

Environmental Commission

January 9, 2020 Meeting Minutes

Prepared by:
Paul Demarest

Opening Remarks

Chairman Colwell called to order, at 7:48pm, the Regular Monthly Meeting of the Environmental Commission for the Borough of Closter, New Jersey, convening Thursday, January 9, 2020 in the Council Chamber of Borough Hall.

2020 Reorganization

Oaths of Office

Krishna Rege (Reappointed as Associate Member)-
New 1-Year Term Expires: December 31, 2020;

Mordechai Feibish (Appointed as Associate Member)-
New 1-Year Term Expires: December 31, 2020;

Attendance

Present

Thomas Colwell- Chairman
Miriam Lockhart- Full Member
Grace Whitney- Full Member
Scott Devlin- Full Member/Council Liaison
Sophie Heymann- Full Member/Planning Board Liaison
Nancy Pergament- Full Member/Shade Tree Commission Liaison
Krishna Rege- Associate Member
Mordechai Feibish- Associate Member

Absent

Steven Isaacson- Full Member
Ethel Abrams- Alternate #1
Bobbie Bouton-Goldberg- Alternate #2/Historic Preservation Commission Liaison

Chairman Colwell indicated both Ms. Abrams and Ms. Bouton-Goldberg offered to relinquish their Alternate Member positions, which afford them voting privileges, to Ms. Rege and Mr. Feibish and, in turn, assume appointments as Associate Members, who are not permitted to vote. Councilman Devlin said he would discuss the protocol for such reassignments with the Borough Clerk as well as solicit the Governing Body, at the request of Chairman Colwell and Ms. Pergament, to amend Chapter 16 of the Borough Code so that the Commission may be assigned Co-Chairpersons rather than 1 Chairperson to help lessen the responsibilities currently placed on 1 individual. Chairman Colwell said it would also be optimal for both

Alternate and Associate Members to be able to serve on as well as head Committees formed by the Commission. He also noted the Borough Code presently states a land use board may ask the Commission for feedback on an application before it in the form of an administrative report (plan review); he questioned if the ordinance should be amended to say the Commission's input is required. Councilman Devlin promised to inquire about the aforementioned.

Minutes

A motion was made by Ms. Lockhart and seconded by Ms. Whitney, to approve the minutes for the December 12, 2019 Meeting with noted corrections. The motion passed unanimously.

Open to Public

Chairman Colwell opened the meeting to the public for questions and/or comments.

John Mc Caffrey, caretaker and resident of Mac Bain Farm, introduced himself. He said he wished to discuss the potential renewal of his contract with the Borough, which expires in August 2020.

A motion was made by Councilman Devlin and seconded by Ms. Heymann, to have the Commission to go into closed session at 7:52pm. The motion passed unanimously.

Chairman Colwell reopened the meeting to the public at 8:09pm; the topic(s) of discussion were not divulged.

Treasurer's Report

Chairman Colwell provided a summary of the Commission's expenditures to date from its 2020 operating budget ([see appended account report](#)).

Chairman Colwell stated the Commission spent all but \$9.16 of its 2019 operating budget. He said the Borough had not yet responded to its 2020 proposal, which requests an increase from \$5,290.00 to \$6,540.00. Councilman Devlin said the Commission would be allotted a temporary budget, which equates to 26.25% of last year's adopted budget amount, until the Borough and, ultimately, the State of New Jersey, adopt its 2020 budgets. Councilman Devlin said the Borough operates on a temporary budget until approximately March 15th.

A motion was made by Ms. Heymann and seconded by Ms. Pergament, to have the Commission approve its customary \$250.00 donation to the annual Northern Valley Earth Fair to be held in April. The motion passed unanimously.

Chairman Colwell said the cost of its Association of New Jersey Environmental Commission (ANJEC) yearly subscription, which includes publications and training seminars, increased to \$375.00 for 2020; he noted such would provide for 7 Commission members. He said that because the Commission has an 11-person roster, he suggested the subscription be increased to provide for 4 additional members at a cost of \$25.00 each totaling \$475.00 this year.

