

MEADOWLANDS CONSERVATION TRUST
PUBLIC MEETING
MINUTES

DATE: August 19, 2005
TIME: 10:00 a.m.
PLACE: New Jersey Meadowlands Commission
Environment Center
2nd Floor, Lecture Room
Lyndhurst, New Jersey

RE: Meeting of the Meadowlands Conservation Trust

TRUSTEES PRESENT:

WILLIAM SHEEHAN, Chair
Hackensack Riverkeeper

ROBERT CEBERIO
Executive Director, NJMC

DENNIS ELWELL
Mayor of Secaucus

ABIGAIL FAIR
Association of NJ Environmental Commissions

MICHAEL GONELLI
NJMC, Commissioner

GREG REMAUD
NY/NJ Baykeeper

ALSO PRESENT:

KRISTINA SCHVEJDA
Executive Director, Meadowlands Conservation Trust

RENEE HANENBERG
Administrative Assistant, Meadowlands Conservation Trust

PENNY LUDMAN, ESQ. (via teleconference)
Deputy Attorney General

LARA RODRIGUEZ
Marketing Manager, NJMC Environment Center

ABSENT:

MARK BECKER, Vice Chair
Co-Director of Bergen Save the Watershed Action Network

1. Chairman Sheehan presided over the Meadowlands Conservation Trust Board of Trustees meeting.
2. After reading the Sunshine Law, Ms. Schvejda read the roll call for the August 19, 2005 meeting of the Meadowlands Conservation Trust.
3. Review and Adoption of Minutes: Minutes of the June 17, 2005 meeting were modified by Trustee Rемаud and adopted and approved with a motion made by Trustee Fair, seconded by Trustee Gonnelli and unanimously carried by acclamation.

Trustee Rемаud made a modification to the June 17, 2005 meeting minutes. He asked that in regards to the notation on Conservation Resources Inc (last page, letter F), it be noted that if the MCT works with Michael Catania, he be asked for assistance in funding soft costs and planning rather than restoration or projects where funding is already available.

4. Public Comment: Lara Rodriguez, of the Meadowlands Environment Center (MEC), discussed the MEC's planned outreach program being held with the American Littoral Society (ALS). The annual meeting of the ALS will be held at the Environment Center in September. On Saturday, September 24th there is a day of events planned including pontoon tours, hiking at Snake Hill, canoeing in Mill Creek, and other activities that will be open to the public. Friends of the ALS are invited to have a table at the event. Ms. Rodriguez strongly suggests that the MCT at least make their promotional materials available. This would be a good way to get the Trust's message out to a like-minded body of people.
5. Resolutions: The following resolution was moved by Trustee Elwell, seconded by Trustee Rемаud and unanimously carried –
 - A. Resolution authorizing the Executive Director of the Meadowlands Conservation Trust to enter into an agreement with New Jersey Meadowlands Commission (NJMC) to pay for and take the lead on design, engineering and restoration of the Empire Tract/Richard P. Kane Natural Area. The tract will be used as a park/natural area and be part of the "green" marina. NJMC will also include designs for trails and walking areas that will eventually connect the Meadows Path via the Empire Tract/Richard P. Kane Natural Area. Meadowlands Conservation Trust is to be an active partner in all decisions and details for this project. (Resolution 05-07)

