

Environmental Commission

January 10, 2019 Meeting Minutes

Prepared by:
Paul Demarest

Opening Remarks

Thomas Colwell called to order, at 7:37pm, the Regular Monthly Meeting of the Environmental Commission for the Borough of Closter, New Jersey, convening Thursday, January 10, 2019 in the Council Chamber of Borough Hall.

2019 Reorganization

Oaths of Office

- ▶ **Miriam Lockhart** (Elevated to Full Member);
New 3-Year Term Expires: December 31, 2021;
- ▶ **Sophie Heymann** (Reappointed as Full Member/Planning Board Liaison);
New 3-Year Term Expires: December 31, 2021;
- ▶ **Grace Whitney** (Appointed as Associate Member);
New 1-Year Term Expires: December 31, 2019;

Selection of Chairperson

Being Mayor John Glidden had yet to appoint the Commission's chairperson for the calendar year 2019, as required by Chapter 16 of the Borough Code, Mr. Colwell served as Acting Chairman for this evening. Ms. Heymann commended Mr. Colwell on his meticulous recordkeeping, attentiveness and years of involvement in environmental causes.

A motion was made by Mr. Isaacson and seconded by Ms. Lockhart, to recommend to Mayor Glidden that Mr. Colwell be appointed as the Commission's chairperson for the calendar year 2019. The motion passed unanimously.

Attendance

Present

Thomas Colwell- Acting Chairman
Steven Isaacson- Full Member
Miriam Lockhart- Full Member
Scott Devlin- Full Member/Council Liaison
Sophie Heymann- Full Member/Planning Board Liaison
Nancy Pergament- Full Member/Shade Tree Commission Liaison
Grace Whitney- Associate Member

Absent

VACANT- Full Member

Ethel Abrams- Alternate #1

Bobbie Bouton-Goldberg- Alternate #2/Historic Preservation Commission Liaison

Minutes

A motion was made by Mr. Isaacson and seconded by Ms. Heymann, to approve the minutes for the December 12, 2018 meeting with 2 noted corrections. The motion passed unanimously.

Open to Public

Acting Chairman Colwell opened the meeting to the public for questions and/or comments. No one wished to be heard.

Treasurer's Report

Acting Chairman Colwell stated that with approximately \$1,200.00 recently being expended for the reimbursement to Connor Goranson, an Eagle Scout candidate, who recently constructed a pergola at Mac Bain Farm, the Commission's 2018 operating budget had roughly \$200.00 remaining, which cannot be carried over to this year; he clarified that the payment was not related to the building of associated benches, which Mr. Goranson agreed to do later this year.

Acting Chairman Colwell said the Governing Body recently adopted the Commission's 2018 open space funding request, which is separate from its operating budget and had been tentatively approved through Resolution by the Governing Body in May, but it was then determined an ordinance must be adopted because a trust fund is involved. He explained the adoption includes monies for the following: 1.) 3 new trail map sign installations and associated pedestals/stanchions at new locations (not to exceed \$4,000.00); 2.) trail maintenance, improvements, boardwalk installations and related labor (not to exceed \$6,000.00); 3.) fence repair at Mac Bain Farm (not to exceed \$2,000.00); 4.) fence installation at Buzzoni Farm Park (not to exceed \$4,000.00); 5.) shed replacement at Mac Bain Farm (not to exceed \$700.00); 6.) irrigation system, associated water fountain/spigot and electrical component installations at Mac Bain Farm (not to exceed \$3,800.00). Ms. Heymann said the fencing at Mac Bain Farm does not presently require maintenance, therefore, the \$2,000.00 in open space monies is for repairs done last spring. Mr. Isaacson stated the Borough next must solicit estimates and/or bids in order to spend the open space funding and part of that process involves the Governing Body knowing the source of cost projections. Councilman Devlin explained the cost of a project determines if public bidding is required, noting 3 quotes would be required at a minimum given the monies involved in each of the open space projects approved. In speaking with the Borough's Assistant Chief Financial Officer (CFO), Maria Passafaro, Acting Chairman Colwell said the Borough should pay for materials directly after the Commission provides it a list for a particular project; he said such is a better practice than having a third party reimbursed for out-of-pocket expenses. He stated he would confirm with the Eagle Scout candidate constructing the shed at Mac Bain Farm, Tyler Pendleton, if the entire \$700.00 would be utilized or if some could be used to pay for the material relating to new benches on-site.

