



MEADOWLANDS CONSERVATION TRUST
**BOARD OF TRUSTEES
SPECIAL MEETING
AGENDA**

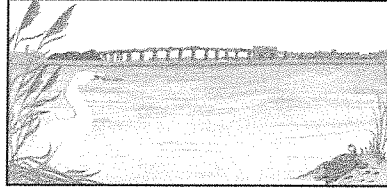
DATE: September 14, 2017
TIME: 3:30 p.m.
PLACE: NJSEA Environment Center 2nd Floor Lecture Room

1. Welcome
2. Flag Salute
3. Sunshine Law Statement
4. Roll Call
5. REVIEW OF MINUTES
 - June 14, 2017 – Open Session
 - June 14, 2017 – Closed Session
 - July 3, 2017 – Special Meeting Open Session
6. REPORTS
 - Chairman
 - Chief Executive Officer
7. PUBLIC PARTICIPATION
8. RESOLUTIONS

Resolution No. 17-11 Consideration of a Resolution Authorizing Settlement in the Matter of Williamstowne Manor, et al., v. Meadowlands Conservation Trust, et al.
9. CLOSED SESSION

Resolution No. 17-12 Consideration of a Resolution authorizing the Meadowlands Conservation Trust to conduct a meeting, to which the general public shall not be admitted for the purposes of discussing legal matters, personnel matters and contract negotiations.
10. OPEN SESSION
11. ADJOURNMENT

Next meeting – October 11, 2017
NJSEA Environment Center 2nd Floor Lecture Room



MEADOWLANDS CONSERVATION TRUST

BOARD MEETING OPEN SESSION MINUTES

DATE: June 14, 2017
TIME: 10:00 a.m.
PLACE: NJSEA Environment Center 2nd Floor Lecture Room
Two DeKorte Park, Plaza, Lyndhurst, NJ

TRUSTEES PRESENT:

WILLIAM SHEEHAN, Chairman
Hackensack Riverkeeper

GREG REMAUD, VICE CHAIRMAN
NY/NJ Baykeeper

RALPH J. MARRA, JR., ESQ.
NJSEA Delegate

DONALD PALOMBI
NJDCA Delegate

ABSENT:

MAYOR ALBERTO SANTOS
HMMC Delegate
Mayor of Kearny

ALSO PRESENT:

CHRISTINE A. SANZ, Chief Executive Officer
JASON STYPINSKI, Deputy Attorney General
COLLEEN MERCADO, Senior Operations Administrator, NJSEA

Chairman Sheehan welcomed everyone, followed by the flag salute.

CEO Sanz read the Sunshine Law statement into record and Ms. Mercado took roll call.

REVIEW OF MINUTES

Chairman Sheehan presented the April 12, 2017 Open Session meeting minutes. Upon motion by Trustee Palombi and second by Trustee Marra, the minutes were carried with all in favor.

REPORTS

CEO Sanz reported that the license plate revenue for 2017 through April 30th was \$6,164.

She went on to advise that since the last board meeting a letter was sent from the Chairman to the Borough of Norwood regarding the ATV usage that is doing damage to trails at the Fox Hill Woods site. She noted that this item was identified by the Trust's consultant, Don Smith, who will continue to monitor the site and hopefully continue to report on progress.

CEO Sanz then mentioned a letter from the Army Corps to Andy Derickson (Kane Mitigation, LLC) in response to the annual monitoring report submitted on the progress at the Kane Mitigation Bank. She noted that in the Army Corps letter it stated that their expectation was that the Fifth Annual Monitoring Report, which is to be submitted in the fall, needs to demonstrate that the site has successfully met the 85 percent survivability and 85 percent aerial coverage in order to have the next set of credits released. She added that a copy of the letter was included in the Board's packets.

CEO Sanz updated the Board on the conveyance of a 2.9 acre property located in Ridgefield from DCT Industries to the Trust. She noted that Deb Lawlor had been working diligently on this until she left and that the transaction was recently completed and the property is now owned by the Trust.

CEO Sanz concluded her report by advising the Board of an agreement with the Borough of Little Ferry granting the Borough access through the Trust's Kane property for them to install a self-cleaning rake system at the Losen Slote Pump Station. She noted that as part of the agreement the Borough acknowledged that it is their responsibility to maintain the pump station, even though it is not on their property.

PUBLIC PARTICIPATION

Mr. Donald Smith, MCT's consultant, provided the following update on the monitoring of the Trust's properties for the month of May:

- Clark Property, Demarest - A stack of skids/pallets is piled on the property. He stated that the family that lives adjacent to the property maintains the grass and takes care of the area. He did not know the intent, but would get to the bottom of it as soon as he reaches the family at home.
- Emerson Woods, Emerson - Previously, there were a lot of trees across the trails which have since been removed by the appropriate people and the trails are all passable now.
- Fox Hills Woods, Norwood - There is still the continuing problem of ATV usage on the property, causing ponding waters, which are attracting mosquitos. The ATV riders have also cut up obstacles in their path which are washing into the creek and forming blockage before the culvert. The Town has yet to put up any signage to prohibit ATV usage.
- Kane Tract, North - There is the problem of a leaking dike called the Cross Dike which is causing the intrusion of salt water into the low area killing the birch trees. Mr. Smith noted

that he believed work would be commencing that same day to start patching the leaks.

