Environmental Commission

August 16, 2011

(Minutes)

Prepared by:

Paul Demarest
Councilman Kashwick called to order, at 8:04pm, the Regular Monthly Meeting of the Environmental Commission for the Borough of Closter, New Jersey, convening Tuesday, August 16, 2011 at Borough Hall.

Attendance

Present
Steven Isaacson
Brenda Cummings
Mary Mayer
Robert Di Dio- Planning Board Liaison
Philip Gotthelf- Alternate #1
John Kashwick- Council Liaison
Bobbie Bouton-Goldberg- Associate Member/Historic Preservation Commission Liaison
Keith Scholz- Associate Member

Absent
Beth Ravit, PhD- Chairwoman
Arthur Goldberg, MD
Adam Nock- Alternate #2
Jayanthi Ramaswamy- Associate Member

In light of Chairwoman Ravit’s absence, Councilman Kashwick chaired the meeting.

The Commission acknowledged the volunteerism of Patrick Dolan, an Eagle Scout, who collaborated on a patio project at Mac Bain Farm with its resident and caretaker, John Mc Caffrey. Councilman Kashwick stated the high school senior helped to design and construct an expansion to the Farm’s patio in order to increase accessibility to disabled visitors; he said the project’s concept stems from residents of the Spectrum for Living healthcare facility not being able to fully experience the Farm’s harvest/produce on their own. He informed the renovated patio includes specially-designed planters that are of an appropriate height for a wheelchair-bound visitor to pick from. Councilman Kashwick stated that Mr. Dolan wishes to have a career in landscape architecture; he also hoped that the student’s involvement in the project helped him in understanding the importance of open space and its benefits to the community.

The Commission presented Mr. Dolan with a plaque in appreciation for his efforts. Mr. Dolan informed that he would be seeking a bachelor’s degree in landscape contracting from State University of New York (SUNY) at Delhi with the possibility of later attending Rutgers University to study landscape architecture.

A motion was made by Mr. Di Dio and seconded by Ms. Cummings, to approve the minutes for the June 21, 2011 meeting; all eligible members present voted in favor. A motion was made by Ms. Mayer and seconded by Mr. Isaacson, to approve the minutes for the July 19, 2011 meeting with a noted correction; all eligible members present voted in favor.
Councilman Kashwick opened the meeting to the public for questions and/or comments. No one wished to be heard.

