes and the
 07:06PM 9 parks every day, after I was teaching, I would go off
 07:06PM 10 to the lake nearby walk around. I met my husband in
 07:06PM 11 Minneapolis. He was from here. Lakes and parks. We
 07:06PM 12 live on 81st Street. Thank goodness we have lakes
 07:07PM 13 and parks. I think that's what helped me to make the
 07:07PM 14 move.
 07:07PM 15 I'm a teacher. I've always taught in
 07:07PM 16 the private system. I teach French, K through four
 07:07PM 17 is where I started, naturally in the private system.
 07:07PM 18 Always thought my children would go to private
 07:07PM 19 school, loved them to follow me. It was very hard
 07:07PM 20 for me to make the decision, yes, I'm going to send
 07:07PM 21 my children to the public school here in North
 07:07PM 22 Bergen. They were pre-K age three, loved it, but I
 07:07PM 23 said you know I'm going to give it a try. I have
 07:07PM 24 them home all summer. We did it. It was amazing.
 07:07PM 25 My children loved it. They felt very safe. I felt

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07:07PM 1 very safe coming from North Dakota, so beautiful
07:07PM 2 location. Yes, they were trailers as Ms. Ortega said
07:07PM 3 they are fully equipped. They're beautiful. The
07:07PM 4 class size remains small there.

07:07PM 5 I think that they are all together in
07:07PM 6 one space creates consistency for the children. The
07:07PM 7 teachers can work together. They can be on the same
07:08PM 8 page. It means that the children have it that much
07:08PM 9 stronger.

07:08PM 10 But I certainly understand the concerns
07:08PM 11 of losing green space. I've never known North Bergen
07:08PM 12 Hudson County Park not to have the trailers there.
07:08PM 13 It's how it exists now because with the playground
07:08PM 14 that's how I have known it.

07:08PM 15 I really think we need to give our
07:08PM 16 preschoolers in North Bergen the best beginning that
07:08PM 17 we can. My children are flourishing in the North
07:08PM 18 Bergen school. I didn't think it was going to
07:08PM 19 happen. I asked one of the preschool teachers, are
07:08PM 20 the other schools for us? Absolutely, he said. We'd
07:08PM 21 have great experiences with the kindergarten, first
07:08PM 22 grade, second grade. We take it year by year. It's
07:08PM 23 fantastic, but it came from that first start with the
07:08PM 24 preschool. Had my students not been there.

07:08PM 25 (Timer Sounds.)

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07:08PM 1 MS. RUDD-DIAZ: I don't think the
07:08PM 2 transition would have been as smooth, the transition
07:08PM 3 to kindergarten, the transition to first grade was
07:08PM 4 going into the big building that are certainly
07:08PM 5 crowded. They don't have a music room. They don't a
07:08PM 6 gym -- well, excuse me, they have a gym but they use
07:08PM 7 it once a week, to give them this wonderful start in
07:08PM 8 this space, my understanding was that maybe they
07:08PM 9 would build not have trailers, but build a building,
07:08PM 10 but on that space would be magnificent as I
07:08PM 11 understand for the children of North Bergen many are
07:08PM 12 from immigrant families. They don't speak English.

07:08PM 13 I truly understand your concerns, but I
07:08PM 14 need to get outside. I, too, love the lakes, the
07:08PM 15 parks. We do need to preserve that.

07:08PM 16 (Timer Sounds.)

07:08PM 17 MS. RUDD-DIAZ: My husband says I
07:08PM 18 complained about double parking everything in this
07:08PM 19 crowded area, I am not used to. I'm not used to
07:08PM 20 living in the city. And basically this is the city
07:08PM 21 here.

07:08PM 22 So I truly understand those who have
07:08PM 23 spoken. And, again, I see what you're saying. But
07:08PM 24 then to give another side, this is most positive
07:08PM 25 experience that the kids in North Bergen are

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07:08PM 1 receiving. And something that needs to be permanent,
07:08PM 2 something needs to be as beautiful a building as
07:08PM 3 possible to give them an amazing start. And I feel
07:10PM 4 that that location has been lovely. We don't want to
07:10PM 5 take away from the parks, but I haven't known it
07:10PM 6 otherwise. I haven't felt like it deters from my
07:10PM 7 children's enjoyment or my enjoyment of the Hudson
07:10PM 8 County park.

07:10PM 9 Thank you.

07:10PM 10 (Applause.)

07:10PM 11 MR. BURROUGHS: Anthony Vainieri?

07:10PM 12 MR. VAINIERI: Good evening, Anthony
07:10PM 13 Vainieri, V-a-i-n-i-e-r-i, 7803 5th Avenue, North
07:10PM 14 Bergen.

07:10PM 15 First of all, I think -- I think as the
07:10PM 16 candidate yesterday got 92 percent of the vote.

07:10PM 17 Number two you can put that --

07:10PM 18 (Applause.)

07:10PM 19 MR. VAINIERI: You can quote that.

07:10PM 20 Number two, I don't think you
07:10PM 21 understand, my brother owned that property. He sold
07:10PM 22 it. He made a crap area of town into a beautiful
07:11PM 23 site that it is now today.

07:11PM 24 Number three the meeting was changed
07:11PM 25 that was the conflict with county officials that

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07:11PM 1 couldn't be here today.

07:11PM 2 Furthermore, as your freeholder from
07:11PM 3 January 1st for the next three years. I would assure
07:11PM 4 that you nothing else in this park will take place.
07:11PM 5 There will be no building in the park. There won't
07:11PM 6 be any development in the park whatsoever on my
07:11PM 7 watch.

07:11PM 8 This project is a great project. And I
07:11PM 9 will leave it to the officials to explain why.

07:11PM 10 Thank you very much.

07:11PM 11 (Applause.)

07:11PM 12 MR. BURROUGHS: Abe Garcia.

07:11PM 13 MR. GARCIA: Abe Garcia --

07:11PM 14 THE COURT REPORTER: I'm sorry. Please
07:11PM 15 speak into the mike?

07:11PM 16 MR. GARCIA: Abe Garcia, A-b-e
07:11PM 17 G-a-r-c-i-a, 6405 Durham Avenue, North Bergen, okay.

07:12PM 18 I look around the room here, James J.
07:12PM 19 Braddock, nobody in this room has more love for that
07:12PM 20 park that I do. I utilize that park more than
07:12PM 21 anybody in this room. I am there every single day
07:12PM 22 running, working out with the kids. I coach football
07:12PM 23 up there on the field. I am on there every single
07:12PM 24 day. And I'm going to be honest with you, I'm
07:12PM 25 worried about your concerns. I really am because if

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07:12PM 1 I thought they were building anything in James J.
 07:12PM 2 Braddock Park I would be concerned because it's a
 07:12PM 3 beautiful park. I'm there all the time.
 07:12PM 4 And I'm going to tell you something if
 07:12PM 5 I thought they were going to build a high-rise or
 07:12PM 6 something I would be on your side, but the truth of
 07:12PM 7 the matter is if you look me straight in my eyes and
 07:12PM 8 tell me how it is an inconvenience to you? I never
 07:12PM 9 see any faces up there. And if you see the kids,
 07:12PM 10 like Drew said before about Central Park and how
 07:12PM 11 those kids have a playground where they go to play
 07:12PM 12 and they light up, I wish, believe me, I am all into
 07:13PM 13 the Green Acres. I'm a former Marine. I love
 07:13PM 14 running in the woods and the trails. I love that. I
 07:13PM 15 don't like the roads and I don't like urban areas.
 07:13PM 16 But when I see those kids line up when
 07:13PM 17 they go out to play, I wish that they'd put more
 07:13PM 18 schools with bigger parks then we have there now.
 07:13PM 19 Unfortunately we don't have that. We don't have that
 07:13PM 20 option.
 07:13PM 21 So all I can tell you is this, that I
 07:13PM 22 love that park. I utilize it all day long because I
 07:13PM 23 am on the field with the football team. I am the
 07:13PM 24 strength conditioning coach. And I'm going to tell
 07:13PM 25 you something, the bottom line is everybody is in
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07:13PM 1 politics and all this and that, when I see those kids
 07:13PM 2 and those kids light up, for me, I don't care what
 07:13PM 3 anybody says, any politician, for me it's all about
 07:13PM 4 the kids. That's the bottom line.
 07:13PM 5 Thank you for your time.
 07:13PM 6 (Applause.)
 07:13PM 7 MR. BURROUGHS: Inaya Jaasar.
 07:14PM 8 MS. JAASAR: My name is Inaya Jaasar,
 07:14PM 9 1433 70th Street.
 07:14PM 10 THE COURT REPORTER: Spell your name
 07:14PM 11 please.
 07:14PM 12 MS. JAASAR: I-n-a-y-a J-a-a-s-a-r.
 07:14PM 13 I am at the advantage of being a
 07:14PM 14 parent, an educator. So I see both perspectives.
 07:14PM 15 I've lived in North Bergen for the past 12 years and
 07:14PM 16 Hudson County all of my life.
 07:14PM 17 So the park is just as important to me
 07:14PM 18 as it is to you. And as a parent, four of my
 07:14PM 19 children have gone to the preschool center. And it
 07:14PM 20 has been nothing but a blessing.
 07:14PM 21 So I haven't seen any problem with it
 07:14PM 22 being there for the past 12 years. On the contrary,
 07:14PM 23 I have actually seen great things prosper around it
 07:14PM 24 with the gym that's newly built, with the new park
 07:14PM 25 with the new sprinkler system for the kids. I see
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07:14PM 1 nothing wrong with that area at all for our children.
 07:14PM 2 Thank you.
 07:14PM 3 (Applause.)
 07:14PM 4 MR. BURROUGHS: Hilda Frenes.
 07:14PM 5 MS. FRENES: My name is Hilda Frenes,
 07:15PM 6 H-i-l-d-a F-r-e-n-e-s, 5012 43rd Street, North
 07:15PM 7 Bergen, New Jersey.
 07:15PM 8 And I am not prepared. I just came
 07:15PM 9 from the park and on a bench I see a paper with a
 07:15PM 10 rock informing me that today was going to have this
 07:15PM 11 hearing.
 07:15PM 12 So I know that there's plenty of people
 07:15PM 13 out there that are not aware of today's meeting.
 07:15PM 14 However this is not a platform to
 07:15PM 15 insult our Mayor. I happen to think -- I -- I voted
 07:15PM 16 for him, so let me clarify -- you know it's not an
 07:15PM 17 insult for the Mayor. It's not an insult for the
 07:16PM 18 children. I have used the track in the morning. I
 07:16PM 19 have seen the little toddlers walking by.
 07:16PM 20 To be honest with you it brings a great
 07:16PM 21 smile to my face. Love seeing them, how they take
 07:16PM 22 their mom's hand or the teacher's hand and walk to
 07:16PM 23 their classes.
 07:16PM 24 I am a parent, a child that also
 07:16PM 25 attends North Bergen High School, so I am indeed not
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07:16PM 1 here to either take a way from our children or insult
 07:16PM 2 our Mayor or the policies.
 07:16PM 3 What I am here to emphasize on is that
 07:16PM 4 the park was designated for a specific use. And I
 07:16PM 5 know for a fact Union City did it, other cities --
 07:16PM 6 West New York did it, they found areas that could --
 07:16PM 7 they could construct to use for the school system.
 07:16PM 8 So I know that there's ways that we can
 07:16PM 9 make it work. It's just a matter of not choosing
 07:16PM 10 those routes, whether it's because it's more
 07:17PM 11 expensive or not, the point is that whether it's more
 07:17PM 12 expensive or not, we have to sit down and work it out
 07:17PM 13 and I know that we can do it.
 07:17PM 14 The park was designed for a specific
 07:17PM 15 use. And I do not understand why we are taking it
 07:17PM 16 away for our recreational use.
 07:17PM 17 And, again, this is not a platform to
 07:17PM 18 insult our Mayor. It's not a platform to take away
 07:17PM 19 from our children, but this is just a fact. It's not
 07:17PM 20 designated for that.
 07:17PM 21 (Timer Sounds.)
 07:17PM 22 MS. FRENES: For development, period.
 07:17PM 23 And I don't even see why we're here today having that
 07:17PM 24 conversation.
 07:17PM 25 Thank you.
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07:17PM 1 MALE AUDIENCE MEMBER: Yeah.
 07:17PM 2 (Applause.)
 07:17PM 3 MR. BURROUGHS: Gloria Alcoser?
 07:17PM 4 Gloria?
 07:17PM 5 Oh, Gloria is back there.
 07:18PM 6 MS. ALCOSER: Good evening, Gloria
 07:18PM 7 Alcoser, 1216 12th Street.
 07:18PM 8 THE COURT REPORTER: Can you spell your
 07:18PM 9 name please?
 07:18PM 10 MS. ALCOSER: Gloria Alcoser,
 07:18PM 11 A-l-c-o-s-e-r.
 07:18PM 12 THE COURT REPORTER: And your address
 07:18PM 13 again?
 07:18PM 14 MS. ALCOSER: 1216 12th Street.
 07:18PM 15 Good evening, the reason I'm up here,
 07:18PM 16 19 years because I'm a parent and as a resident of
 07:18PM 17 downtown area I am a little concerned. I left -- I
 07:18PM 18 moved into this town 15 years ago and we -- somehow
 07:18PM 19 my family somehow tried to get involved in everything
 07:18PM 20 but here to help out to see what's best for our
 07:18PM 21 children, my children, your children also. I think
 07:18PM 22 communication has a lot to do with it. My children
 07:18PM 23 grew up graduated from North Bergen schools. I have
 07:18PM 24 seen one negative thing from North Bergen, the school
 07:18PM 25 system nor anywhere in the town.