A motion was made by Ms. Heymann and seconded by Ms. Lockhart, to have the Commission renew its ANJEC subscription for 2020 totaling \$475.00 for its 11-person roster. The motion passed unanimously.

Chairman Colwell said he recently attended an Eagle Scout ceremony for Connor Goranson, who constructed a pergola at Mac Bain Farm, and he recited a letter written by Ms. Heymann and presented it to Mr. Goranson on behalf of the Commission. He suggested the Commission show its appreciation more appropriately to Mr. Goranson as well as Tyler Pendleton, who recently constructed a replacement shed at the Farm, in the form of 2 plaques costing no more than \$150.00 in total. Ms. Heymann and Ms. Pergament disapproved, saying plaques would not be good use of the Commission's limited funds and would not promote its message of sustainability respectively.

A motion was made by Councilman Devlin and seconded by Ms. Pergament, to have the Commission spend no more than \$50.00 on an undetermined method of showing its appreciation to Mr. Goranson for his efforts at Mac Bain Farm. The motion passed unanimously.

Chairman Colwell said there is an existing estimate of \$540.00 from Dimick Fence Co. to perform fence rehabilitation at Mac Bain Farm; he assumed repairs were not done in September 2019 because the Department of Public Works (DPW) had not yet removed a tree causing the fence damage; Ms. Lockhart interjected, saying both tree and fence work were completed, and the \$540.00 invoice was paid by the Borough. Chairman Colwell said he would confirm such with the Borough, noting there would then be \$1,460.00 remaining in open space funds allocated to Mac Bain Farm fencing.

Old Business

Formation of Committees

In an effort to coordinate the Commission's efforts by way of decentralizing to accomplish more in less time, as well as to streamline its monthly meetings, Chairman Colwell said he and Ms. Pergament considered Commission members' feedback while drafting a proposal for the creation of 7 Committees, each of which may have a maximum of 3 Commission voting members (4+ would constitute a quorum) to avoid the need to notify the public for an official meeting when they gather. He said the Mac Bain Farm Operations Committee would concentrate on daily operations, volunteer staff, plantings, supplies, etc. while the Mac Bain Farm Property Committee would oversee maintenance issues such as fencing/house repairs, irrigation system, etc. Ms. Heymann opined the Farm's maintenance issues can be handled by 1 Commission member being there is no conflict/disagreement surrounding such matters whereas the Farm Operations Committee would require hands-on attention every day because the operations are fully-occupied with divulging issues; Chairman Colwell disagreed. Ms. Lockhart noted there is much follow-up required for the Farm Property Committee such as billing which warrants the attention of more than 1 Commission member. Ms. Pergament said the Committees' roles/responsibilities should be clearly defined by grouping certain tasks/issues together. She said a line item for Committee Reports would be permanently listed on all future Commission meeting agendas so that each Committee could brief the Commission on its progress as is currently done with Liaisons; Ms. Whitney agreed that such would make the Commission's monthly meetings more high-level and eliminate discussions about minutia.

Chairman Colwell said the proposed Events/Publicity Committee would coordinate with the Governing Body, Police Department, vendors, etc. Ms. Pergament said the examples and scope of the proposed Committees was intended to be explanatory, not limiting. With respect the Education/Advocacy Committee, Ms. Lockhart suggested having a local program for farm education as well as working with the local school system, thus, it would not be able to handle tasks such as obtaining Sustainable New Jersey certification and polystyrene foam ban efforts. Ms. Heymann noted the Committee proposal did not mention the Commission's intension of

conducting summer classes at Mac Bain Farm this year; Chairman Colwell replied such could be under the auspices of either the Events and Publicity or Education/Advocacy Committees while Ms. Pergament suggested the Farm Operations Committee. Ms. Heymann disagreed, saying a summer class program warrants having its own Committee. She pointed out the Farm has been the top priority of the Commission for 2 decades resulting in other initiatives falling by the wayside, noting it should be educating the entire community in various green elements such as composting, etc. Ms. Pergament said the Commission has limited resources and though the Farm must always be operational, each Commission member is enthusiastic for additional ventures; thus, she said each Committee must prioritize their wish lists. Ms. Lockhart questioned if 1 of the 3 Events/Publicity Committee members could handle publicity instead of all 3.