Ms. Pergament said while the Commission does not appoint its own treasurer, it should discuss its financials at each meeting to keep abreast of its appropriations and expenditures, hence the "Treasurer's Report" agenda item (NOTE: "Treasurer" refers to Borough Treasurer who certifies availability of funds as detailed in Borough's Edmunds & Associates, Inc. software print-out). The Commission agreed both the operating budget and open space funding will be regularly discussed at all future meetings.

Old Business

Mac Bain Farm

Ms. Heymann reminded that the Farm's committee must gather soon to plan for the upcoming season. Ms. Pergament volunteered to pen a memo to John Mc Caffrey, caretaker and resident of the Farm, imploring him to appear before the Commission at its February 14, 2019 meeting; she noted she would reference his contract with the Borough which mandates a yearly in-person report to the Commission which he has not adhered to. Ms. Lockhart recommended the memo be delivered via certified mail/return receipt. Ms. Heymann noted she would email inquiries from the committee, which consists of her, Ms. Pergament and Ms. Bouton-Goldberg, to the Commission so all can formulate questions for Mr. Mc Caffrey ahead of the his appearance.

Councilman Devlin informed that the Governing Body recently decided to include the land of Mac Bain Farm as part of the Borough's Recreation and Open Space Inventory (ROSI), thereby, protecting the Farm as a park and from future development while allowing the Commission to continue using the land as a working farm. As for the residence on-site, he explained the Governing Body designated the house itself as a Historic Landmark as requested by the Historic Preservation Commission (HPC), which initially requested all land, buildings and appurtenances on-site to be designated as such. He said the designation translates to any alteration to the house's exterior facing Hickory Lane requiring a Certificate of Appropriateness to be issued by the HPC beforehand. Mr. Isaacson noted ROSI pertains to land not encumbered through state/county funding such as the Green Acres program administered by the New Jersey Department of Environmental Protection (NJDEP). Ms. Heymann interjected, saying ROSI includes all parcels in the Borough not intended to be developed and said data is provided to the State of New Jersey. Councilman Devlin said it was equally difficult for a site to be removed from either ROSI or Green Acres protection; he clarified that it is much easier for a ROSI parcel to have its use amended such as from a farm to a soccer field whereas to alter a state-protected parcel's use would necessitate public hearings, etc. even if the proposed use falls under a parkland-type category. He stated the Borough Attorney, Edward Rogan, Esq., was preparing a resolution codifying the Farm's new designations to be adopted by the Governing Body at its next meeting. The Commission agreed that passive parks administered by the Commission cannot be construed as active at the behest of the Recreation Commission.

New Business

2019 Northern Valley Earth Fair

Mr. Isaacson agreed to serve as the Commission's Liaison to the Fair's organizing committee, noting the 2019 Fair would be held on April 27th at the Tenafly Middle School. He opined the event should be held at the same location each year, such as either of the 2 Northern Valley Regional High School buildings, but the rest of the committee opted to the venue located in whichever municipality is hosting in a particular year. He reiterated the Fair is no longer a government entity but rather registered with the Internal Revenue Service as a 501(c)(3) organization operated by volunteers and is now tax-exempt.

2019 Borough-Wide Cleanup Effort

Mr. Isaacson questioned if the yearly 1-day event during which volunteers collect litter strewn in and around the Borough's thoroughfares, waterways, etc. would now be overseen by the Improvement Commission. Ms. Heymann answered in the negative, explaining the event is usually held in March and Bergen County supplies tools and refreshments for the volunteers. She said the biggest obstacle in years past has been providing an adequate kiosk/shelter for

volunteers to register at the day of. She believed that of the previous meeting points (Borough Hall, Nature Center and Harold Hess Lustron House), the House is optimal because it is the only location in the western section of Closter. Mr. Isaacson said the Effort typically draws 25 to 30 participants only. Ms. Heymann said the purpose of the event is to provide public awareness on recycling and a clean environment, noting at day's end, all items collected are placed on display on the front lawn of Borough Hall. Acting Chairman Colwell believed what hinders the event's success each year is the lack of planning. He said volunteer scouts usually concentrate on cleaning the Nature Center grounds during the Effort; he mentioned he and son tend to clean by Schauble Park.