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07:19PM 1 Things happen everywhere there are
 07:19PM 2 things that are negative and positive. It happens
 07:19PM 3 everywhere. My -- my children were able to receive a
 07:19PM 4 very good education. My youngest son graduated from
 07:19PM 5 the kindergarten center. He graduated from the pre-K
 07:19PM 6 center. I never had a problem with him when he was
 07:19PM 7 over there. There was never any issues. There was
 07:19PM 8 always communication. And I think -- I think it's
 07:19PM 9 the lack of communication with the personnel that be
 07:19PM 10 coming to this -- these kinds of meetings.
 07:19PM 11 We, as parents, from downtown are very
 07:19PM 12 concerned. We need spaces for our children. There's
 07:20PM 13 -- we have a small park down there, that's the only
 07:20PM 14 thing that we have, a very small park. This -- this
 07:20PM 15 park being open in this area that's it's abandoned
 07:20PM 16 pretty much but it's going to be boomed when once it
 07:20PM 17 gets there.
 07:20PM 18 I am concerned and it hurts me to -- to
 07:20PM 19 see that people, the majority of the people that came
 07:20PM 20 up here are from the uptown area. You're not
 07:20PM 21 thinking of us down there. We live there. We know
 07:20PM 22 what we need, what's best for us.
 07:20PM 23 I'm just speaking as a parent and as a
 07:20PM 24 resident of North Bergen.
 07:20PM 25 (Applause.)

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07:20PM 1 MR. BURROUGHS: Allicia Giannakos.
 07:20PM 2 MS. GIANNAKOS: Allicia Giannakos.
 07:20PM 3 Good evening --
 07:20PM 4 THE COURT REPORTER: Can you spell your
 07:20PM 5 name please?
 07:20PM 6 MS. GIANNAKOS: A-l-l-i-c-i-a
 07:20PM 7 G-i-a-n-n-a-k-os. I'm speaking for --
 07:20PM 8 THE COURT REPORTER: Your address
 07:20PM 9 please?
 07:21PM 10 MS. GIANNAKOS: 703 Columbia Avenue
 07:21PM 11 North Bergen.
 07:21PM 12 I am speaking as a parent of a four
 07:21PM 13 year old who is currently in the pre-K and also as a
 07:21PM 14 teacher at the John F. Kennedy school downtown.
 07:21PM 15 I agree with Gloria. The kids downtown
 07:21PM 16 do not really have anywhere to go, except for our
 07:21PM 17 10th Street park. And there are a lot of kids down
 07:21PM 18 there.
 07:21PM 19 And I know they would love a bigger
 07:21PM 20 park, you know. They all go to 10th Street and
 07:21PM 21 there's just not enough there. Not enough room for
 07:21PM 22 them to run around which is what they want to do.
 07:21PM 23 And the preschool where it currently is
 07:21PM 24 is amazing. Having all the preschool students and
 07:21PM 25 the preschool teachers in one building allows them to

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07:21PM 1 do so much more. And having the field right out --
 07:21PM 2 right there outside allows them to do all the
 07:21PM 3 different activities that they do. It's safe for
 07:21PM 4 them to do all these things outside that they want to
 07:21PM 5 do, but not with any school do you have that much
 07:22PM 6 room.
 07:22PM 7 So thank you.
 07:22PM 8 (Applause.)
 07:22PM 9 MS. MANZI: My name is Stacy Manzi,
 07:22PM 10 S-t-a-c-y M-a-n-z-i. I'm from 723 Columbia Avenue,
 07:22PM 11 North Bergen.
 07:22PM 12 I have been born that raised in North
 07:22PM 13 Bergen my whole life. My children we born and raised
 07:22PM 14 here, going through the entire school system.
 07:22PM 15 They're both in college on the dean's
 07:22PM 16 list. So I've heard a lot of you people complaining
 07:22PM 17 about how crowded the schools are here. Maybe you
 07:22PM 18 should take a look at other areas, not just in North
 07:22PM 19 Bergen, but there are crowded schools all over the
 07:22PM 20 place, and children flourish.
 07:22PM 21 As fas as the preschool, maybe you
 07:22PM 22 really should take a good look at it, it's in one of
 07:22PM 23 the safest areas possible. It's in a perfect place.
 07:22PM 24 It doesn't take up all that kind of room that you're
 07:22PM 25 claiming. And I'd rather my child be safe than be

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07:22PM 1 out in some -- on Tonnel Avenue somewhere where you
 07:22PM 2 have tons of traffic and trailers and everything else
 07:22PM 3 like that, you don't have that in the park.
 07:22PM 4 FEMALE AUDIENCE MEMBER: They're in
 07:22PM 5 trailers where they are now.
 07:23PM 6 MS. MANZI: No, they're not near --
 07:23PM 7 FEMALE AUDIENCE MEMBER: They're in
 07:23PM 8 trailer.
 07:23PM 9 MALE AUDIENCE MEMBER: They also have
 07:23PM 10 to leave the park.
 07:23PM 11 MS. MANZI: I'm talking about tractor
 07:23PM 12 trailers, not trailers.
 07:23PM 13 MALE AUDIENCE MEMBER: Thanks for the
 07:23PM 14 clarification.
 07:22PM 15 MS. MANZI: You don't know what it's
 07:23PM 16 like to live downtown and not have any park because
 07:23PM 17 you have everything uptown.
 07:23PM 18 (AUDIENCE OUTBURST.)
 07:23PM 19 MR. CHEWCASKIE: This is not a dialogue
 07:23PM 20 between two people. I think --
 07:23PM 21 MALE AUDIENCE MEMBER: Sorry.
 07:23PM 22 MR. CHEWCASKIE: -- when everyone got
 07:23PM 23 up to speak --
 07:23PM 24 FEMALE AUDIENCE MEMBER: She was saying
 07:23PM 25 something --

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07:24PM 1 that have attended here. I only have positive things
 07:24PM 2 to say about this. I don't know if any of you have
 07:24PM 3 ever been inside those trailers? Not only are they
 07:24PM 4 beautiful, they're climate controlled and the kids
 07:24PM 5 receive a great education there.
 07:24PM 6 The trailers offer opportunity to these
 07:24PM 7 kids to do things that they would not be able to do
 07:24PM 8 in every setting. They have walkathons. They have
 07:24PM 9 pumpkin picking. Some children can't go pumpkin
 07:24PM 10 picking in our area, that's a shame.
 07:24PM 11 But the Mayor and the school system
 07:24PM 12 offer these chances for these kids. They offer a
 07:24PM 13 safe environment when the weather is nice to play
 07:25PM 14 outside on tricycles. They will not be able to do it
 07:26PM 15 in other settings.
 07:26PM 16 I feel the kids downtown also deserve
 07:25PM 17 to have more parks. I think that the area that is
 07:25PM 18 not going to be used right now would be a great
 07:25PM 19 place.
 07:25PM 20 FEMALE AUDIENCE MEMBER: They have
 07:25PM 21 parks.
 07:25PM 22 MS. MALPICA: You have to understand --
 07:25PM 23 FEMALE AUDIENCE MEMBER: I don't
 07:25PM 24 understand.
 07:25PM 25 MS. MALPICA: I am speaking.