Ms. Whitney suggested the Committees evaluate from a project perspective, such as a summer class program, and the topics indicated on the Committee proposal can be utilized to formulate the Commission's mission statement. Ms. Heymann said 90% of the items indicated on the Committee proposal are already being addressed and was bothered that the Commission is not taking on new initiatives. Ms. Pergament believed the Committee proposal illustrates how much the Commission already handles keeping in mind it is comprised of volunteers. She felt the Commission can agree this evening on the creation of the 7 Committees and then the members of each can formulate their own ideas. Ms. Heymann noted that some items started by 1 Committee, such as summer classes at Mac Bain Farm, may require a different skill set of another Committee for tasks such as distribution of pamphlets, coordination of a speaker series/plein air classes, etc. Chairman Colwell said the discussion at hand is an example of what the formation of Committees is supposed to alleviate: the Commission discussing minutia; he warned that without direction from the 7 Committees, the Commission will find itself task-oriented as it did last year, where everyone is concentrating on the Farm and little else.

Chairman Colwell thought there was not much overlap of the Borough's various boards and commissions, saying, for example, inviting members of the Recreation Commission's Challenger disability program to future Harvest Festivals at Mac Bain Farm does not equate to the actual administration of the Challenger program. Ms. Pergament agreed, saying the Commission, Shade Tree Commission, and Recreation Commission have defined roles to minimize overlap. Ms. Lockhart opined that each Committee should handle its own publicity (advertising and outreach). She also suggested the tasks of working with schools and creating farm classes should be assigned to separate Committees; Chairman Colwell disagreed, reminding that multiple parties have been contacting local publications and media rather than there being centralized messaging to the press. He also felt farm education should be combined with education and school outreach and tasked to the Education/Advocacy Committee. Ms. Lockhart responded that those various topics would be too much for 3 members to handle, noting that Ms. Heymann envisioned generating new ideas to educate the public. Ms. Heymann believed the Ordinance/Contracts/Mission Statement Committee should not be formed since those items are executive duties handled by the Commission, and a separate Committee should be dedicated to education which would address some of Ms. Lockhart's concerns. Ms. Pergament inquired about having a Committee solely for plan review and preparing administrative reports for the Borough's land use boards, an agenda item that takes quite some time for the Commission to complete each month; Mr. Feibish opined such should remain with the Commission. Ms. Heymann suggested placing a timeframe on each task because some are operative primarily at certain times, noting the Education/Advocacy Committee would be busier with activity during the school season whereas the 2 Committees associated with the Farm are geared towards the warm weather months. Chairman Colwell said farm education would occur during the Farm's season to which Ms. Heymann replied farm education was an ongoing initiative and the goal should be to generate new ideas and public interest. Ms. Lockhart asked if the Farm could be its own Committee and have a Committee

strictly for advocacy (Sustainable New Jersey certification, polystyrene foam ban, etc.). Ms. Whitney believed obtaining Sustainable New Jersey certification is more of an administrative task (application process), which a Committee would merely report on to the Commission along with any additional activities it is involved with. Chairman Colwell reiterated that the Commission is discussing issues that should be reserved for the 7 Committees; Ms. Lockhart disagreed, saying the Commission needs to set how it will be organized for the year before voting on the formation of Committees. Ms. Heymann reminded that the Commission sets its own agenda and is not required to discuss every issue each time it convenes a meeting.

A motion was made by Councilman Devlin and seconded by Ms. Whitney, to have the Commission form the following 7 Committees: 1.) Mac Bain Farm Operations; 2.) Mac Bain Farm Property; 3.) Events/Publicity; 4.) Ordinances/Contracts/Mission Statement; 5.) Trails/Passive Parks; 6.) Education/Advocacy; 7.) Plan Review/Environmental Notifications/Contaminated Sites. The motion passed unanimously.