Mr. Isaacson said the Effort originated as a means to get Closter accredited with Sustainable Jersey, a nonprofit organization providing tools, training and financial incentives to support communities as they pursue sustainability programs, through the efforts of the Commission's now-inactive Green Team. Ms. Whitney suggested a catchy name be thought of for the cleanup event, which is currently non-descript, to spark more public interest. For example, she said the Borough of Wyckoff calls their cleanup "Team Up to Tidy Up Event"; Acting Chairman Colwell agreed, noting the reason the Improvement Commission was considered to take over the event was, in part, to increase public outreach above and beyond the usual notification on the Facebook page, "The Closter Black Book", Mayor John Glidden's newsletter and the Borough website. Acting Chairman Colwell stressed it is important to select a date for the event which is early enough in the year so that poison ivy/oak and ticks are not of concern but late enough to minimize the chance of snowfall all the while avoiding religious holidays. Ms. Pergament stated local organizations must be contacted to ensure there are no scheduling conflicts which could impact attendance; Mr. Isaacson concurred, noting children's sports leagues get underway during the late winter/early spring. He informed that Easter falls on April 21st and Passover on April 19th through April 27th this year. Ms. Pergament, Ms. Lockhart and Ms. Whitney volunteered to form an organizing committee for the 2019 Borough-wide cleanup effort. Mr. Isaacson suggested the Improvement Commission co-sponsor the event; Councilman Devlin agreed, but stressed each entity must have assigned tasks to prevent diffusion of responsibility. Mr. Isaacson asked that the Recreation Commission be encouraged to participate in cleaning active parks as should the local parent-teacher associations (PTO's) to tackle school grounds; Ms. Whitney mentioned the local school system has community service obligations for its student body. Mr. Isaacson emphasized that people who have to clean up trash are less apt to create litter in the first place.

Mr. Isaacson informed that the Green Team was started by former Commission members/spouses, Brenda Cummings and the late Sivert Hagen. Acting Chairman Colwell revealed there would be a memorial for Mr. Hagen this February in New York City. He reminded that he previously wrote a draft commemorating their volunteerism to Closter's environmental efforts and submitted it to the Governing Body, but nothing ever materialized; he promised to revisit the matter. Acting Chairman Colwell assured he would update the Commission roster, events, topics, dates etc. on its Google Doc/Google Sheet, a web-based program it has been utilizing to organize and be more efficient; he asked that all Commission members contribute periodically so future planning and organizing becomes easier over time, noting all shall have access and editing capabilities after receiving emailed links for permission.

Miscellaneous Potential Environmental Commission Pursuits

Ms. Heymann said Closter recently received \$28,000.00 from a state agency (unnamed) for its recycling efforts, which were the best of any municipality in the area. Stressing there is always room for improvement, she hoped the Commission would meet with the Borough's new recycling vendor, Interstate Waste Services, Inc./Action Carting Environmental Services, Inc., which purchased the business operation from Miele Sanitation Co. Mr. Isaacson said he was awaiting a callback from the new vendor to discuss its participation in the 2019 Northern Valley

Earth Fair; Ms. Whitney she could would use her contact(s) with the vendor to expedite a response.

By way of example, Ms. Heymann said Closter, along with several municipalities near the proposed site of a power plant in the New Jersey Meadowlands, adopted resolutions opposing the project because all of the electricity generated on-site would be transported to Consolidated Edson, Inc. for use in Manhattan; meanwhile, she warned there would undoubtedly had been environmental damage caused in and around the plant.

Ms. Heymann reminded that last year the Commission passed motions endorsing bans on the use of plastic bags and foam containers by merchants located in Closter; despite literature supporting such an idea, she said the Governing Body did not take action. She pleaded that the Commission pursue those and other causes, specifically, she asked that Commission members brainstorm ahead of its February 14, 2019 meeting so it can choose 1 or 2 ideas and see them to fruition. Councilman Devlin informed that in 2018 the Ordinance Committee and the Borough Attorney were immersed crafting a constitutionally-compliant fair share plan in response to the Supreme Court of New Jersey's decision in March 2015 to relinquish oversight of the state's affordable housing process from the Council on Affordable Housing (COAH) to the judiciary; he hoped the Committee would have more time to consider the proposed bans this year. Ms. Lockhart pointed out both the City of Hoboken and Jersey City have plastic bag bans in effect.

Ms. Whitney said there are approximately 450 municipalities in New Jersey registered with the Sustainable Jersey program, of which roughly 200 are certified at various levels based on its point system; she confirmed Closter is not 1 of them. Ms. Heymann informed that she and Ms. Cummings previously worked diligently to attain certification for the Borough, but their submissions were rejected because they were volunteers, not professionals; Mr. Isaacson mentioned the parameters were also constantly changing and becoming more arduous. Ms. Whitney revealed that the Boroughs of Demarest, Harrington Park, Norwood, Oradell and Westwood are bronze-certified and believed Closter could use their efforts as a model for certification. Knowing that the Borough already completed many of the tasks required, she offered to lead the effort toward Sustainable Jersey certification for Closter.