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07:23PM 1 MR. CHEWCASKIE: -- let's respect one
 07:23PM 2 another please.
 07:23PM 3 MS. MANZI: We need a park. I'm sorry
 07:23PM 4 if you all disagree with that, but we have a lot of
 07:23PM 5 children downtown who would love a place to go to.
 07:23PM 6 We do have a park around our area, but if you play
 07:23PM 7 football or basketball that's the place to go.
 07:23PM 8 For anybody who has a small child, we
 07:23PM 9 don't have that.
 07:23PM 10 Putting the park downtown where they
 07:23PM 11 would like to put it, that would be very beneficial
 07:23PM 12 to the children, as well as to their parents. It
 07:23PM 13 would be and outing for people to go, for children to
 07:23PM 14 enjoy something and parents to get together, because
 07:23PM 15 let's face it, not everybody has means to come up to
 07:23PM 16 here.
 07:23PM 17 Thank you.
 07:23PM 18 (Applause.)
 07:23PM 19 MS. MALPICA: I am Lissette Malpica,
 07:24PM 20 M-a-l-p-i-c-a. I live at 729 Liberty Avenue, North
 07:24PM 21 Bergen, New Jersey.
 07:24PM 22 THE COURT REPORTER: Spell your first
 07:24PM 23 name, please?
 07:24PM 24 MS. MALPICA: L-i-s-s-e-t-t-e.
 07:24PM 25 I am here as a parent of two children

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07:25PM 1 (AUDIENCE OUTBURST.)
 07:26PM 2 MR. CHEWCASKIE: Please, people in the
 07:26PM 3 audience, again, if you could just respect the
 07:25PM 4 speaker. Let the speaker finish please.
 07:25PM 5 MS. MALPICA: I have been respectful
 07:25PM 6 when you guys were talking and I think I deserve the
 07:25PM 7 same respect.
 07:25PM 8 Just because we don't agree with you
 07:26PM 9 doesn't mean it has to be an argument. We're all
 07:25PM 10 adults here. I'm entitled to my opinion.
 07:25PM 11 I think the park is not -- the pre-K
 07:25PM 12 does not take a lot of space in the park. That
 07:25PM 13 wasn't used before. That wasn't being used before.
 07:25PM 14 Since the pre-K has been there as -- as other
 07:25PM 15 speakers have said, they added things that this looks
 07:25PM 16 beautiful back there. So I don't see what the
 07:26PM 17 problem is. That's my opinion.
 07:25PM 18 Thank you.
 07:25PM 19 (Applause.)
 07:25PM 20 MS. OVALLES: My name is Anabia Ovalles
 07:26PM 21 A-n-a-b-i-a O-v-a-l-l-e-s. I live at 1203 80th
 07:26PM 22 Street, downtown.
 23 THE COURT REPORTER: Please spell your
 24 last name.
 25 MS. OVALLES: O-v-a-l-l-e-s.

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1 THE COURT REPORTER: And your first
 2 name?
 3 MS. OVALLES: Anabia, A-n-a-b-i-a.
 07:28PM 4 The only thing I'm going to say is
 07:28PM 5 we're going to back up our Mayor all the way with the
 07:28PM 6 building, we don't have anything downtown and we
 07:28PM 7 deserve it. And I hope we going understand we
 07:28PM 8 entitled to have a park.
 07:28PM 9 FEMALE AUDIENCE MEMBER: You are.
 07:28PM 10 MS. OVALLES: And we going to do it.
 07:28PM 11 The Mayor has his reason to do it. We have to do
 07:28PM 12 that.
 07:28PM 13 Thank you.
 07:28PM 14 (Applause.)
 07:28PM 15 MR. BURROUGHS: Leslie Correa? Leslie?
 07:28PM 16 MS. CORREA: Leslie Correa, L-e-s-i-e
 07:27PM 17 C-o-r-r-e-a, 1808 West Street, Union City.
 07:27PM 18 I'm a teacher at the preschool. I've
 07:27PM 19 been a teacher there for eight years. I'm employed
 07:27PM 20 by the North Bergen Board of Ed for nine years. My
 07:27PM 21 first school was Horace Mann.
 07:27PM 22 It's hard to be back there (indicating)
 07:27PM 23 and listen to a lot of this and it's because that
 07:27PM 24 place is a home. We give a lot. I am not from here.
 07:27PM 25 I grew up in South Jersey, which is the Garden State,
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07:28PM 1 peach trees, blueberry bushes.
 07:28PM 2 I moved up to here and it was culture
 07:28PM 3 shock, that's to say the least. And I feel more
 07:28PM 4 comfortable in open space.
 07:28PM 5 So when I got moved from Horace Mann to
 07:28PM 6 the preschool it was like a dream -- a dream come
 07:28PM 7 true.
 07:28PM 8 And most of these kids, just about
 07:28PM 9 almost all -- all of our kids, they walk out of their
 07:28PM 10 door in the morning, they see buildings. They walk
 07:28PM 11 home, they see buildings. They go anywhere almost,
 07:28PM 12 they see buildings.
 07:28PM 13 They come to our school they get an
 07:28PM 14 open space. A new experience that some of them may
 07:28PM 15 never get, especially downtown. I live downtown.
 07:28PM 16 Right at the Union City side. We have lots of little
 07:28PM 17 parks everywhere in Union City. North Bergen
 07:28PM 18 downtown there's nothing. You can't expect these
 07:28PM 19 kids to go for how many blocks in to Union City to
 07:28PM 20 utilize those parks.
 07:28PM 21 There should be just as much space
 07:28PM 22 downtown for those children to have that we do on the
 07:28PM 23 other side.
 07:28PM 24 And you'd be surprised, I don't know --
 07:28PM 25 there's been so many new parks popping up on the
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07:28PM 1 Hoboken side. It's amazing what they turned those
 07:28PM 2 tiny little spaces into. It's beautiful parks.
 07:28PM 3 And I have no doubt that any of these
 07:28PM 4 could be just as beautiful as those (indicating).
 07:28PM 5 Now I've got two boys of my own now.
 07:28PM 6 And I -- I -- having parks is a beautiful thing.
 07:28PM 7 We've gone everywhere. Their energy is, you know,
 07:28PM 8 and any new park is a new beautiful experience for
 07:28PM 9 every child. We should not be asked to leave our
 07:28PM 10 home. It is such a home --
 07:28PM 11 (Timer Sounds.)
 07:28PM 12 MS. CORREA: -- for all of the
 07:28PM 13 community. And to say, oh, we're going to spread all
 07:28PM 14 over. You're going to tell me I can go to every
 07:28PM 15 school and teach music? I've never known what a
 07:28PM 16 community is, I've never gotten to hang out with
 07:28PM 17 teachers in my lunch period or talk to them when I
 07:28PM 18 get in, in the morning. I'm going to have to just be
 07:28PM 19 on my own, wherever I go. I'm going to be in this
 07:28PM 20 school one day, next school the other day. I'm a
 07:30PM 21 music teacher. I don't have a classroom. I go to
 07:30PM 22 each of the classrooms.
 07:30PM 23 So you're telling me I got to travel
 07:30PM 24 all throughout North Bergen and never be able to talk
 07:30PM 25 to a teacher? Never get to talk to my friends and
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07:30PM 1 colleagues? We can't come together and talk?
 07:30PM 2 I mean you can't put us next to a
 07:30PM 3 highway. You can't put us next to a busy street.
 07:30PM 4 This is beautiful experience for all of our students.
 07:30PM 5 And they deserve this. They deserve a concrete
 07:30PM 6 structure on this space, on this beautiful, beautiful
 07:30PM 7 space.
 07:30PM 8 We don't -- we deserve this. We -- we
 07:30PM 9 shouldn't be made to move. And I'm a quiet person,
 07:30PM 10 so it's hard for me to come up here, but I had to.
 07:30PM 11 And this is no -- no, oh, she's putting
 07:31PM 12 on an act. She wants to be emotional. No. This
 07:31PM 13 means a lot to me. This whole everything, this whole
 07:31PM 14 space and that little park -- and honestly what are
 07:31PM 15 you going to do with that tiny little space if we're
 07:31PM 16 not there? No one's going to go in there. No one
 07:31PM 17 goes in there anyway.
 07:31PM 18 MR. CHEWCASKIE: Ms. Correa, can you
 07:31PM 19 finish up?
 07:31PM 20 MS. CORREA: Absolutely. Don't move
 07:31PM 21 us. That's all I'm asking.
 07:31PM 22 (Applause.)
 07:31PM 23 MR. BURROUGHS: Maria Hidalgo.
 07:31PM 24 MS. HIDALGO: Maria Hidalgo,
 07:31PM 25 H-i-d-a-l-g-o. I live at 7055 Boulevard East, North
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07:31PM 1 Bergen, New Jersey.
 07:31PM 2 Anyway I am -- I started a petition
 07:31PM 3 online it's change.org dotcom against this movement,
 07:31PM 4 I have 883 signatures.
 07:31PM 5 I started the petition because I saw a
 07:31PM 6 flyer in the park one day. I mean I am -- I'm not a
 07:32PM 7 mom. I'm just a homeowner and -- of multiple
 07:32PM 8 properties in North Bergen. I make sure to buy my
 07:32PM 9 properties near the park, so the park is very dear to
 07:32PM 10 me.
 07:32PM 11 And you know I saw this flyer saying
 07:32PM 12 that the Town of North Bergen wants to take 1.1
 07:32PM 13 acres. And I was like, what?
 07:32PM 14 So I started the petition because these
 07:32PM 15 meetings are held during a time that I can't really
 07:32PM 16 be here. I have to take special permission off today
 07:32PM 17 because I realized that I had to be here.
 07:32PM 18 But I started the petition just to let
 07:32PM 19 the powers that be know that this is -- why is the
 07:32PM 20 Town of North Bergen using parkland for their
 07:32PM 21 personal public use? You know it -- it doesn't make
 07:32PM 22 sense. Why wouldn't the other towns need it? What
 07:32PM 23 about West New York? What about Guttenberg? This is
 07:32PM 24 the Hudson County Park. Anybody can come and ask for
 07:32PM 25 the same privilege.