Correspondence

Councilman Kashwick began a discussion on an email from the Mayor’s office requesting the Commission’s endorsement of the Borough’s proposal to acquire the Closter Swim Club; he acknowledged there has been much concern raised by the public about the positives and negatives of such a purchase. He said the main reason behind the Borough’s interest is the 3 acres of undeveloped wetlands located within the parcel, which he feels can only be preserved via acquisition; he explained the Club’s facilities (buildings and parking lot) would also be bought by the Borough and leased back to the Closter Swim Club, a corporation, which would oversee daily operations. Mr. Isaacson stated he was against the proposal since he felt the Club is a private entity with private membership only; he noted that it is in violation of rules set by the Green Acres Program of the New Jersey Department of Environmental Protection (NJDEP), which awards grants to help fund such acquisitions. He said the Club would have to be opened up to the public (encompassing Bergen County), which he believed would find the resulting fees and maintenance costs associated with membership as being too exorbitant; he felt the Club would, in turn, reduce such costs to appease the public and the Club would then become unsustainable. Mr. Isaacson informed that a deed to the subject property, dating back to 1958, states the parcel’s ownership can revert back to the Borough, in exchange for $6,000.00, if the Club cannot be utilized as a type of fraternal beneficiary society, order or association (commercial operations are forbidden). He believed that for the Borough to spend $860,000.00 to finance a private club is wrong, especially since the 3 acres of wetlands cannot be developed in any event; he did say, however, that he would approve of the financially-strapped Club attempting to raise funds by selling the wetlands back to the Borough, an idea Councilman Kashwick stated was a possibility. Mr. Isaacson informed that after speaking with Nancy Lawrence of the Green Acres Program, he felt it would not award monies for such a transaction. He stated that swim clubs are failing throughout the region due to poor membership and he believed the Borough is incapable of bucking the trend; if purchased, he said the Club would be an “albatross” to the Borough since it would need to fund it yearly being the Club could not be used for private use. He ultimately felt that the Commission should resist involvement in the matter and not hold a vote. Councilman Kashwick stated the Green Acres Program’s grant application merely indicates that the Borough must allow reasonable public access to the Club. He asked Mr. Isaacson if Ms. Lawrence further explained said clause; Mr. Isaacson replied that the Program would only fund the purchase for Borough-operated swim clubs. Ms. Mayer inquired if the Borough could limit the number of members accepted; Mr. Isaacson replied any facility must adhere to a maximum capacity, but he concluded it would be rare, if ever, for such to occur at the Club. He further pointed out that the Borough recently retained professional planner(s), who believed it is deficient in recreational facilities, an opinion he disagreed with being the Borough’s residents have access to several belonging to nearby municipalities; he revealed that the Boroughs of Haworth and Demarest’s swim clubs are in closer proximity to his residence than Closter’s. He believed that since several local swim clubs are going out of business, sacrificing the Borough’s could lead to the survival of others. Councilman Kashwick responded that Haworth did a similar transaction whereby it owns their swim club and did not lease it; he believed that the Borough of Alpine did such several years ago,
but it leased to a nonprofit organization to run the club. Mr. Isaacson replied that it was highly unlikely that grant money was used by Haworth to acquire their swim club, and he informed that it is not open for public use whereas Demarest is constantly soliciting the public to join. He explained that residents could simply purchase daily passes to the club rather than pony up both a $595.00 non-refundable initiation fee and $500.00 membership fee; he asked how the club would survive unless taxpayers supported it. He believed Borough monies would be better spent on a venture that is usable year-round rather than 3 months. Ms. Mayer inquired about the existing conditions of the swimming pool(s), clubhouse, etc. and if their upgrading/replacement are necessary. Councilman Kashwick replied that the Closter Swim Club would be the sole recipient of any funds from the Borough’s purchase and the lease would require those monies go towards refurbishing the facilities. Ms. Bouton-Goldberg said she was told the subject property was originally conveyed to the Club at no cost; Councilman Kashwick corrected her and said the sale price was $6,000.00 and the deed had a reverter clause regarding its use. Mr. Isaacson commented that if a house of worship bought the club, it would have to be available to the public. Mr. Di Dio asked how much of the site in question is wetlands; Councilman Kashwick replied 2.8 acres are classified as such and in order to develop that land, a wetlands encroachment permit would be required from the NJDEP, which he felt is becoming a less difficult prospect. Ms. Mayer felt there are several for profit recreational entities that could provide adequate year-round services for the Club; Councilman Kashwick responded the chosen organization must be nonprofit in nature and if not, the Borough would have the option of 1st refusal for the property along with a required payment of $6,000.00 to the Club. Ms. Mayer expressed doubt that the Club could become profitable once it consumed the cost of the purchase. Councilman Kashwick informed that while the Borough has not reviewed the Club’s audited finances, its budget (statement of operations) shows that it is not operating at a loss. He stated the need for the Club to upgrade its facilities (at a cost of $200,000.00), so to comply with Americans with Disabilities Act of 1990 (ADA) regulations, is what precipitated the proposal; he noted that the Club does not have a capital reserve on-hand for such expenses. Ms. Mayer concurred, saying the Nature Center does not have the luxury of such either; she asked if there are other grant options to fund the ADA expenditures not involving the Borough buying the site. Councilman Kashwick stated there are those which are highly competitive; Mr. Isaacson added that since the Club is currently a private entity, it cannot apply for such grants overseen by the NJDEP’s Green Acres Program or Bergen County’s Open Space, Recreation, Farmland & Historic Preservation Trust Fund.