Trustee Ceberio has had several discussions with Ms. Schvejda concerning the Empire Tract. He has suggested that the NJMC should take the lead on the restoration of the Empire Tract/Richard P. Kane Natural Area. Since the NJMC has the resources to do this scope of work and it is a part of their overall master plan initiative in terms of passive recreational activity, the NJMC believes it has an obligation to take the lead effort. The Commission views the area where the Empire Tract is located as the northern gateway of the district. There are going to be several phases to the proposed project. The first phase is the passing of a resolution that would tie in the restoration and renovation of the River Barge park area with the adjacent upland piece of the Empire Tract. The first restoration site would be the 45 to 50 acres adjacent to the park area. NJMC would like the MCT Board of Trustees to authorize Ms. Schvejda to enter into an agreement with the Commission to start, on behalf of the MCT, the beginning stages of the design, engineering and restoration of phase one of the Empire Tract. This agreement would allow the NJMC to go on the upland piece, owned by the Trust, for the purposes of creating that piece as part of the River Barge experience. Eventually, the NJMC would determine the next best area of the Empire Tract to continue with the restoration process. Estimates for the Barge Club and lower Empire Tract restoration are approximately \$2.5 million with another \$500,000 to go into the design and engineering for the rest of the tract. The Commission hopes to begin implementing this project at their September board meeting. Ms. Schvejda noted that this is a wonderful opportunity for the MCT to be working with the Commission. Trustee Ceberio stated that the MCT board will receive all facts and figures pertaining to the project and will be able to review all site plans. Trustee Ceberio stated that the Trust should meet with Rep. Steve Rothman to discuss allocation of resources for this restoration. Ms. Schvejda noted that she has a meeting scheduled with Rep. Rothman.

The following resolution was moved by Trustee Elwell, seconded by Trustee Fair and unanimously carried –

- B. Trustee Ceberio asked for a supplemental resolution that allows for a land access agreement to the property adjacent to the Barge club area, authorizing Commission staff to access that site and eventually begin construction on the site. As owners of the property, Ms. Schvejda or the board of trustees must be able to sign off on permits to enable work to commence. Trustee Ceberio suggested creating the resolution at the meeting and then memorializing it later with an official resolution. The resolution (05-08) will state that the MCT will enter into an agreement with the Commission that allows the NJMC access to the Empire Tract to do all the testing, engineering, design and ultimately construction of a park on that site. Ms. Ludman's caveat is that everything be done consistent with any restrictions that may be held in the deed and conservation easement. Trustee Ceberio noted that in order to do any construction on the marina and waterfront property, NJMC will have to obtain permits from the US Army Corps of Engineers and the Department of Environmental Protection, so they will have to comply with any restrictions within the deed.

6. Chairman's Report: Chairman Sheehan discussed the issue of ATV riding on the Empire Tract and other areas in the Meadowlands, such as along the NJ Turnpike at 16W and in Secaucus on the side of Laurel Hill Park. This has been a long-standing problem in the Meadowlands. Chairman Sheehan has written letters to the Executive Director of the NJ Turnpike and those letters were passed along, eventually reaching the state police. Colonel Fuentes headed a meeting with the state police, where he recognized that ATV riding is a security risk because there are tier one and tier two homeland security targets such as sensitive transportation infrastructure, the Williams tanks, and the Bergen County Utilities Authority (BCUA) sewage treatment plant. Colonel Fuentes convened this meeting with police personnel from four or five towns and transit police and will soon begin a Fair Warning Campaign. This campaign will let people know that they are no longer allowed to take vehicles on these properties. After this short media blitz, police officers in this area, along with state and transit police, are going to tow the vehicles that are used to transport the ATVs and they are also going to be impounding ATVs when the riders return looking for their trucks. Trustee Ceberio stated that the NJMC might soon have a strategic plan from Bergen County police, State police, and Carlstadt and South Hackensack police for the Bergen county police department to coordinate everyone's efforts from the Bergen County Utilities Authority through the Empire Tract. There is the potential to have a Bergen County police substation at the Barge Club. He also mentioned that the state police are not aware of the riverside access to the Williams tanks. BCUA, NJMC, and Bergen County will be putting in resources to bring on county officers to specifically patrol that corridor from BCUA to the Barge Club. Trustee Elwell asked that since the state police are currently not patrolling the area, is there any action a town can take to make sure it is secure? Trustee Ceberio stated that these meetings are going to lead to an effective security effort around the tanks. More meetings are being arranged and there will be a significant increase in both on the ground and riverside patrolling. As a result of these meetings, there are five agencies (State, County and Local Police; NJMC; BCUA) that are ready to put money into this homeland security issue and tie it into the security of the Kane tract. Chairman Sheehan noted that whenever the level of alert was raised, there was a guard stationed outside the chemical company in Kearny but there was no police presence around the Williams tanks.