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07:32PM 1 Anyway, so that's why I'm here
 07:32PM 2 basically I think that, you know, I agree there
 07:33PM 3 should be parks in downtown areas. I don't think
 07:33PM 4 that that should be stopped, but I think that the
 07:33PM 5 school needs to go somewhere else.
 07:33PM 6 If anything, because it's trailers why
 07:33PM 7 don't you put them in one of these locations
 07:33PM 8 (indicating), they're mobile.
 07:33PM 9 Anyway, I don't work for the Town of
 07:33PM 10 North Bergen. Again, I am just a voter, a homeowner
 07:33PM 11 and someone that lives near the park that cares to
 07:33PM 12 not see it be divvied up and given away to different
 07:33PM 13 townships for whatever they need.
 07:33PM 14 Thank you.
 07:33PM 15 (Applause.)
 07:33PM 16 MR. BURROUGHS: Mayor Sacco.
 07:33PM 17 MAYOR SACCO: Thank you.
 07:33PM 18 I wasn't going to speak, but I feel I
 07:33PM 19 have to.
 07:33PM 20 First the issue of Union City and West
 07:33PM 21 New York being able to build into areas, that's
 07:33PM 22 because they are Abbot Districts. Abbot Districts
 07:33PM 23 receive full funding. North Bergen is a non-Abbot
 07:34PM 24 District as is Bayonne and Weehawken. And we don't
 07:34PM 25 get the funding.

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07:34PM 1 North Bergen is the most underfunded
 07:34PM 2 district in the state, \$25 million less than we're
 07:34PM 3 supposed to get by state law.
 07:34PM 4 We can't condemn this block and have
 07:34PM 5 the State pay for it and build a school. It has to
 07:34PM 6 come from the taxpayers.
 07:34PM 7 So you can't compare what West New York
 07:34PM 8 can do by building a beautiful middle school in a
 07:34PM 9 neighborhood that cost the people of West New York
 07:34PM 10 nothing, not one penny of taxpayer money goes into
 07:34PM 11 their school buildings.
 07:34PM 12 And whereas North Bergen received
 07:34PM 13 mostly \$50 million in aide, Union City receives \$160
 07:34PM 14 million plus. West New York received somewhere like
 07:34PM 15 100. And it's a smaller district. So that's the
 07:34PM 16 situation. That's why we can't do what some other
 07:35PM 17 people do.
 07:35PM 18 FEMALE AUDIENCE MEMBER: Why --
 07:35PM 19 (AUDIENCE OUTBURST.)
 07:35PM 20 MAYOR SACCO: No, this is not a
 07:35PM 21 question and answer. You had your time. I'll talk
 07:35PM 22 to you later, if you'd like.
 07:35PM 23 Now I heard about the environmentally
 07:35PM 24 unsafe trailers. It's completely a lie. Politically
 07:35PM 25 motivated, why you heard that, oh, there's asbestos.

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07:36PM 1 It's all just a total lie.
 07:36PM 2 We had -- every trailer was certified.
 07:36PM 3 There were checked. They're constantly checked for
 07:36PM 4 mold and any other environmental problems. And they
 07:36PM 5 don't exist. So that's a lie.
 07:36PM 6 But now I want to talk about what some
 07:36PM 7 people who just forgot. The people at Park Imperial,
 07:36PM 8 if you weren't here longer than you forget what North
 07:36PM 9 Bergen did. Across the street from you, there's a
 07:36PM 10 park. Now that park was owned by Bob Sax, the
 07:36PM 11 developer. He owned the entire cliff face. His
 07:36PM 12 plans were to build three high-rises into the cliff,
 07:36PM 13 18 stories above the cliff. And he spent hundreds of
 07:36PM 14 thousands of dollars against me in 1993 when I ran
 07:36PM 15 for the senate because I was in the way of his
 07:36PM 16 developing those high-rises. There's drawings, they
 07:36PM 17 probably still exist in town hall. But we decided
 07:36PM 18 the fight that and we drove him into bankruptcy. He
 07:36PM 19 owed us \$1.6 million in back taxes and we had to make
 07:36PM 20 the decision get that money from the land he owned or
 07:36PM 21 do something different to preserve the environment.
 07:36PM 22 And we built that park across the street so nobody
 07:36PM 23 could ever put a high-rise in front of the Park
 07:36PM 24 Imperial. And that's all fact. And that's all on
 07:36PM 25 record, go back and research it you will see what we

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07:36PM 1 did in North Bergen to protect you from what was
 07:37PM 2 going to happen. If I would have lost that election
 07:37PM 3 you would be looking into a building.
 07:37PM 4 But we took on hundreds of thousands of
 07:37PM 5 dollars of money against us to fight and preserve
 07:37PM 6 what you have.
 07:37PM 7 Now, we're inside the park. We're
 07:37PM 8 inside the North Bergen football stadium, the sports
 07:37PM 9 complex. We're not on the lake. We're inside the
 07:37PM 10 sports complex. We have inside a work-out area. We
 07:37PM 11 have a track. People use it constantly. We have
 07:37PM 12 security from the parks department and from the
 07:37PM 13 school system and from the county and local police.
 07:37PM 14 (Timer Sounds.)
 07:37PM 15 MAYOR SACCO: We looked at the other
 07:37PM 16 areas, you're right there are some. They all were
 07:37PM 17 undersized, very expensive, environmental cleanups
 07:37PM 18 without the money to do it.
 07:37PM 19 And the choice was get off the land or
 07:38PM 20 find another way. And we found the other way. And I
 07:38PM 21 endorse this way.
 07:38PM 22 This idea we're going to cut the park
 07:38PM 23 up is totally nonsense. We're going to build
 07:38PM 24 businesses, high-rise inside the park, is totally
 07:38PM 25 nonsense. We defend the park. We just built -- gave

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07:38PM 1 up a ratable on the waterfront with Guttenberg. And
 07:38PM 2 we own it. It's now three-quarters of the land,
 07:38PM 3 Guttenberg gave us one-quarter. So we could build a
 07:38PM 4 waterfront park. We just opened it.
 07:38PM 5 So don't tell us we're against parks.
 07:38PM 6 This is something for our children.
 07:38PM 7 (AUDIENCE OUTBURST.)
 07:38PM 8 MAYOR SACCO: I defended Park Imperial
 07:38PM 9 against the high-rise building in front of them,
 07:38PM 10 that's my record.
 07:38PM 11 MALE AUDIENCE MEMBER: Excuse me, the
 07:38PM 12 timer went off.
 07:38PM 13 MAYOR SACCO: And they -- and they --
 07:38PM 14 okay. You may disagree, I didn't interrupt you.
 07:38PM 15 MALE AUDIENCE MEMBER: No, no, no, I
 07:38PM 16 just said you're limited to the same amount of time.
 07:38PM 17 The time is up. I think that you're limited to same
 07:38PM 18 amount of time as we are.
 07:38PM 19 MAYOR SACCO: You can't stop me from
 07:38PM 20 talking.
 07:38PM 21 MALE AUDIENCE MEMBER: You went beyond
 07:38PM 22 the three minutes.
 07:38PM 23 MAYOR SACCO: You went well beyond the
 07:39PM 24 three minutes, I timed it. You went well beyond.
 07:39PM 25 So this is so you know what it is,

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07:39PM 1 where I stand, I don't shy from an issue. I am here.
 07:39PM 2 I support this. I hope that it works its way through
 07:39PM 3 that we get this and that downtown gets the park.
 07:39PM 4 You know what we have to do? We have to send buses
 07:39PM 5 down there to bus the children from downtown to
 07:39PM 6 mid-town so they can play sports because they have no
 07:39PM 7 field down there. All right?
 07:39PM 8 So we've been doing this. We've been
 07:39PM 9 working at this. And we're doing the best we can
 07:39PM 10 under very trying conditions without the proper
 07:39PM 11 funding.
 07:39PM 12 If you had the proper funding we
 07:39PM 13 probably wouldn't even be here discussing it because
 07:39PM 14 we could do anything we want. We could build and
 07:39PM 15 take whatever land we want, but we don't have that
 07:39PM 16 option.
 07:39PM 17 So, look, I thank you. I really thank
 07:39PM 18 every one of you for coming tonight. Whether you
 07:39PM 19 agree with me or disagree with me I thank you because
 07:39PM 20 this is what makes this a great democracy. This is a
 07:39PM 21 great town. It really is.
 07:39PM 22 Thank you.
 07:40PM 23 (Applause.)
 07:40PM 24 MR. BURROUGHS: There is one or two
 07:40PM 25 names here I couldn't read. If you signed up to

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07:40PM 1 speak. And you didn't get a chance to speak please
 07:40PM 2 put your hand up. Come on up.
 07:40PM 3 MS. JAUREGUY: Thank you. Hi, my name
 07:40PM 4 is Maricima Jaureguy.
 07:40PM 5 THE COURT REPORTER: Spell it please?
 07:40PM 6 MS. JAUREGUY: M-a-r-i-c-i-m-a. Last
 07:40PM 7 name is J-a-u-r-e-g-u-y. And I reside at 7631 1st
 07:40PM 8 Avenue.
 07:40PM 9 I'm sorry I'm not prepared for this,
 07:40PM 10 but I am a grandmother to one child that attends the
 07:40PM 11 pre-K school. And I am very, very happy. I am very,
 07:40PM 12 very happy to have my child there.
 07:40PM 13 From my first granddaughter started
 07:41PM 14 seven years ago. My son said to me, she'll be going
 07:41PM 15 to a trailer.
 07:41PM 16 I said a trailer? No, that's
 07:41PM 17 disgusting. Until I walked into that school. I was
 07:41PM 18 amazed. I was surprised. It is beautiful.
 07:41PM 19 So if anybody wants to take a look into
 07:41PM 20 those, what the trailers look like, please do so
 07:41PM 21 because they are beautiful. You not be ashamed
 07:41PM 22 walking into them.
 07:41PM 23 Teachers have been fantastic. And by
 07:41PM 24 the way, thank you for changing the time to the
 07:41PM 25 meeting. If it had been seven I could not be here,

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07:41PM 1 6:00 made it great. Thank you.

07:41PM 2 Mr. Sacco, Mayor Sacco, I thank you

07:41PM 3 from the bottom of my heart for everything that you

07:41PM 4 do for our children. I have families that live far

07:41PM 5 from here and for every activity that each child goes

07:41PM 6 to, they have to pay. What we contribute to our

07:42PM 7 children is wonderful, absolutely nothing we pay

07:42PM 8 pennies for what Mr. Sacco is providing for our

07:42PM 9 children.