Victoria Roti-Amitai, a member of the Governing Body, introduced herself and explained the subject property consisted of 6.5 acres, in total, and is part of a long stretch of land that the Borough could own and prevent something less desirable from being placed there; she noted that the Club currently has a membership of 200+ families (approximately 10% of the Borough’s population). She thought that an appurtenance, such as a tennis court, could be constructed on the site so to attract more resident to the Club. Ms. Mayer asked for the short-term costs of upgrading the facilities. Councilman Kashwick believed the swimming pool is in acceptable condition, but the other structures need to be rehabilitated. Ms. Roti-Amitai said roughly $400,000.00 in repairs is needed for the Club to be ADA-compliant as well as an additional $400,000.00 to pay off its debt. Ms. Bouton-Goldberg inquired if the subject property is adjacent to Greenway Park; Ms. Mayer replied it is located opposite of Buzzoni Farm Park on Blanch Avenue. Mr. Isaacson informed that 375 Blanch Avenue and 395 Blanch Avenue are next to the Club and were, until recently, owned by the same person (John Galcik), the latter of which, having a residence situated on it, was sold for $679,000.00; he felt 375 Blanch Avenue, approximately 3.5 acres of land, could be an asset for the Borough. Ms. Roti-Amitai agreed and
stated Mr. Galcik recently received Minor Subdivision Approval for the parcel from the Planning Board. Mr. Isaacson inquired about the number of current Club members that have yet to have their bonds redeemed; Councilman Kashwick answered that $281,000.00 is needed to pay back the bondholders. Mr. Isaacson explained that if the Club is to change hands, conceivably, 281 families (if they all paid $1,000.00 bonds) could request to be redeemed at the same time and the Club would be left with no cash flow. Councilman Kashwick stated that the Club no longer requires posting of bonds to join but rather a $600.00+ initiation fee. Mr. Gotthelf suggested the Club declare bankruptcy and deplete the bondholders; Councilman Kashwick informed such was the approach taken by Haworth. Ms. Cummings believed, as well, that the Commission should not entertain a vote on the matter. Mr. Gotthelf asked what the deadline is for filing the grant application with the Green Acres Program; Councilman Kashwick responded that it is August 22nd. Mr. Gotthelf saw no harm in endorsing the Borough’s effort in securing a grant being further discussion could take place before the monies are used for the Club’s acquisition. Ms. Mayer agreed that the Commission can endorse the concept, not the actual purchase, and stated the receipt of a grant does not make the Borough obligated to buy the property. Mr. Isaacson felt the way the issue appeared on the agenda of a recent Mayor and Council meeting implied that the Borough would be taking $860,000.00 out of its open space fund regardless of whether or not it was awarded the grant; he believed that the grant money would be replenishing only that which was removed from said fund. Councilman Kashwick interjected, saying the Governing Body has yet to vote on the open space funding; he stated the issue was introduced at its prior meeting and a public hearing is tentatively scheduled for September 14th.

A motion was made by Mr. Gotthelf and seconded by Councilman Kashwick, to have the Commission endorse the Borough’s concept, not purchase, of the Closter Swim Club and its associated land and facilities (6.18 acres of property). The motion passed (4-1-1: YES- Cummings/ Mayer/ Gotthelf/ Kashwick; NO/- Isaacson; ABSTAIN- Di Dio).

Regarding a 2nd piece of correspondence received from the Mayor’s office, Councilman Kashwick stated the Governing Body is in the process of revising Chapter 142 of the Borough Code pertaining to parks and playgrounds, specifically the naming and re-naming of open space; as an example, he noted that Hagen Park is referred to as Metropolitan Park within several sections of the Code as well as on Borough-issued maps. He said those parks of most concern were the following: 1.) Blanch Avenue Park (adjacent to Buzzoni Farm Park); 2.) High and Piermont Playground; 3.) Ver Valen Park. Ms. Bouton-Goldberg asked if certain open spaces were named in remembrance of deceased war veterans; Councilman Kashwick responded that Mollicone Park, Schauble Park and Amendola Park are named after servicemen killed during the Vietnam War. Ms. Bouton-Goldberg inquired if the Borough was home to any residents killed while serving in either Operations Iraqi Freedom or Enduring Freedom; Councilman Kashwick answered in the negative. Ms. Bouton-Goldberg asked what Greenway Park was; Councilman Kashwick stated it is a narrow strip of land behind the Closter Swim Club and is slated to be renamed Dwars Kill Greenway. Both Mr. Isaacson and Councilman Kashwick believed Blanch Avenue Park could be consolidated into Buzzoni Farm Park; Ms. Mayer disagreed, saying the latter has an intact history and Ms. Bouton-Goldberg informed that said open space was named in honor of a veteran of either World War I or World War II. Councilman Kashwick noted that a 4th Borough resident, who died in Vietnam, has O’Shaughnessy Lane named after him; he stated that the surviving families had a choice of dedication in the form of open space or a thoroughfare. Ms. Bouton-Goldberg said there is no area named after the founder(s)/settler(s) of the Borough, reminding that the Borough was originally known as “Klooster”. Councilman Kashwick thought “Lenapehoking”, a term for the lands once inhabited by the Native Americans known as the Lenape, who have since been displaced to Oklahoma, could be an option. Both he
and Ms. Bouton-Goldberg agreed to further discuss the issue at the next meeting of the Historic Preservation Commission.

