

MEADOWLANDS CONSERVATION TRUST

DATE: May 5th, 2006
TIME: 10:00 a.m.
PLACE: New Jersey Meadowlands Commission
3rd Floor, MERI Conference Room
Lyndhurst, New Jersey

RE: BIMONTHLY MEETING MINUTES

TRUSTEES PRESENT:

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

MR. ROBERT CEBERIO
Executive Director, NJMC

MAYOR DENNIS ELWELL
Mayor of Secaucus

MS. ABIGAIL FAIR
Association of NJ Environmental Commissions

MR. MICHAEL GONNELLI
NJMC, Commissioner

MR. GREG REMAUD
NY/NJ Baykeeper

ALSO PRESENT:

MS. KRISTINA SCHVEJDA
Executive Director, Meadowlands Conservation Trust

MS. KRISTEN HEINZERLING, ESQ.
Interim Deputy Attorney General for MCT

MS. CHRISTINE PIATEK, ESQ.
Deputy Attorney General from Trenton, special retainer to handle Empire Tract contract

MR. JONATHAN MARTIN
Administrative Assistant, Meadowlands Conservation Trust

ABSENT:

CAPTAIN WILLIAM SHEEHAN, Chair
Hackensack Riverkeeper

1. Vice-Chairman Mark Becker presided over the Meadowlands Conservation Trust Board of Trustees meeting.
2. After leading the flag salute, Ms. Schvejda read the roll call for the May 5, 2006 meeting of the Meadowlands Conservation Trust, followed by a reading of the Sunshine Law.
3. Review and Adoption of Minutes: Minutes of the February 24, 2006 meeting were adopted and approved with a motion made by Trustee Fair, seconded by Trustee Ceberio and unanimously carried by acclamation.
4. Public Comment: No public comment was made.
5. Statement read into the Minutes: Commissioner Susan Bass Levin for NJ Department of Community Affairs – Letter addressing the language in paragraph 5 of the Empire Tract contract be amended to reflect – a no development clause.
6. Resolutions: The following resolution was moved by Trustee Gonnelli, seconded by Trustee Fair and unanimously carried –
 - A. Resolution authorizing the Executive Director of the Meadowlands Conservation Trust to execute an amendment to the deed for the Richard P. Kane Natural Area (Resolution 06-02)

The resolution permits the deletion of paragraph 5 from the Original Deed and Conservation Restriction for the Richard P. Kane Natural Area. There has been recent controversy as to whether or not the paragraph contains a loophole, leaving the option for development in the future. While many believe the concern to be fabricated and unwarranted, after careful consideration from our DAG it has been decided that the removal of the paragraph would squash any concerns one might have, solidifying our intention to preserve the tract. Trustee Ceberio read a statement given to him by Department of Community Affairs Commissioner and MCT Trustee Susan Bass Levin. In her statement she expressed delight in the MCT's ability to address the issue in such an effective and prompt manner. It is her belief that we must ensure that our mission is clearly defined and that all confusion is eliminated. She urges us all to continue our efforts and that today's actions serve as a notice of our conviction. Vice-Chairman Becker reiterated how refreshing it was to see the MCT's expedited efforts to resolve the issue and went on to thank everyone for their hard work.

7. Chairman's Report:
 - a. Chairman Sheehan was not present and Vice-Chairman Becker presided the meeting. While Vice chair had no particular report to share with the board, he did express his views after agenda items were presented to MCT BOT.

8. Directors Report:

a. Old Business

A. License plate update

- a) Mr. Martin has received commitments from two more dealerships to assist in the promotion of the Meadowlands license plate. Franchini Chevrolet on River Street in Garfield and Lynn Chevrolet on Kearny Avenue in Kearny now have pamphlets displayed in their showroom. Earlier in the week he had a meeting scheduled with the owner of Garden State Honda in Clifton and Passaic Honda in Passaic, however his meeting was canceled due to an unanticipated influx of customers. He did however deliver the information displays and was told that they would be placed in high traffic areas at both showrooms.

B. Land acquisition update

- a) Teaneck – Executive Director Schvejda updated the board on current happenings with the Teaneck Pomander Walk conservation easement. The advisory committee will be meeting shortly to discuss what the future holds for the site. The transaction closed, per the owner's request, on April 15th 2006 and looks to be a win/win situation for everyone involved. Ms. Schvejda, however, regrets to inform that Green Acres will be holding title to the conservation easement for Pomander Walk. Trustee Remaud made an attempt to have the American Littoral Society provide money to the project through the MCT that was given to them by Green Acres. Green Acres was not comfortable with granting a third party easement. Trustee Remaud hopes that this does not create discouragement. It is his belief that the MCT can provide more protection than Green Acres can and it would be beneficial for us to continue our efforts towards the attainment of the easement.
- b) Ridgefield – Ms. Schvejda made it known that we are continuing our work with the Chairwoman of Ridgefield's Environmental Commission, Karen Reide, on preserving two plots of land in their town totaling approximately 11 acres. Trustee Elwell expressed concern that the property in discussion is slated for development in an attempt to meet Ridgefield's COAH regulations. Trustee Ceberio said that he believes Ridgefield is one of the municipalities that had submitted their housing plan and that he will look into it. Trustee Elwell offered to contact the mayor of Ridgefield directly to discuss the situation at hand, if need be.

- c) Norwood – Ms. Schvejda has a meeting with Mayor Michael Kaplan next week to discuss any and all issues pertaining to a potential conservation easement on Central Woods. Trustee Ceberio asked for clarification as to whether or not the Trust is involved in insuring the land that it holds easements on. Ms. Schvejda informed him that since we are stewards of the land and are responsible for preserving the land in its natural state it is common place for us to pay 45% of the land value in insurance liability fees.