07:42PM 10 And getting back to the trailers, I

07:42PM 11 don't think we're taking that much space. It is a

07:42PM 12 joy to have these children come out of the trailer,

07:42PM 13 homerooms as they call them, and to see the open

07:42PM 14 space. Fresh air. All their activities that they

07:42PM 15 have.

07:42PM 16 So I thank you and I do hope that they

07:42PM 17 stay there.

07:42PM 18 And another thing, there is a huge sign

07:42PM 19 on the entrance to the pre-K about this meeting, so

07:42PM 20 anybody that uses the park should have been able to

07:42PM 21 see that.

07:42PM 22 Okay. Thank you.

07:42PM 23 (Applause.)

07:42PM 24 MR. BURROUGHS: Cristyan Guintro.

07:42PM 25 MS. GUINTRO: Cristyan Guintro,
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07:43PM 1 C-r-i-s-t-y-a-n G-u-i-n-t-r-o. I live currently at

07:43PM 2 1012 88th Street.

07:43PM 3 I was born and raised all my life until

07:43PM 4 maybe four years ago at 1870 Kennedy Boulevard,

07:43PM 5 downtown.

07:43PM 6 My daughter, who's standing here right

07:43PM 7 now just graduated from pre-K last year. I, too, was

07:43PM 8 worried for my daughter, you know, trailers, you

07:43PM 9 know, you have to bus them here and there. I can now

07:43PM 10 say I am super excited and happy that she went there.

07:43PM 11 Why? Because she is -- she is special needs, even

07:43PM 12 though she might not look it, but she is. And she

07:43PM 13 received a great education there.

07:43PM 14 Living downtown, growing up downtown, I

07:43PM 15 didn't have a park there's one park on 10th Street

07:44PM 16 that my neighbors mentioned. And it's not an

07:44PM 17 accessible park because you have to go down two

07:44PM 18 hills, go in. And it's only for the people that live

07:44PM 19 in that area. I never had a park to go to.

07:44PM 20 And the fact that my daughter had the

07:44PM 21 ability to go to school and experience a park was

07:44PM 22 actually great. And I mean she loves the park now.

07:44PM 23 I moved uptown because, you know, I

07:44PM 24 decided to, you know, that's where I found a home but

07:44PM 25 she still goes downtown with my mother. And it would
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07:44PM 1 be great for her to be able to, when she's with my

07:44PM 2 mom, to visit a park because my mom doesn't drive. A

07:44PM 3 lot of people downtown do not have the money to own a

07:44PM 4 car or they, you know, they go by public

07:44PM 5 transportation and they cannot afford to take a bus

07:44PM 6 and take another bus especially the senior citizens

07:44PM 7 that are taking care of their grandchildren. They

07:44PM 8 want to be able to go to the park, you know, walk and

07:44PM 9 take their kids.

07:44PM 10 Like other people said the trailers are

07:45PM 11 inside the sports complex. Even if they're not

07:45PM 12 there, what is the space going to be used for? It's

07:45PM 13 going to be empty space, so might as well use it for

07:45PM 14 our kids who are enjoying it.

07:45PM 15 If they have money you guys who I know

07:45PM 16 some people might still work and people who don't,

07:45PM 17 you know, go to the park and visit during the day

07:45PM 18 when the kids are playing outside or doing

07:45PM 19 activities. As Ms. Esther said the teachers there,

07:45PM 20 they're always taking very good care of our kids.

07:45PM 21 They make sure that nobody is intruding into those

07:45PM 22 trailers that are open, nobody goes into there

07:45PM 23 without being noticed. Even I -- I'm a parent and I

07:45PM 24 even if I walked in they saw me every day because my

07:45PM 25 kid needed something they would still stop you and
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07:45PM 1 say no wait you gotta go to the office. It's very

07:46PM 2 secure. It's not dangerous. It's a great place for

07:46PM 3 our kids to go.

07:46PM 4 And like I said if you get the chance

07:46PM 5 to take a look, go visit it and you'll see that the

07:46PM 6 classrooms are even better than some of the schools.

07:46PM 7 I went to North Bergen. And I went to

07:46PM 8 the public schools. And those trailers look 200

07:46PM 9 times better than what I was in when I was younger.

07:46PM 10 So this proposal is, you know, a great idea for other

07:46PM 11 children not affording to live right across the park

07:46PM 12 because their parents have a need to live and own a

07:46PM 13 property right across the park to have a chance to

07:46PM 14 experience the park life.

07:46PM 15 Thank you.

07:46PM 16 (Applause).

07:46PM 17 MR. BURROUGHS: Hugh Morley.

07:46PM 18 MR. MORLEY: Good evening. My name is

07:46PM 19 Hugh Morley, H-u-g-h M-o-r-l-e-y. I live at 177 78th

07:46PM 20 Street, North Bergen.

07:46PM 21 Good evening. I am a homeowner here.

07:46PM 22 I have two kids in the school system and I've lived

07:46PM 23 in North Bergen for coming on 20 years.

07:46PM 24 And I am here because I believe that

07:46PM 25 this is the wrong thing for this park. I think this
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07:46PM 1 park is a very important resource. I think it's a
07:47PM 2 variance very precious resource. This is not about
07:47PM 3 whether the school -- whether the buildings there are
07:47PM 4 good or not. I'm sure if the pre-K schools are there
07:47PM 5 like the rest of the school system they're very good.

07:47PM 6 This is not about whether it's a good
07:47PM 7 system or not. It's about the fact that this is a
07:47PM 8 very precious resource. And once you take away this
07:47PM 9 space it's gone for good. It's not going to come
07:47PM 10 back.

07:47PM 11 I am a member -- I was a member of the
07:47PM 12 group that opposed to when they tried to build the
07:47PM 13 high school in the park and I thought it was very
07:47PM 14 important and that was luckily dropped. When the
07:47PM 15 town wanted to put a high school there and the park I
07:47PM 16 thought that was very wrong and that was dropped.

07:47PM 17 It's not about being anti-kid. I am a
07:47PM 18 soccer coach. I am registered foster parent with
07:47PM 19 that State of New Jersey. I like kids.

07:48PM 20 But I just think that this is very
07:48PM 21 beautiful open space that once it's gone and once you
07:48PM 22 start taking little pieces away from it, it's gone
07:48PM 23 forever. I am sure it's very difficult for the town
07:48PM 24 to look into other options as to where to put the
07:48PM 25 school.

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07:49PM 1 you know that with respect to everyone here, we need
07:49PM 2 good schools to educate our children. That is our
07:49PM 3 future. And we also need the space that is to enjoy
07:49PM 4 the outside areas in our parks. So we have a problem
07:49PM 5 here.

07:49PM 6 What happens when the children outgrow
07:49PM 7 this particular area that you're trying to take over
07:49PM 8 in our park. Will there need to be more acreage
07:49PM 9 taken away from this particular park to facility this
07:50PM 10 growth?

07:50PM 11 And then this project here, this
07:50PM 12 current project, when is the start do you guys have a
07:50PM 13 start time? What's the budget of this particular
07:50PM 14 development here? And how will it affect the taxes
07:50PM 15 in the area.

07:50PM 16 Thank you.
07:50PM 17 (Applause.)

07:50PM 18 MR. BURROUGHS: Okay. I would like to
07:50PM 19 thank everyone for their comments. We're going to
07:50PM 20 have some responses to commentary from the panel and,
07:50PM 21 hopefully, if possible some of your questions will be
07:50PM 22 answered.

07:50PM 23 Some of them it will be impossible to
07:50PM 24 answer today. But we're going to do our best to
07:50PM 25 address them.

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07:48PM 1 I have not had any literature through
07:48PM 2 show my daughter and we tried this, we tried that.
07:48PM 3 We looked at this and it's just not possible. I am
07:48PM 4 sure it's expensive.

07:48PM 5 But there is a general feeling, I
07:48PM 6 believe in this state, that open space is very
07:48PM 7 important. Yesterday on the -- there was an
07:48PM 8 initiative on the State New Jersey ballot designated
07:48PM 9 funding for open space, which passed overwhelmingly
07:48PM 10 which I think is a sign of how important open space
07:48PM 11 is to this state.

07:48PM 12 So I would ask the town to go back
07:48PM 13 closer and look for other places to put the school.
07:48PM 14 I am sure you could build very good schools elsewhere
07:48PM 15 in the town. I am sure it might be expensive. I am
07:48PM 16 sure it would stretch the town and budget.

07:48PM 17 But I would ask you to do that because
07:48PM 18 I think once this resource is gone, once it's taken
07:49PM 19 away, it's gone forever. It's not coming back.

07:49PM 20 Thank you very much.
07:49PM 21 (Applause.)

07:49PM 22 MS. MARQUIE: Hello, I'm Felicia
07:49PM 23 Marquie. F-e-l-i-c-i-a M-a-r-q-u-i-e. I live at 301
07:49PM 24 79th Street.

07:49PM 25 I just want to address everybody let
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07:50PM 1 MR. CHEWCASKIE: If I may, perhaps if
07:50PM 2 we start to my left with the Township officials, Mr.
07:50PM 3 Pianese, the administrator, and Chief Dowd, the chief
07:50PM 4 of police.

07:50PM 5 MR. PIANESE: Good evening, everyone,
07:51PM 6 I'm Chris Pianese, the town administrator.

07:51PM 7 Just a few points, and I think some of
07:51PM 8 these points will answer some of the questions that
07:51PM 9 were posed.

07:51PM 10 First of all we need to really make
07:51PM 11 clear that all of the paperwork that's being prepared
07:51PM 12 will always restrict this one acre to a public
07:51PM 13 purpose. It cannot be slated for development. It's
07:51PM 14 restricted. And it's very clearly restricted in all
07:51PM 15 the paperwork that is being provided.

07:51PM 16 So that's a point that we really need
07:51PM 17 to make perfectly clear.

07:51PM 18 Second, I would like to just talk about
07:51PM 19 the alternatives. The combination -- everything we
07:51PM 20 mentioned from other schools, to a gentleman
07:51PM 21 mentioned Toys R Us, all sounds great. Okay?