Mr. Isaacson suggested there be a "Northern Valley Summit" held bi-annually where all relevant Environmental Commissions gather to collaborate on major/common pursuits; Ms. Pergament concurred, saying the organizing committee for the Northern Valley Earth Fair should spearhead such with the Fair being the 1st gathering followed by a 2nd in the fall each year.

Ms. Pergament suggested a committee be formed to monitor those issues that tend not to get much attention from the Commission such as those discussed this evening (recycling, Green Team, ANJEC, etc.) especially since much of a Commission meeting is dedicated to Mac Bain Farm and plan review.

Liaison Reports

Governing Body

Councilman Devlin was pleased the Commission essentially spent its entire operating budget for 2018, noting it normally has large balances at year's end. With respect to actually spending the recently allocated open space monies, he explained both quotes and details for the proposals (specifications) must be provided to the Borough Administrator, Arthur Dolson, and Ms. Passafaro, who will in turn handle the purchasing. He stressed many of the open space projects, most importantly the irrigation system at Mac Bain Farm, will require input from Mr. Mc Caffrey. Ms. Heymann stated because Mr. Dolson has yet to get feedback from Mr. Mc Caffrey,

he obtained a \$76,000.00 estimate for a wide scale underground system; however, she said Mr. Mc Caffrey informed her he could instead provide a network of piping throughout the Farm with hoses/tubing connections for approximately \$6,000.00

Planning Board

Ms. Heymann reiterated all 6 ordinance proposals relating to affordable housing recommendations by the Planning Board to effectuate a settlement between the Borough and Fair Share Housing Center, an advocacy group involved in several lawsuits against municipalities relating to COAH, have been adopted by the Governing Body.

Ms. Heymann said the Board would soon be fostering sustainability in construction by revisiting the Borough's Master Plan. She informed that the Board previously attempted to address such by incorporating the Leadership in Energy and Environmental Design (LEED) green building rating system into the Borough Code. She explained, however, while a land use board would consider such issues at the plan review stage of a project, LEED would not until construction is complete, which has seen caused enforcement issues. Mr. Isaacson pointed out most builders opt not to strive for LEED certification because of the extra cost involved; Ms. Heymann replied the Board offered less restrictive zoning requirements as an incentive. Ms. Whitney suggested the Borough use LEED standards irrespective of a particular project obtaining LEED certification, which is what would cause the added expense to a construction project.

Shade Tree Commission (STC)

Ms. Pergament said there were no new matters to discuss.

Historic Preservation Commission (HPC)

In light of Ms. Bouton-Goldberg's absence, no report was given.

Plan Review

The Commission did not receive any land use board applications for its consideration.

Adjournment

Mr. Isaacson expressed his opposition to the recent request by the Nature Center for \$50,000.00 in open spacing funds to install deer fencing on-site, which he believed is a conservative estimate. He considered such an amount unacceptable especially since the Commission experienced many obstacles while attempting to gain access to \$21,000.00 over the past 2 years. He opined deer are a part of nature and the issue of overpopulation is regional, not isolated to Closter; he noted the only way to solve the problem is to conduct a state-wide deer hunt. He said former Commission chairwoman, Elizabeth Ravit, recently appeared before the Governing Body to speak in favor of the Center's fencing request to protect the biodiversity and native species that inhabit its swamplands. Ms. Heymann agreed and hoped the Commission and Center would be less adversarial and more cooperative with each other moving forward. She reiterated both share many issues, but the Center tends to be the recipient of much more funding due, in part, because it must finance a support staff, mainly, its Director/Naturalist, Marc Gussen. Mr. Isaacson added fencing would require significant maintenance as has been the case with Mac Bain Farm. He explained the Center's proposal is to build 15'-long sections for a specific area and once trees/vegetation grow enough out of the reach of deer, the same fencing would be placed elsewhere temporarily. Ms. Heymann revealed all trees at the Center, except for sweetgum and red maple, have been impacted. Mr. Isaacson said such is good reasoning for a fenced-in nursery to be created at Mac Bain Farm to

harvest trees for the Borough's use; Ms. Lockhart concurred, noting tree growth is spurred by generous sunlight rather than constant shade.

Ms. Heymann reiterated that several hundred dollars is owed to Kevin Riley, a Board member and Grounds Manager of the Demarest Nature Center, who provided substantial trail maintenance the past 2 years; she said proper insurance and tax documentation was provided beforehand but she was not certain if the same paperwork must be updated each year. Councilman Devlin promised to inquire with Mr. Dolson.

There being no further items to discuss, a motion was made by Mr. Isaacson and seconded by Ms. Heymann, to adjourn the meeting at 8:54pm. The motion passed unanimously.