Chairman Colwell and Ms. Pergament said 3 members would be selected for each Committee, noting Associate Members would not be considered in the 3-count being they have no voting privileges. He clarified that the 3-member maximum does not affect the number of volunteers that can be assigned to Mac Bain Farm, Commission-sponsored events, etc.

With respect to the Commission's January 23, 2020 Special Meeting, Ms. Lockhart suggested plan review occur that evening; Ms. Pergament countered that there is now a Committee to handle administrative reports to the land use boards. Chairman Colwell said the meeting would convene pending attendance.

Mac Bain Farm

Chairman Colwell stated that Mark Schwartz, operator of Precision Sprinklers & Outdoor Lighting, LLC is still awaiting Mr. Mc Caffrey to supply certain data relating to the Farm's land measurements and/or obtaining a property survey in order to complete a plan and estimate for the installation of an irrigation system.

Ms. Lockhart suggested a 10-week farm education program, commencing March 17th and ending May 26th annually, could be established whereby 2 groups of 10 to 12 children each ranging from ages 5 to 7 and 8 to 9 would be guided by 3 to 4 Farm volunteers on how to plant cold weather vegetables and receive a basic introduction on making beds, planting seeds and harvesting; she said it could be an afterschool activity reserved for children residing in Closter only, noting the local school system has a similar program of its own. Chairman Colwell noted that if the schools were to be involved, background checks, etc. would be required.

Trails

Chairman Colwell said he recently spoke with the Borough Administrator, Edward Hynes, regarding accessing open space funds allocated for the trail system. Ms. Heymann said Mr. Hynes is mistaken on the process of how to rehire Kevin Riley, a Board member and Grounds Manager of the Borough of Demarest Nature Center, who in past years provided substantial trail maintenance for the Commission, as a part-time vendor. Given the equipment involved (chainsaw, etc.), Councilman Devlin said it was especially important that Mr. Riley comply with the Borough's insurance requirements. Ms. Heymann said if he were to be hired as an independent contractor, requiring a public bid, the cost of the insurance coverage required by Mr. Riley would far exceed what the Borough would be paying him (\$25.00 hourly rate). Councilman Devlin reminded that hiring him as a Borough employee would be much more involved. Ms. Heymann revealed that if the Borough were to retain the services of the New York-New Jersey Trail Conference instead, it would charge a \$100.00 hourly rate. Ms. Pergament said the matter would be handled by the Trails/Passive Parks Committee.

Sustainable New Jersey Certification

Ms. Whitney distributed a summary highlighting 12 priority actions with a corresponding point system to guide the Commission on a pathway to attaining certification; she said 2 to 3 must be completed in order to attain a bronze or silver level respectively. She informed that while the Borough had a natural resource inventory, it dates back to 2008; she hoped it, which is 1 of the 12 priority actions, would merely need to be updated to have it count towards certification. Ms. Whitney felt more confident in the Borough's chances of becoming certified following her recent conversation with a Sustainable New Jersey representative, noting the certification would continue to be overseen via Committee. She noted that she intended on having an updated application submitted by May. In response to Ms. Heymann's frustration that so many certification items have already been submitted in years past, Ms. Whitney said the Borough must have actions that have been completed 18 months prior to a decision made on certification by Sustainable New Jersey, which would occur at the end of 2020. She revealed that the most recently completed items indicated on the Borough's existing application are from 2014. Ms. Pergament reminded that Closter already has a prescription drug safety and disposal program established and may already have satisfied the requirements regarding recycling and waste reduction education; she was uncertain if Closter had adopted a water conservation ordinance. Ms. Whitney confirmed she would be partaking in a Sustainable New Jersey webinar on February 5th.