07:51PM 22 But in reality the combination of land
07:51PM 23 acquisition, construction costs, infrastructure
07:51PM 24 upgrades, makes every option that you're mentioning
07:52PM 25 -- and believe me I've looked at every one of them,

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07:52PM 1 totally cost prohibitive. It doesn't work. Okay?

07:52PM 2 We have roughly 65,000 residents and

07:52PM 3 12,000 homeowners. And we need to make decisions

07:52PM 4 that considers the overall impact to every one of

07:52PM 5 those residents. Okay?

07:52PM 6 Just to summarize, this decision

07:52PM 7 clearly makes the most economic sense. And as a

07:52PM 8 bonus provides much needed park space for the

07:52PM 9 southern end of the township which they've waited

07:52PM 10 long enough. They deserve a park.

07:52PM 11 All right? With that I would like to

07:52PM 12 just turn to the Chief about some safety issues.

07:52PM 13 CHIEF DOWD: Good evening, my name is

07:52PM 14 Robert Dowd. I'm the Chief of Police in the

07:52PM 15 township, of the 25 plus speakers maybe the first

07:52PM 16 speaker discussed what he believed to be some safety

07:52PM 17 concerns. Mr. Walden, I believe. I don't know if

07:52PM 18 that is correct, sir, I'll just address your

07:53PM 19 comments.

07:53PM 20 You offered two examples of anecdotal

07:53PM 21 evidence that the area is not safe. You said that

07:53PM 22 there was fire in the two preschool trailers and that

07:53PM 23 there was a dead body found. You felt the area was

07:53PM 24 not safe.

07:53PM 25 Well, I disagree with the evidence that

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07:53PM 1 you offer because it is just that, it's anecdotal.

07:53PM 2 Those were two examples, but let's really discuss the

07:53PM 3 two examples.

07:53PM 4 The first, the fire was a result of

07:53PM 5 Super Storm Sandy. Okay. It was one of a multitude

07:53PM 6 of fires that occurred in the township. The fire --

07:53PM 7 I was there that evening standing in the rain

07:53PM 8 watching the firefighters put the trailer out -- that

07:53PM 9 fire was the result of a snapped power line that

07:53PM 10 landed on the roof of that trailer.

07:53PM 11 The introduction of a high powered high

07:53PM 12 voltage high tension wire on the roof is the only

07:53PM 13 reason that trailer burned.

07:53PM 14 These trailers, just like classrooms,

07:53PM 15 just like the room we're sitting in today, are made

07:54PM 16 of the most state-of-the-art fire retardant

07:54PM 17 materials. In fact, the number of deaths by school

07:54PM 18 age children in North America in the last 50 years in

07:54PM 19 a school setting is zero. And that's because these

07:54PM 20 materials are some of the best that are engineered.

07:54PM 21 That fire, again, but for the introduction of a high

07:54PM 22 voltage wire, that would never have happened.

07:54PM 23 MALE AUDIENCE MEMBER: Can I ask you

07:54PM 24 something --

07:54PM 25 CHIEF DOWD: Second -- yes, sir. I'll

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07:54PM 1 -- let me finish because I listened to you. Give me

07:54PM 2 one moment and then I'll --

07:54PM 3 MALE AUDIENCE MEMBER: Sure.

07:54PM 4 CHIEF DOWD: As far as the dead body

07:54PM 5 goes, okay, there was -- it's an absolute tragedy a

07:54PM 6 homeless gentleman passed away of natural causes,

07:54PM 7 from what I am told, froze to death, and died

07:54PM 8 probably of a combination of some alcohol and other

07:54PM 9 things, in a wooded area, not inside Bruin stadium,

07:54PM 10 in a wooded area in the park.

07:55PM 11 Now, some may say, well, it's -- you

07:55PM 12 know, let's do something drastic, can't keep the area

07:55PM 13 open. I don't what to get into a discussion about a

07:55PM 14 homeless population because that's a serious issue,

07:55PM 15 but it's not today's issue. Bruin stadium, where the

07:55PM 16 site where this school is located, is a fenced in

07:55PM 17 secured area.

07:55PM 18 I asked the Department Bureau of

07:55PM 19 Criminal Investigations to do an analysis of violent

07:55PM 20 crime in that area over the last five years, you will

07:55PM 21 be happy to know the answer is zero. Zero incidents

07:55PM 22 of violent crime inside that stadium in the last five

07:55PM 23 years. The -- it's probably zero even longer than

07:55PM 24 that. I would have to go down into the archives and

07:55PM 25 look. The violent crime rate is zero. The location

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07:55PM 1 itself is fenced in. The fenced in location allows

07:56PM 2 safety and security for a very vulnerable population,

07:55PM 3 four and five year olds.

07:55PM 4 Anyone that's watched the news in the

07:55PM 5 last 15 years knows that the seriousness of the

07:56PM 6 safety and security of the school setting is one that

07:56PM 7 can have, at it's most severe consequence tragic

07:56PM 8 outcomes, not because of fire, but because of school

07:56PM 9 shootings and other incidents of mass violence.

07:56PM 10 This setting is fenced in. There are

07:56PM 11 school board security on-site. North Bergen police

07:56PM 12 department school resource officer unit routinely

07:56PM 13 patrols the area. They interface with the school

07:56PM 14 administrator, specifically Ms. Ortega and her staff.

07:56PM 15 The area currently has a state-of-the-art CCTV camera

07:56PM 16 that I have been fighting Public Service it just went

07:56PM 17 live today, after a year of fighting with them. The

07:56PM 18 state-of-the-art camera that will be monitored, much

07:56PM 19 like the ones that are on the road. We have two on

07:56PM 20 River Road that was an easier sell.

07:56PM 21 The totality of the location, the

07:57PM 22 safeguards and the staff allow the Board of Education

07:57PM 23 and the police department to deter criminal activity,

07:57PM 24 detect it when it occurs, defend it -- if it were to

07:57PM 25 occur, and defend against it to the best of our

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07:57PM 1 ability.

07:57PM 2 So I completely disagree that the area

07:57PM 3 is not safe. I believe it is very safe. It's much

07:57PM 4 safer than the block that I live on in this township,

07:57PM 5 you know. And it's -- it's just a prime location for

07:57PM 6 this.

07:57PM 7 From a public safety perspective I

07:57PM 8 don't have any of the other answers and much more

07:57PM 9 people here that are dealing with that, my expertise

07:57PM 10 is limited to criminal justice.

07:57PM 11 Okay. You wanted to say something,

07:57PM 12 sir, I'd be happy to hear it.

07:57PM 13 MALE AUDIENCE MEMBER: Sure. I would

07:57PM 14 like to say a few things. We agree that two years

07:57PM 15 ago the fire was caused by these wires, do you

07:57PM 16 believe that trailers should be underneath wires like

07:57PM 17 this?

07:57PM 18 CHIEF DOWD: Sir, the wire was not --

07:57PM 19 the trailer is not under the wire. The wire was over

07:57PM 20 about 35 feet, maybe 40 feet, to where the entrance

07:58PM 21 is. It snapped. And it swung. And that landed on

07:58PM 22 the trailer.

07:58PM 23 MALE AUDIENCE MEMBER: Right.

07:58PM 24 CHIEF DOWD: The trailers are not under

07:58PM 25 the wires. It snapped and it swung approximately 35,

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07:58PM 1 40 feet and landed on top of the trailer.

07:58PM 2 MALE AUDIENCE MEMBER: But could you

07:58PM 3 please tell us, do you intend to cut down all the

07:58PM 4 trees so that this doesn't happen again?

07:58PM 5 CHIEF DOWD: We're not going to cut

07:58PM 6 down all the trees. I'm not going to cut a single

07:58PM 7 tree, I'm a police officer.

07:58PM 8 MALE AUDIENCE MEMBER: What?

07:58PM 9 CHIEF DOWD: I'm a police officer, I

07:58PM 10 don't cut down trees.

07:58PM 11 MALE AUDIENCE MEMBER: I'm asking the

07:58PM 12 township to make this safer, do you intend to cut

07:58PM 13 down the trees so that this doesn't happen again?

07:58PM 14 The other thing is not only was a dead

07:58PM 15 body found, but a homeless encampment for ten people

07:58PM 16 near the lake, I can quote, near the lake.

07:58PM 17 CHIEF DOWD: In a wooded area. Look,

07:58PM 18 sir, I was there. I was there. It's a wooded area

07:58PM 19 near the lake, that's true. Not inside the fenced in

07:58PM 20 area of Bruin stadium --

07:58PM 21 MALE AUDIENCE MEMBER: Not inside it

07:58PM 22 but how close away from it, from the trailers, was

07:58PM 23 it?

07:58PM 24 CHIEF DOWD: A Significant distance.

07:58PM 25 And outside --

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07:58PM 1 MALE AUDIENCE MEMBER: What is a

07:58PM 2 Significant distance? You say a significant

07:58PM 3 distance?

07:58PM 4 MS. COTTER: Excuse me.

07:58PM 5 CHIEF DOWD: Sir, a significant

07:58PM 6 distance, and it's also separated by a physical

07:58PM 7 barrier of a chain link fence.

07:58PM 8 MS. COTTER: Excuse me.

07:58PM 9 CHIEF DOWD: Okay.

07:58PM 10 MS. COTTER: The trees that you're

07:58PM 11 talking about are not a part of the diversion.

07:58PM 12 MALE AUDIENCE MEMBER: I understand

07:58PM 13 that, but the trees knocked down the wire onto the

07:58PM 14 trailers. And I'm saying that that is a safety

07:58PM 15 hazard.

07:58PM 16 MS. COTTER: Sir --

07:58PM 17 MALE AUDIENCE MEMBER: Have the trees

07:58PM 18 --

07:58PM 19 MS. COTTER: -- with all due respect --

07:58PM 20 MALE AUDIENCE MEMBER: -- with the

07:58PM 21 wires with the trailers --

07:58PM 22 MS. COTTER: Sir, with all due respect

07:58PM 23 acts of God cannot be anticipated.

07:58PM 24 MALE AUDIENCE MEMBER: This would not

07:58PM 25 happen with a permanent school building somewhere

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07:58PM 1 else.

07:58PM 2 MALE AUDIENCE MEMBER: Of course it

07:58PM 3 can.

07:58PM 4 CHIEF DOWD: Sir --

07:58PM 5 MS. COTTER: I have no further comment.