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**Old Business**

Mr. Isaacson informed that meetings have recently been held with surrounding municipalities about expanding the inter-borough trail system. He stated that while the Borough of Norwood still resists involving Central Woods, a 125 acre forest, its Environmental Commission (specifically James Elling and Chairwoman Christine Hageman) is receptive to having the system go around to the east, upwards through the Borough of Alpine, and hooking around back to Closter, thus, bypassing the controversial easement altogether. Mr. Isaacson stated he has spoken with James Hall, Executive Director of the Palisades Interstate Park Commission (PIPC), who informed that Alpine Scout Camp (the unimproved, western section of Ruckman Road) is leased from the PIPC while the eastern section of the paper street is owned by the Greater New York Councils; he said Mr. Hall supported incorporating Ruckman Road into the inter-borough trail system. Mr. Isaacson believed the paper street portion of Ruckman Road could be connected with other nearby trails via US Route 9W. He noted that Mr. Elling is researching Alpine’s easements (referred to as pedestrian paths/right-of-ways) to allow for alternate paths so to not aggravate private homeowners in the vicinity.

Mr. Isaacson reported a ribbon-cutting ceremony was held for the newly-built bridge located within the United Water Co.-owned portion of the inter-borough trail system. He believed the water utility was offering a reduced rate (from $25.00 to $10.00) on the watershed recreation permit for 2011, which is required to access that section of the trail; he confirmed the water company would be maintaining the trail portion has runs through its property. Mr. Di Dio asked what the bridge connects; Mr. Isaacson replied it spans above a feeder stream, which is too deep and wide for safe passage and runs into the Oradell Reservoir; he described it as a sturdy “telephone pole-style” bridge, which easily accommodated 20 people during its dedication. Mr. Isaacson commended Mr. Scholz’ father, David, whose efforts have led to the Borough garnering positive feedback on the inter-borough trail system from the Boroughs of Demarest, Tenafly, Cresskill, and now Norwood and Alpine. Ms. Mayer asked for clarity on where Norwood wished to connect to the system; Mr. Isaacson replied it would be the section of Norwood, sometimes referred to as “Ditch”, that runs east of Dwars Kill and north of Closter. Ms. Mayer believed such a route would take the trail further away from Ruckman Road. Mr. Isaacson reminded that Norwood did not want to disturb its Central Woods, an easement that is under the jurisdiction of the Meadowlands Conservation Trust; he did, however, think there is a wooded area north of the easement that may connect by the intersection of Broadway and Piermont Road in Norwood, which could lead to the trail running along Anderson Avenue in Closter. Mr. Isaacson said he hoped he and Mr. Elling could consolidate all of the maps collected into 1 cohesive version in time for the Commission’s September 20, 2011 meeting.

Councilman Kashwick stated the “rails-to-trails” project would not be happening anytime soon since CSX Transportation has confirmed it has 2 customers, Capital Hardware Supply, Inc. (10 Railroad Avenue) and Dykes Lumber, Inc. (23 Naugle Street), using its rail line for freight. Mr. Isaacson asked if the rail line’s tracks would need to be removed in order to create the trails. Councilman Kashwick replied such would include removal of the tracks and the installation of gravel or pavement; he noted the “rails-with-trails” approach differs in that the tracks could
remain so long as fencing is placed between it and the new trail. Mr. Isaacson wished the Borough could make a connection to the “rails-to-trails” path near Finn Mc Cool’s Restaurant in Tappan, New York, which leads from Sparkill to Piermont, New York.

Ms. Mayer pointed out that the Subcommittee of Mac Bain Farm, consisting of both she and Mr. Di Dio, visited with Mr. McCaffrey on August 4th, which resulted in a productive meeting of which she prepared minutes (she noted they should be made part of the Commission’s official minutes for this evening’s proceedings). She summarized that the focal point of the conversation was to enhance communication between Mr. McCaffrey and the Commission as well as define their roles in relation to the Farm; she said the Subcommittee tried to relay emphasis on the need for Mr. McCaffrey to discuss significant changes with the Commission prior to their inception, as required by his contract renewal with the Borough; she reported that after initially reacting adversely to questioning, he eventually understood and agreed to the Commission’s gripes.