Buzzoni Farm Park Fencing

A motion was made by Councilman Devlin and seconded by Ms. Whitney, to have the Commission table the matter of utilizing open space funds currently allocated toward the installation of a fence at Buzzoni Farm Park (the proposal of which was opposed by the DPW because it would hinder grounds maintenance) instead towards rehabilitating existing fencing at Mac Bain Farm. The motion passed unanimously.

New Business

The Commission did not discuss new matters.

Liaison Reports

Governing Body

Councilman Devlin said if a pending bill on regulating polystyrene foam usage is not passed by the New Jersey General Assembly and Senate by January 13th, the date on which the Legislative Session ends, and then signed into law by the Governor within 7 days thereafter, the Governing Body's Ordinance Committee would then be able to pursue a ban on Borough establishments utilizing and selling products, packaging, etc. made of polystyrene foam; he stressed that a local ordinance cannot supersede a statute.

Planning Board

Ms. Heymann stated the Board appreciated the Commission's administrative reports, specifically with respect to its opinion on tree removal and preservation for construction projects, noting several trees slated for removal at 60 Anderson Avenue and 86 Mac Arthur Avenue were retained due to the Commission's advocacy. Ms. Pergament said the Plan Review/Environmental Notifications/Contaminated Sites Committee would provide more intense plan review comments on land use board application moving forward. Ms. Heymann concurred, saying the Board is able to save trees and protect waterways because construction projects involving at least 250 cubic yards of soil movement require its approval. Chairman Colwell

noted the Commission's By-laws were last amended on December 20, 1999 at which time they spoke of soil movement and landscapes.

Shade Tree Commission (STC)

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

Historic Preservation Commission (HPC)

Ms. Heymann said there should be a determination as to whether the Commission or HPC would oversee the residence located on Mac Bain Farm being it is now designated as a Historic Landmark by the Borough; she opined the HPC should because it is better-suited to file grant applications. Speaking generally, Chairman Colwell said he had mentioned the issue of preventing overlap between the various Borough boards and commissions as well as enhancing communication, but he had yet to get a response from the Borough Administrator. Ms. Pergament said either she or Chairman Colwell would attend an HPC meeting to hopefully resolve the issue of jurisdiction concerning the Farm's house.

Plan Review

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

Adjournment

Chairman Colwell stated the Commission is required by ordinance to transmit a report to the Governing Body detailing its workload and accomplishments for the previous year; he distributed a draft he prepared and asked that he be emailed feedback. Ms. Pergament asked him to clarify that the residence located on Mac Bain Farm was recently deemed a Historic Landmark by the Borough. In response to Ms. Heymann, Chairman Colwell said the Borough only added the Farm to its Recreation and Open Space Inventory (ROSI) in January 2019, noting doing such prevents the future development of the farmland by the Borough regardless of change in its administrative and/or political leadership.

Chairman Colwell said he recently spoke with the Superintendent of the DPW, William Dahle, about trees removed in Pollack Square, which abuts a newly-installed commuter parking lot on Third Street (unimproved thoroughfare). He said apparently Rockland Electric Co. removed several pines in order to accommodate new light pole installations, noting the Governing Body consented to such beforehand. Chairman Colwell said 1 nearby massive sycamore was able to be retained. Ms. Pergament questioned if the Commission should have been informed prior to tree removal occurring in a passive park; Councilman Devlin answered in the affirmative, noting the Trails/Passive Parks Committee would now take up that matter as well as the recent removal of several ash trees throughout the Borough on account of being infected by the emerald ash borer.

Chairman Colwell said under the supervision of local science teacher, Silvia Jost, an Eagle Scout recently planted a pollinator garden, of which 3 sections comprised of non-native plantings and the 4th section consists of native only. He suggested Ms. Heymann could advise Ms. Jost on how to enhance the garden; Ms. Heymann said native plants should be the sole components of the garden, noting non-native plants become quite invasive being they have no natural enemies.

There being no further items to discuss, a motion was made by Councilman Devlin and seconded by Ms. Heymann, to adjourn the meeting at 9:29pm. The motion passed unanimously.