Trustee Ceberio suggested that another resolution (05-09) be made that would authorize the MCT to enter into an agreement with the four parties currently taking action on these security issues and be able to make an annual financial contribution for security purposes. He suggested that the money for this contribution come from the Empire Tract funding. This resolution would memorialize the board's empowerment to sign a contract for security purposes. Ms. Ludman asked if the MCT is authorized to do that under statute. Trustee Ceberio stated that since the MCT is owner of the Kane property, the police couldn't enter the site unless they are given authorization. The empowerment resolution would appropriate funds and would allow a four party agreement for security of the Kane tract in addition to adjacent tracts. The four parties are Bergen County, Bergen County police, BCUA and NJMC. MCT would be the fifth party and state police may also become involved. Trustee Ceberio also stated that this empowerment resolution would authorize the executive director to enter into an agreement for security purposes of the Empire Tract. Trustee Elwell made a motion to accept the resolution. Trustee Fair seconded the motion and it was voted unanimously.

7. Directors Report:
 - a. Old Business
 - A. Empire Tract acquisition

- a) Ms. Schvejda had a meeting with Williams and they are willing to assist financially in the security of the Empire Tract. They are also interested in giving money for trail work.
 - b) Ms. Schvejda noted that the northern section of the Empire Tract, where ATV riders access the site, is not owned by the MCT. She has been trying to set up meetings to get this taken care of. Trustee Ceberio has a meeting with Mr. Ben Lazar and if the property is not handed over, Trustee Ceberio will take the issue to his board. This property offers a large security risk for BCUA.
 - c) Atlantic white cedar trees were recently planted on the Empire Tract with the help of Don Smith.
 - d) A brochure was handed out describing the upcoming Birding Festival on September 17, 2005. There will be an unveiling of the Richard P. Kane Natural Area at the event. Mr. Kane will be at the festival to lead a few of the field walks. Chairman Sheehan stated that they hope to get a mock-up of the sign made and before the keynote speaker begins, there will be a ceremony where Mr. Kane unveils the sign. Ms. Schvejda asked the Trustees to decide which sign design they prefer. There are two options: both signs have the MCT logo with the text Richard P. Kane Natural Area; Meadowlands Conservation Trust; website information; phone number; one sign is monochromatic in a dark green color while the other sign is in the four colors representative of the MCT's official logo. Chairman Sheehan noted that the monochromatic sign would be easier to maintain, and Trustee Remaud mentioned that there are many benefits to keeping the sign simple. Trustee Fair thought the sign may be a bit too busy. Chairman Sheehan stated that this image is a trademark of the Trust and that since the image is on MCT's letterhead and brochure, for consistency purposes, it is best to use it on these signs. Trustee Elwell stated that he preferred the four-color sign. Trustee Ceberio noted that he would like to someday have a sign facing the Turnpike. Lara Rodriguez recommended the four-color sign because if you see it from a distance and cannot make out the text, the colors will evoke the website, press release, stationary, license plate and brochure. Trustee Elwell made a motion for the four-color sign. Trustee Fair seconded the motion, which was carried unanimously. Trustee Fair also suggested removing the phone number from the sign.
 - e) Trustee Remaud asked about finding alternative ATV sites and where the Trust stands on this issue. Ms. Schvejda stated that it is not her goal to find an alternative site for ATV riders but if the situation presents itself, she will be glad to push the effort forward. Trustee Ceberio asked who would take responsibility of running an ATV park. He also noted that putting an ATV park on an old landfill would be difficult because of hazardous waste issues.
- B. License plate update
- a) Ms. Hanenberg gave a brief review of the license plate revenue for the fiscal year of 2005. In addition to the renewal of plates, there were approximately 332 initial plates issued over the course of July 2004 to June 2005. A total of \$25,983.96 was received by the Trust.
- C. Land acquisition update
- a) Ms. Schvejda discussed the non-technical report on the Meadowlands being published through funding by the MCT. She showed a sample booklet to visualize size and shape and also presented a mock-up of the book cover, title page and first two pages. The printing will be done on recycled paper. A decision that needs to be made is how many booklets are to be ordered. Jersey Printing has presented the best prices for quantities of 1000, 2500 and 5000 booklets. Trustees need to determine a distribution list. Trustee Elwell suggested asking the Meadowlands Regional Chamber of Commerce if they had a distribution list. Trustee Fair also suggested contacting Audubon. Lara Rodriguez noted that the Meadowlands Liberty Convention and Visitors Bureau will be having an inaugural convention at the end of the year in which they hope to draw 1000 attendees. Ms. Rodriguez suggested contacting Axiom Communications, who is in charge of setting up this conference, to see if they could possibly make the booklet available at the convention. Trustee Remaud made a motion allowing the MCT to order up to 5000 booklets pending discussions and information on the necessary amount needed. Trustee Fair seconded the motion, which was unanimously carried.
 - b) The conservation easement on Norwood Central Woods is moving forward. The town has had their first reading of the easement at their council meeting and a second reading is scheduled. Norwood is paying for the survey and the Trust is picking up the cost for the title