Mr. Di Dio stated the conversation touched on the American flag on-site along with planting issues; he commended Mr. McCaffrey’s work on maintaining the house situated at the Farm. Ms. Mayer informed that it was agreed the subject flag would remain in place until Mr. McCaffrey is able to obtain appropriate weights to place at the flag’s bottom to prohibit it from getting tangled; she said, in the near future, he would also look into replacing the current set-up with a pole that will hang a smaller flag than the current 1. Mr. Isaacson suggested that the flag could be put on rings, of which a cable could run through, however, a bar across would be necessary to stretch the flag out when the wind blows so it can spin around the cable rather than tangle.

Ms. Mayer said the Subcommittee discussed Mr. McCaffrey’s wish to introduce bamboo at the Farm; after initial hesitation, she revealed that she supported the idea following some research. Ms. Mayer noted she spoke on the topic with both Donald Mufson, a Borough resident who has grown bamboo for 5 decades, and Councilman David Barad, who agree the plant would benefit the Farm. She believed the bamboo could be contained and, at the same time, become a product of the Farm (tomato stakes, food source, etc.); she noted that if Mr. McCaffrey wished to proceed with the project, he must make a presentation to the Commission prior to a vote.

Ms. Mayer informed that Mr. McCaffrey, who sometimes feels unappreciated, was advised that there had to be a balance in usage of the $25,000.00 annually-budgeted for house renovations and garden planting at the Farm; she said the Subcommittee felt he does more than is expected of him in that respect (aside from his farming responsibilities).

Ms. Bouton-Goldberg asked for an update on the Farm’s barn project. Ms. Mayer stated the Borough is receiving estimates. Councilman Kashwick noted funding is being delayed until the intention of the Borough in purchasing the Closter Swim Club is settled; he apologized for not disclosing such information to the Commission prior to its vote on the matter earlier in the evening. He believed, ultimately, the funds would not be available for the barn project until the winter months or next spring. He informed that the Borough has applied for a $25,000.00 grant, via the Sustainable Jersey program, to put towards the green elements involved: 1.) rain garden; 2.) compost (waterless) toilet; 3.) green roof; 4.) solar panels. Councilman Kashwick noted that, as per Ms. Cummings, the installation of a pervious pavement surface was not part of said application.
Returning to the matter of bamboo at the Farm, Mr. Isaacson stated that Councilman Barad’s father is a farmer who grows bamboo and cactus in western New Jersey; speaking from personal experience, he revealed he has a plethora of bamboo in the rear yard of his residence. He said it is beautiful, green year-round, adored by birds, pleasant-sounding (paper leaves) along with serving as a “living fence”. He stated its roots run just below the ground’s surface, but the bamboo’s shoots are edible.

Councilman Kashwick informed that the open space funding, with relation to the Closter Swim Club, has already been allocated to the Borough, but it must be used by October. Mr. Isaacson disagreed, saying the funds are taxpayer dollars which should be utilized for buying and developing lands and maintaining historic sites.

Ms. Mayer said the idea of having a mission statement for the Farm originated from Chairwoman Ravit since the Commission tends to deal with an issue confronting the Farm as it arises; Ms. Mayer said she felt a guideline is needed to see if a project fits into the Farm’s mission, so long as it would have flexibility for the evolving Farm; she noted that Mr. Mc Caffrey would have major input in authoring the mission statement. Mr. Gotthelf believed it would be prudent to have an agenda for the Farm to diffuse any future objections; he felt that, although the public has some knowledge of the Farm’s scope, it is probably not aware that much of the monies in its budget go towards a residence on-site. Ms. Mayer suggested the Farm’s Subcommittee, with the addition of Ms. Bouton-Goldberg to replace the resigning Mr. Nock, prepare a draft in collaboration with Mr. Mc Caffrey.

The Commission agreed to hold its annual Harvest Festival at the Farm on Saturday, October 29th from 4:00pm to 6:00pm with a rain date of Sunday, October 30th from 4:00pm to 6:00pm.