C. Hudsonia

- a) Mr. Martin informed the board that Hudsonia’s Meadowlands report is nearing completion. He is currently creating a map to be used in the report which labels all referenced sites. His recommendations for the final edits have been given and hopefully we will see a finished product in time for the MCT’s next board meeting.

b. New Business

A. Land Acquisition

- a) River Vale – Ms. Schvejda made it known that we are looking to partner with the municipality, Bergen SWAN, and Green Acres towards the acquisition of the Poplar Road Tract. Vice-Chairman Becker asked for a better understanding of how the Trust is working with Green Acres towards receiving funding since we are neither a municipality nor a not for profit organization. Ms. Schvejda has met with Green Acres Deputy Commissioner Jay Watson and Administrator John Flynn to discuss the possibility of creating a partnership between Green Acres and the MCT. Trustee Ceberio reminded the board that the MCT’s designation as being in, but not of, the state of New Jersey has been causing a snag when it comes to applying for funding for quite some time now. Our organization’s definition puts us in direct competition with divisions of the Department of Environmental Protection, making it extremely difficult to receive financial assistance. Trustee Ceberio feels that it might be beneficial for the Trust to go after non-profit designation, however, this dilutes the funding set aside for the non-profits and may decrease the overall amount of land preserved in New Jersey. Trustee Remaud would like for everyone to keep in mind that the Garden State Preservation Trust Fund is almost depleted and that there will be new legislation created in the near future. He feels that we must make sure that funding is set aside for organizations like the MCT when the new legislation is drafted. Trustee Elwell was under the impression that the reason for the MCT’s creation was to provide more protection than non-profit land trusts are able to due to our affiliation with the state. It was suggested by Trustee Ceberio that we invite all organizations involved in land preservation to a “global meeting” in order to discuss what steps we can take without interfering with one another. The board unanimously supported the

suggestion and felt that late May or early June would be a good time to schedule it. DAG Piatek will look into MCT's ability to accept and to what extent the Trust can receive funding from either private and or businesses for land acquisition purposes only. Would we have to keep it separate from our general accounting and if so what type of account should the monies be kept in. Also there is a concern is that MCT should be mindful of not taking money.

- b) River Vale – Ms. Schvejda is in talks with the Valente family in River Vale about them donating a conservation easement to the Trust. The property is approximately 5 acres in size and predominantly consists of wetlands. The owners would like to go before the planning board in River Vale and let them know they are interested in selling. This would be an ideal acquisition for the Trust.

B. Meeting with various political entities

- a) Demarest Environmental Commission – On April 5th Ms. Schvejda made a presentation to Demarest's Environmental Commission to make know the MCT's mission and to find out if there were any potential sites we could partner with the municipality towards acquiring.
- b) Bergen County Executive – Ms. Schvejda met with County Executive Dennis McNerney on March 28th to discuss how the Trust can assist him with his efforts in creating a greenway throughout Bergen County. County Executive McNerney was very receptive to our suggestions and we look forwards to working with him in the future. This meeting also opened the doors for meetings with Adam Strobel and Denise Ross to discuss the possibility of the MCT working with the County to assist in the preservation of Van Buskirk Island.
- c) Deputy Commissioner Jay Watson and Green Acres Administrator John Flynn – Executive Director Schvejda went down to Trenton on March 16th to discuss how the MCT can better serve Green Acres in satisfying their mission. She is hoping that the MCT can partner with Green Acres on future projects since there is confusion as to whether we are eligible to receive funding.
- d) Fairleigh Dickinson University's Earth Day Symposium – Ms. Schvejda made a presentation to the attendees on the history of the Hackensack River and how the Trust can assist in assuring a bright future for its watershed.

C. Financial

- a) Funding and Grants – Ms. Schvejda reported that we are waiting on the results for our applications for Green Acres and Smart Growth funding. Trustee Elwell would like to see us serve as a conduit for

corporations in New Jersey to do good by giving the Trust funding and us using it towards the preservation of land.

- b) Audit – Ms. Schvejda informed the board that our financial audit for 2005 should be completed within the next week or two. Copies will be provided at the MCT board meeting in June.
- c) Annual Report – Copies of the annual report were distributed amongst those in attendance. Once we received our 2005 financial information it will be inserted and the report will be complete. Due to budget cuts we will not be printing the report. Instead, it will be bundled with the New Jersey Meadowlands Commission's and the Meadowlands Environmental Center's annual report on CD-ROM.

D. Legal

- a) Encroachment Lawsuit – Last year Ms. Schvejda went out to Emerson Woods and found only one violation on the land. The resident, Virginia Pay, was notified of the encroachment and was asked to rectify the situation. Ms. Schvejda surveyed the land again in April to find that Ms. Pay had now put up a fence around a portion of our land. Ms. Heinzerling reported that Ms. Pay has been given 30 days to take down the fencing. If she does not comply, MCT will be forced to take legal action.

9. No closed session was needed.

10. Next Meeting: Ms. Schvejda proposed that we schedule the meeting directly after NJMC's commission meeting in an attempt to attract Commissioner Susan Bass Levin to our board meeting. The board felt that it would be tough for them to designate an entire work day and that the meetings should be left as is. Therefore, the next meeting is scheduled for June 16th, 2006 and will be located in the MERI Conference Room on the 3rd Floor.

11. Motion to adjourn meeting was made.

Meeting adjourned at 11:30am.

Kristina R. Schvejda, Executive Director
Meadowlands Conservation Trust