search, which is going to run approximately \$30,000. There was a nice newspaper article in The Record last week about this easement. Norwood hopes to have this project completed by October.

- c) Chairman Sheehan first brought the Demarest/Clarke project to the attention of the Trust. There are three siblings, all in their 60's, involved in this conservation easement. They are picking up the cost for everything, including title, two appraisals and survey, and they will also be making a \$9000 donation to the Trust.
 - d) The Trust has lost the New Milford donation to Bergen County. Originally, the donor reached out to Bergen County and when the county didn't move forward with it, he reached out to the MCT. Bergen County has since decided to go through with the donation. Ms. Schvejda made a last effort to secure the donation by stating that the Trust is small and could accommodate this fee simple donation quickly by making it a top priority. However, the donation will be going to Bergen County. Trustee Remaud noted that regardless of who receives the property, it is going to be preserved and the Trust did play a part in pushing the process along
- D. Ms. Schvejda and Ms. Hanenberg have been going out to the different municipalities to make sure that the open space parcels that Albert Planas, MCT's former intern, had put together through GIS maps are actual sites that are worth saving. Thus far, one discrepancy has been found: there is a builder on site. The sources Mr. Planas used were up to two years old and since development occurs on a rapid pace in this region, there may be more discrepancies.
- E. Funding
- a) The funding that would have resulted from the movement of the Rose City radio towers has been denied. Trustee Ceberio discussed funding that the NJMC will receive at its September meeting. Some money is coming from Encap (\$26 million), with \$10 million being set for restoration. Some of the projects mentioned at this meeting will receive money from this fund.
 - b) Ms. Schvejda gave an update on the possible NJ tax return contributions made to the MCT. The bill has gone through on the Senate side, and Ms. Schvejda is now working on gaining co-sponsorship on the Assembly side. She has had productive meetings with Assemblymen Prieto and Scalera.
 - c) In her next meetings, scheduled with Representatives Rothman and Garrett, Ms. Schvejda will ask about other possible funding sources.
- F. Website update
- a) Ms. Hanenberg gave an update on the recent additions to the MCT's website. There are now pages devoted to news items and a photo gallery with sub-pages that highlight Emerson Woods, the Empire Tract and the Meadowlands. In addition, she also took the suggestion of board members and started a recognition page on the site. Currently, the page is devoted to the Emerson Woods conservation easement. Updates on the recognition page will be ongoing to reflect the happenings within the Trust.

8. Closed Session

9. Open Session

10. Next Meeting set for October 21, 2005, 10:00 a.m., NJMC lecture room.

11. Motion to adjourn meeting was made.

Kristina R. Schvejda, Executive Director
Meadowlands Conservation Trust