07:58PM 6 CHIEF DOWD: Okay. Sir, throughout the

07:58PM 7 township almost 400 trees were knocked down as a

07:58PM 8 result of the hurricane, throughout the township.

07:58PM 9 Multiple wires, people were without electricity for

07:58PM 10 12 days. Okay? It's a natural disaster.

07:58PM 11 It's an anecdotal piece of evidence

07:58PM 12 that really doesn't say the area is not safe. I am

07:58PM 13 sorry to disagree with you, but these are the facts.

07:58PM 14 Thank you for your time.

07:58PM 15 MR. CHEWCASKIE: Okay. Steve, George,

07:58PM 16 do you have anything to add?

08:00PM 17 MR. SOMICK: Well, I only have two

08:00PM 18 thing, Steve Somick, Business Administration.

08:00PM 19 Regarding the diversion and the idea

08:00PM 20 that the parkland can continually be diverted for

08:00PM 21 other things for other towns to come in. Green Acres

08:00PM 22 has such strict laws in place that this diversion was

08:00PM 23 followed by the book. Each step takes a lot of

08:00PM 24 cooperation between Green Acres, the County and the

08:00PM 25 Township.

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08:00PM 1 And it can't just simply be turned
 08:00PM 2 around at any given whim. This has to -- green Acres
 08:00PM 3 has to come up to the site and look at it. They just
 08:00PM 4 felt that this area is suitable enough for them to
 08:00PM 5 give our go ahead that have this notice for this
 08:00PM 6 little hearing.
 08:00PM 7 So that's all I have to add.
 08:00PM 8 MR. SOLTER: And I just have a couple
 08:00PM 9 of things --
 08:00PM 10 FEMALE AUDIENCE MEMBER: For 12 years?
 08:00PM 11 Suitable for 12 years?
 08:00PM 12 MR. SOLTER: I just have a couple of
 08:00PM 13 things to add to this first of all --
 08:00PM 14 FEMALE AUDIENCE MEMBER: That's what --
 08:00PM 15 MR. SOLTER: -- my job as superintendent
 08:00PM 16 of schools is to make sure our children get the best
 08:00PM 17 educational system that we can provide.
 08:01PM 18 We went through tireless efforts to
 08:01PM 19 find other places where we could -- where we could
 08:01PM 20 put the pre-K.
 08:01PM 21 And I only came in at the tail end of
 08:01PM 22 this. I've only been the superintendent for a year
 08:01PM 23 -- almost a year-and-a-half now. I have been in the
 08:01PM 24 district for a long time.
 08:01PM 25 But as we looked at all of the

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08:01PM 1 different sites, you know we looked at for the safety
 08:01PM 2 of the children, for the cost of making that move.
 08:01PM 3 We looked at the educational advantage to where they
 08:01PM 4 were going. You know what we have to understand is
 08:01PM 5 that these are -- these are pre-K children. They're
 08:01PM 6 three, four and five years old. They have different
 08:01PM 7 learning needs than other children in elementary
 08:01PM 8 schools. The process that they learn by is entirely
 08:01PM 9 different.
 08:01PM 10 And what -- a lot of what they do at
 08:01PM 11 the pre-K level is they learn through play
 08:01PM 12 activities. And they learn through games. And when
 08:01PM 13 we looked at the different sites, it just didn't
 08:02PM 14 compare to what the advantage this site gives us, and
 08:02PM 15 enable us to go outside and let them do those
 08:02PM 16 activities.
 08:02PM 17 We are in the football stadium. And if
 08:02PM 18 everybody is familiar with the area and where they
 08:02PM 19 are, what was there before the trailers were there
 08:02PM 20 were just -- was just an open area that was just
 08:02PM 21 grass inside the stadium.
 22 FEMALE AUDIENCE MEMBER: It's a park.
 23 FEMALE AUDIENCE MEMBER: It's parkland.
 24 MALE AUDIENCE MEMBER: It's a park.
 25 MALE AUDIENCE MEMBER: That's what it's

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1 supposed to be.
 08:02PM 2 (AUDIENCE OUTBURST.)
 08:02PM 3 MR. SOLTER: It's inside the stadium.
 08:02PM 4 MR. CHEWCASKIE: Excuse me. Let Mr.
 08:02PM 5 Solter finish please.
 08:02PM 6 MR. SOLTER: And with that being the
 08:02PM 7 inside of the stadium, we did not really take up --
 08:02PM 8 and I'm -- I grew up in North Hudson park myself
 08:02PM 9 going around, bike riding different things, but we
 08:02PM 10 did not take away a lot of what the park usage and
 08:02PM 11 what your determining.
 08:02PM 12 So with all of the aspects that were
 08:02PM 13 looked at and believe me it was not lightly that we
 08:03PM 14 were just going to stay there we had to do a lot of
 08:03PM 15 evaluation. We felt that this was -- this was the
 08:03PM 16 best site for our children to be educated at. And --
 08:03PM 17 FEMALE AUDIENCE MEMBER: And the
 08:03PM 18 cheapest place.
 19 MALE AUDIENCE MEMBER: And the
 20 cheapest.
 21 FEMALE AUDIENCE MEMBER: Is this a done
 22 deal or not?
 23 FEMALE AUDIENCE MEMBER: Yeah. Is this
 08:03PM 24 a done deal? Did you -- and I want answers. Why
 08:03PM 25 would you waste our time if this is a done deal?

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08:03PM 1 (AUDIENCE OUTBURST.)
 08:03PM 2 MR. BURROUGHS: The procedure --
 08:03PM 3 FEMALE AUDIENCE MEMBER: Give us
 08:03PM 4 answers.
 08:03PM 5 MR. CHEWCASKIE: We will close the
 08:03PM 6 public hearing --
 08:03PM 7 FEMALE AUDIENCE MEMBER: Excuse me.
 08:03PM 8 FEMALE AUDIENCE MEMBER: We want
 08:03PM 9 answers.
 08:03PM 10 MR. CHEWCASKIE: -- and then maybe
 08:03PM 11 perhaps I could explain --
 08:03PM 12 FEMALE AUDIENCE MEMBER: Are you
 08:03PM 13 wasting our time? What's the answer to this, is this
 08:03PM 14 a done deal.
 08:03PM 15 THE COURT REPORTER: Excuse me. I
 08:03PM 16 cannot take down a verbatim record with people
 08:03PM 17 shouting comment from the audience. I can't take
 08:03PM 18 down comments from the public that aren't identified.
 08:03PM 19 MR. CHEWCASKIE: We can close the
 08:03PM 20 public hearing and then maybe perhaps I can explain
 08:03PM 21 the process.
 22 FEMALE AUDIENCE MEMBER: What is the
 23 answer to is this a done deal?
 24 MR. CHEWCASKIE: I can explain the
 25 process.

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<p style="text-align: right;">101</p> <p>1 FEMALE AUDIENCE MEMBER: Excuse me.</p> <p>08:03PM 2 MR. CHEWCASKIE: First of all, if it's</p> <p>08:03PM 3 a done deal there would not be a hearing. There are</p> <p>08:03PM 4 very specific requirements and people came up and</p> <p>08:03PM 5 said we didn't have notice. We didn't have this.</p> <p>08:03PM 6 This specific requirements of</p> <p>08:03PM 7 publication, notice, acceptance of responses to</p> <p>08:04PM 8 written documents.</p> <p>08:04PM 9 And this hearing and all comments is</p> <p>08:04PM 10 now put together in a package and it goes to the New</p> <p>08:04PM 11 Jersey Department of Environmental Protection. And</p> <p>08:04PM 12 they evaluate what was done, everything that you've</p> <p>08:04PM 13 heard from Mr. Burroughs, Mr. Pianese. This is what</p> <p>08:04PM 14 it is. These are the alternatives. This is how it</p> <p>08:04PM 15 will be addressed.</p> <p>08:04PM 16 It is now up to the New Jersey</p> <p>08:04PM 17 Department of Environmental Protection to make the</p> <p>08:04PM 18 determination and a recommendation if the diversion</p> <p>08:04PM 19 is appropriate and also the compensation, if the</p> <p>08:04PM 20 additional parkland that is proposed is sufficient to</p> <p>08:04PM 21 address it.</p> <p>08:04PM 22 So to say it's a done deal to go</p> <p>08:04PM 23 through this process I'm a little offended. But the</p> <p>08:04PM 24 written comments, the record, and this transcript</p> <p>08:04PM 25 goes to DEP.</p> <p style="text-align: right;">LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812</p>	<p style="text-align: right;">103</p> <p>08:05PM 1 FEMALE AUDIENCE MEMBER: Right. When</p> <p>08:05PM 2 is the next meeting.</p> <p>08:05PM 3 MR. BURROUGHS: There will be -- we're</p> <p>08:05PM 4 not close enough to that to schedule --</p> <p>08:05PM 5 FEMALE AUDIENCE MEMBER: Are you going</p> <p>08:05PM 6 to advertise this time?</p> <p>08:06PM 7 MR. BURROUGHS: We need to --</p> <p>08:06PM 8 MR. CHEWCASKIE: Until there is an</p> <p>08:06PM 9 action on the preapplication there will not be a</p> <p>08:06PM 10 further meeting.</p> <p>08:06PM 11 Once there is an action, that meeting</p> <p>08:06PM 12 will be noticed in accordance with the law.</p> <p>08:06PM 13 MALE AUDIENCE MEMBER: You should have</p> <p>08:06PM 14 said so in the first place.</p> <p>08:06PM 15 MR. CHEWCASKIE: Thank you, everyone.</p> <p>08:06PM 16 Good night.</p> <p>08:06PM 17 MR. BURROUGHS: We're done.</p> <p>18 FEMALE AUDIENCE MEMBER: Our questions</p> <p>19 were not answered.</p> <p>20 (AUDIENCE OUTBURST.)</p> <p>21 FEMALE AUDIENCE MEMBER: I didn't hear</p> <p>22 them make a motion.</p> <p>23 I would like something read into the</p> <p>24 record.</p> <p>08:06PM 25 (AUDIENCE OUTBURST.)</p> <p style="text-align: right;">LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812</p>
<p style="text-align: right;">102</p> <p>08:04PM 1 So, unfortunately, the question period</p> <p>08:04PM 2 is --</p> <p>08:04PM 3 FEMALE AUDIENCE MEMBER: So why is</p> <p>08:04PM 4 North Bergen acting like --</p> <p>08:05PM 5 (AUDIENCE OUTBURST.)</p> <p>08:05PM 6 MR. CHEWCASKIE: The question period is</p> <p>08:05PM 7 over. And that will be part of the record, ma'am.</p> <p>08:05PM 8 You made testimony.</p> <p>08:06PM 9 MALE AUDIENCE MEMBER: That's not all</p> <p>08:06PM 10 the facts we want to -- according to Green Acres --</p> <p>08:06PM 11 that's not all the facts according to Green Acres</p> <p>08:06PM 12 there's supposed to be another meeting after the fact</p> <p>08:06PM 13 finding.</p> <p>08:06PM 14 MR. CHEWCASKIE: I'll disagree with</p> <p>08:06PM 15 that, sir.</p> <p>08:06PM 16 MALE AUDIENCE MEMBER: Well, I have</p> <p>08:06PM 17 Green Acres stipulations right here (indicating).</p> <p>08:06PM 18 MR. CHEWCASKIE: And I disagree.</p> <p>08:06PM 19 MR. BURROUGHS: This is what is</p> <p>08:06PM 20 considered a pre-application period. So we will</p> <p>08:06PM 21 submit a pre-application along with this transcript.</p> <p>08:06PM 22 MALE AUDIENCE MEMBER: And there's</p> <p>08:06PM 23 supposed to be another meeting.</p> <p>08:06PM 24 MR. BURROUGHS: This is not the final</p> <p>08:06PM 25 application --</p> <p style="text-align: right;">LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812</p>	<p style="text-align: right;">104</p> <p>08:06PM 1 (Whereupon, this matter is concluded.</p> <p>2 Time noted 8:06 p.m.)</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812</p>