Ms. Mayer and Ms. Bouton-Goldberg applauded the “art wall” exhibit at the Closter Public Library; Ms. Mayer stated a few invoices, representing the Commission’s share of expenses in producing the exhibit, would be forthcoming.

Councilman Kashwick reported, due to Chairwoman Ravit’s absence, there is no update on the nominations of Borough trees for landmark status.

Liaison Reports

Councilman Kashwick said the Governing Body would be codifying changes to Chapter 16 of the Borough Code, which deals with the powers of the Commission and currently does not state it is responsible for passive parks; he said a draft would be forwarded to the Commission when available. He stated, in conjunction with the Borough’s “Green Team”, the Mayor and Council passed a resolution supporting the New Jersey Wildlife Action Plan, which garnered 10 points towards the Sustainable Jersey certification. Finally, he noted the Governing Body is considering altering the recommended ordinance of the Planning Board, which ties the Leadership in Energy and Environmental Design (LEED) certification system to the Borough’s Limiting Schedule with relation to green building elements; he said because of the complexities involved, it is still in review.

Mr. Di Dio said there was nothing to report from the Planning Board.
Mr. Scholz said there was nothing to report from the Shade Tree Commission; Councilman Kashwick reminded that Mr. Nock’s letter of resignation was outstanding; Mr. Scholz stated he would follow up on the matter.

Ms. Cummings said the “Green Team” hoped to file necessary documentation so to meet the next deadline for Sustainable Jersey, which is August 26th. Councilman Kashwick inquired how many points the Borough had towards certification; she believed a minimum of 150 to 160 points could be received, which would lead to Bronze Certification. She noted Silver Certification is out of reach at this juncture; she informed that she is still awaiting input from the Superintendent of the Department of Public Works (DPW), William Dahle. Ms. Cummings stated that Chairwoman Ravit was handling the matters concerning natural resources and she anticipated gaining 10 points from the efforts completed at the Nature Center throughout the years. She revealed she has completed 12 days of classes through the New Jersey Learns program, which Sustainable Jersey recommends be attended by at least 1 “Green Team” member.

Ms. Bouton-Goldberg announced the Mayor and Council have designated 119 Hickory Lane, a 10.75 acre lot operating primarily as a chicken and egg farm, as a historic site.

Ms. Mayer reminded that the Nature Center would be celebrating its 50-year anniversary on Saturday, October 22nd between 1:00pm and 6:00pm with a rain date of Sunday, October 23rd between 1:00pm and 6:00pm. She said the event would include a cross-section of activities to educate the public about the Center, including a campfire setting with music in the evening; she noted it would be a time for celebration, not raising funds.

Updating the progress on plans to dredge the Center’s pond, Ms. Mayer said the Borough Engineer, Nick De Nicola, PE, informed that permit(s) from the NJDEP would not be issued until October, when species may have gone into hibernation at the bottom of the pond; thus, she said the project is slated to commence during the latter part of May 2012. She expressed concern over recently reading in a local publication that several Bergen County municipalities, engaged in dredging ponds, have run into enormous, unforeseen costs ranging from $500,000.00 to $1,200,000.00. She reminded that the Borough has allocated a mere $27,000.00 towards its dredging project in hopes that the usage of the DPW and the Bergen County Mosquito Control Program would lower costs. Ms. Mayer said she has reached out to Mr. Dahle so to coordinate the upcoming vacation schedules of his underlings around the project’s start date. Mr. Gotthelf questioned what would be done with the dredged material; Ms. Mayer replied she hoped it would be of good quality and, following a long period of draining, mixed into the Borough’s recycling of leaves and other elements. Councilman Kashwick said a similar approach was made during the dredging of Demarest Duck Pond; Mr. Gotthelf responded that the resulting material is rich with nutrients and does wonders for lawns. Ms. Mayer informed such material is filled with nitrogen-laden soil.

New Business

The Commission had no new matters to discuss.
**Plans**

Being no land use board applications were forwarded to the Commission for its consideration, plan review was not conducted and administrative reports were not written.

**Other**

The Commission had no miscellaneous matters to discuss.

There being no further items to discuss, a motion was made by Mr. Gotthelf and seconded by Ms. Mayer, to adjourn the meeting; all those present voted in favor. The meeting adjourned at 9:24pm.