C E R T I F I C A T E

I, LAURA A. CARUCCI, C.C.R., R.P.R., a Notary Public of the State of New Jersey, Notary ID. #15855, and a Registered Professional Reporter, hereby certify that the foregoing is a verbatim record of the testimony provided under oath before any court, referee, board, commission or other body created by statute of the State of New Jersey.

I am not related to the parties involved in this action; I have no financial interest, nor am I related to an agent of or employed by anyone with a financial interest in the outcome of this action.

This transcript complies with regulation 13:43-5.9 of the New Jersey Administrative Code.

LAURA A. CARUCCI, C.C.R., R.P.R.
License #XI02050, and Notary Public
of New Jersey #15855, Notary
Expiration Date March 1, 2019

Dated: _____

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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**County of Hudson/Township of North Bergen
Green Acres Program
State House Commission Pre-Application
Local Parkland – Major Diversion**

**Item 11
Governing Body Resolutions**

**BOARD OF CHOSEN FREEHOLDERS
COUNTY OF HUDSON
RESOLUTION**

No. 411-8-2015

On Motion of Freeholder *Vainieri*
Seconded by Freeholder *Rivas*

**SUPPORTING THE STATE HOUSE COMMISSION PREAPPLICATION
TO THE NJDEP GREEN ACRES PROGRAM FOR
THE DIVERSION OF 1.1 ACRES WITHIN THE JAMES J. BRADDOCK
NORTH HUDSON COUNTY PARK FOR THE CONTINUING
OCCUPATION OF THE NORTH BERGEN PRESCHOOL**

WHEREAS, Block 437.02 Lot 1 is part of the James J. Braddock Park North Hudson County Park which is encumbered with restrictions against disposal or diversion from recreation and conservation uses by the New Jersey Department of Environmental Protection's Green Acres Program; and

WHEREAS, in conjunction with the proposed diversion of land within the James J. Braddock North Hudson County Park for the continuing occupation of the North Bergen PreSchool, it is necessary to remove the Green Acres restrictions from a 1.1 acre portion of the James J. Braddock North Hudson County Park; and

WHEREAS, the removal of Green Acres restrictions from parkland requires the approval of the Commissioner of the Department of Environmental Protection and the State House Commission pursuant to N.J.A.C. 7:36-26; and

WHEREAS, the County of Hudson wishes to apply for approval for the diversion of land within the James J. Braddock North Hudson County Park for the continuing occupation of the North Bergen PreSchool as a major disposal or diversion of parkland under N.J.A.C. 7:36-26; and

WHEREAS, as required by N.J.A.C. 7:36-26.8, the County of Hudson held a scoping hearing on November 5, 2014 to solicit public comment on the diversion of parkland from the James J. Braddock North Hudson County Park in connection with the continuing occupation of the North Bergen PreSchool;

WHEREAS, the next step in the application process for approval of a major disposal or diversion of parkland is the filing of a pre-application under N.J.A.C. 7:36-26.9; and

WHEREAS, in accordance with N.J.A.C. 7:36-26.9(d)11, it is necessary for County of Hudson to submit as part of the pre-application a Resolution endorsing the application to divert or dispose of parkland.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Hudson, State of New Jersey as follows:

1. The County of Hudson endorses the filing of a pre-application for the diversion of land within the James J. Braddock North Hudson County Park for the continuing occupation of the North Bergen PreSchool pursuant to N.J.A.C. 7:36-26;
2. The County of Hudson hereby finds that the diversion of land within the James J. Braddock North Hudson County Park for the continuing occupation of the North Bergen PreSchool would meet the minimum substantive criteria at N.J.A.C. 7:36-26.1(d) by upholding standards of public safety recommended by the North Bergen Police Department, providing expanded recreation and conservation benefits and offerings far exceeding the benefits of the previous recreational facility; and
3. The County of Hudson acknowledges that in order to obtain the approval of the diversion of land within the James J. Braddock North Hudson County Park for the continuing occupation of the North Bergen PreSchool, all substantive and procedural requirements of N.J.A.C. 7:36-26 must be met, including compensation requirements at N.J.A.C. 7:36-26.10.

**BOARD OF CHOSEN FREEHOLDERS
COUNTY OF HUDSON
RESOLUTION**

No.

**On Motion of Freeholder
Seconded by Freeholder**

4. The Board hereby authorizes the County Executive, Thomas A. DeGise or County Administrator, Abraham Antun or Deputy County Administrator, Laurie Cotter or their lawfully appointed designee, to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.

Freeholder	Aye	Nay	Abst	N.P.	Freeholder	Aye	Nay	Abst.	N.P.
Cifelli	✓				Rivas	✓			
Kopacz	✓				Romano	✓			
Balmir				✓	Rodriguez	✓			
Vainieri	✓				Chairperson Maldonado	✓			
O'Dea	✓								

It is hereby certified that at a regular meeting of the Board of Freeholders of the County of Hudson held on the 13 day of August A.D. 2015, the foregoing resolution was adopted with 8 members voting in the affirmative and 0 in the negative.

Clerk

APPROVED AS TO LEGAL FORM

BY:
DONATO J. BATTISTA
HUDSON COUNTY COUNSEL

Source: Law Department
SMC:dmp

**TOWNSHIP OF NORTH BERGEN
RESOLUTION**

**RESOLUTION SUPPORTING THE STATE HOUSE COMMISSION
PREAPPLICATION
TO THE NJDEP GREEN ACRES PROGRAM FOR
THE DIVERSION OF 1.1 ACRES WITHIN THE JAMES J. BRADDOCK
NORTH HUDSON COUNTY PARK FOR THE CONTINUING
OCCUPATION OF THE NORTH BERGEN PRESCHOOL**

WHEREAS, Block 437.02 Lot 1 is part of the James J. Braddock Park North Hudson County Park which is encumbered with restrictions against disposal or diversion from recreation and conservation uses by the New Jersey Department of Environmental Protection's Green Acres Program; and

WHEREAS, in conjunction with the proposed diversion of land within the James J. Braddock North Hudson County Park for the continuing occupation of the North Bergen PreSchool, it is necessary to remove the Green Acres restrictions from a 1.1 acre portion of the James J. Braddock North Hudson County Park; and

WHEREAS, the removal of Green Acres restrictions from parkland requires the approval of the Commissioner of the Department of Environmental Protection and the State House Commission pursuant to *N.J.A.C. 7:36-26*; and

WHEREAS, the Township of North Bergen wishes to apply for approval for the diversion of land within the James J. Braddock North Hudson County Park for the continuing occupation of the North Bergen PreSchool as a major disposal or diversion of parkland under *N.J.A.C. 7:36-26*; and

WHEREAS, as required by *N.J.A.C. 7:36-26.8*, the Township of North Bergen held a scoping hearing on November 5, 2014 to solicit public comment on the diversion of parkland from the James J. Braddock North Hudson County Park in connection with the continuing occupation of the North Bergen PreSchool;

WHEREAS, the next step in the application process for approval of a major disposal or diversion of parkland is the filing of a pre-application under *N.J.A.C. 7:36-26.9*; and

WHEREAS, in accordance with *N.J.A.C. 7:36-26.9(d)11*, it is necessary for Township of North Bergen to submit as part of the pre-application a Resolution endorsing the application to divert or dispose of parkland.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of North Bergen, County of Hudson, State of New Jersey as follows:

1. The Township of North Bergen endorses the filing of a pre-application for the diversion of land within the James J. Braddock North Hudson County Park for the continuing occupation of the North Bergen PreSchool pursuant to *N.J.A.C. 7:36-26*;
2. The Township of North Bergen hereby finds that the diversion of land within the James J. Braddock North Hudson County Park for the continuing occupation of the North Bergen PreSchool would meet the minimum substantive criteria at *N.J.A.C. 7:36-26.1(d)* by upholding standards of public safety recommended by the North Bergen Police Department, providing expanded recreation and conservation benefits and offerings far exceeding the benefits of the previous recreational facility; and

3. The Township of North Bergen acknowledges that in order to obtain the approval of the diversion of land within the James J. Braddock North Hudson County Park for the continuing occupation of the North Bergen PreSchool, all substantive and procedural requirements of N.J.A.C. 7:36-26 must be met, including compensation requirements at N.J.A.C. 7:36-26.10.

DATE: August 19, 2015

	YES	NO	NOT VOTING
Cabrera	✓		
Marenco	✓		
Gargiulo	✓		
Pascual	✓		
Sacco	✓		
(President)			

I HEREBY CERTIFY the foregoing to be a True and Correct copy of Resolution passed and adopted by the Board of Commissioners of the Township of North Bergen in the County of Hudson, in the State of New Jersey, at a meeting held on the above date.

Don Barillas
Township Clerk