- Central Woods, Norwood – No issues. Green Heron have been seen in some of the ponds, which is a good sign.
- Pomander Walk, Teaneck – Property maintained nicely. Would like to see some control of the abundance of poison ivy in the lower shrubs since a lot of senior citizens go there at night and sit by the river. Chairman Sheehan then made note that he had been in contact with neighbors to this property and was advised of a huge controversy going on with the house next door that is being torn down. He said that his understanding was that there would be a lot of surrounding land torn up in the process of taking down the house. He felt the Trust may need to get involved in communications, since there was the idea of marrying the adjacent property to the piece that the Trust already has.
- Skeetkill Creek – The hiking trail needs to be refurbished and a large Popple tree fell along the trail which will need to be cut up and removed. Don will obtain pricing for the removal of the tree.
- Mr. Smith commented on the experimental plots being done by Port Authority on the Kane Tract. He noted that some phragmites were coming back but the trees that were planted two years ago were not highly successful. He added that some cattails were volunteering in the wet areas, which is a good thing in the long run.

Vice Chairman Remaud thanked Mr. Smith for an excellent job, noting that it was exactly what the Board hoped for with monitoring the sites – finding violations and looking at opportunities.

OLD BUSINESS - None

NEW BUSINESS - None

Resolution 17-06 Resolution Accepting the Meadowlands Conservation Trust Annual Audit and Financial Report for CY2016. Chairman Sheehan advised that he and Delegate Marra had an exit meeting with the auditors and they were confident that the Trust is in a good place but financially and regulatory. Upon Chairman Sheehan's motion to accept the audit and second by Trustee Marra, proposed Resolution 17-06 was unanimously approved.

Resolution 17-07 Resolution Authorizing the Appropriation of Funding for the Purchase and Installation of a Security Camera at the Mehrhof Pond Public Access and Observation Blind project site. Chairman Sheehan asked CEO Sanz to provide the background. CEO Sanz advised that during discussions with BCUA one of the major concerns was site security since the site is on the perimeter of the BCUA property, adjacent to a residential area. She noted that, to be effective, the camera would need to be tied into the remainder of the BCUA's system. The proposed cost provided by BCUA was extremely high and in the range of \$20,000. She advised that staff was able to negotiate for the MCT to contribute \$10,000 towards the camera, with BCUA picking up the remainder of the cost. CEO Sanz also noted that the camera would be

monitored by BCUA staff and since it was BCUA property, any act of vandalism to the property would be covered under their insurance. Chairman Sheehan commented that this was a good foot going forward for the Trust and that it was important that the line of communication stay open between BCUA and the Trust. Vice Chairman Remaud thanked the staff for negotiating the best deal economically for the MCT.

Upon motion by Vice Chairman Remaud, second by Trustee Marra, proposed Resolution 17-07 was unanimously approved.

Resolution 17-08 Resolution Authorizing an Agreement for Implementation of Security Updates to the Meadowlands Conservation Trust website. Chairman Sheehan stated that this was something that the Trust needed to take care of and felt it was self-explanatory. Upon motion by Trustee Palombi and second by Vice Chairman Remaud, proposed Resolution 17-08 was unanimously approved.

CLOSED SESSION - commenced at 10:27 a.m.

Resolution No. 17-09 Resolution authorizing the MCT to conduct a meeting, to which the general public shall not be admitted for the purposes of discussing legal matters, personnel matters and contract negotiations. Upon motion by Vice Chairman Remaud, second by Trustee Marra, followed by all in favor. The following matter was taken into consideration:

- Williamstowne Manor LLC et al. v. MCT, et al. pending litigation.

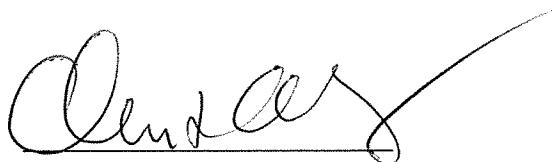
OPEN SESSION - re-commenced at 10:38 a.m.

ADJOURNMENT - Trustee Palombi motioned to adjourn, second by Vice Chairman Remaud and all members responded affirmatively.

Before exiting, Vice Chairman Remaud announced that Chairman Sheehan had just returned from the National Waterkeeper Alliance Conference in Utah, where he received a rather prestigious award. Chairman Sheehan stated that he received the first ever Waterkeeper Hero Award and added that the best thing was being recognized by his peers.

The meeting concluded at 10:40 a.m.

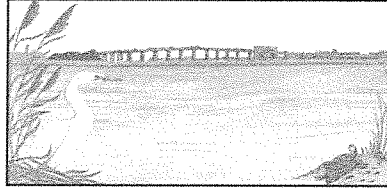
I certify that this is a true and accurate transcript of the Open Session Minutes of the Meadowlands Conservation Trust Board of Trustees meeting of June 14, 2017.



Christine A. Sanz
Chief Executive Officer

NAME	Roll Call	Resolution 17-06	Resolution 17-07	Resolution 17-08	Resolution 17-09 Closed Session
Chairman William Sheehan	P	Y	Y	Y	Y
Vice Chairman Greg Remaud	P	Y	Y	Y	Y
NJDCA Delegate Donald Palombi	P	Y	Y	Y	Y
NJSEA Delegate Ralph Marra	P	Y	Y	Y	Y
HMMC Delegate Mayor Alberto Santos	--	--	--	--	--

P = Present -- Absent A = Abstain
R = Recuse Y = Affirmative N = Negative



MEADOWLANDS CONSERVATION TRUST

**SPECIAL BOARD MEETING
OPEN SESSION MINUTES**

DATE: July 3, 2017
TIME: 11:00 a.m.
PLACE: NJSEA Environment Center 2nd Floor Lecture Room
Two DeKorte Park, Plaza, Lyndhurst, NJ

TRUSTEES PRESENT:

WILLIAM SHEEHAN, Chairman
Hackensack Riverkeeper

GREG REMAUD, VICE CHAIRMAN - VIA PHONE
NY/NJ Baykeeper

MAYOR ALBERTO SANTOS - VIA PHONE
HMMC Delegate

DONALD PALOMBI, Delegate - VIA PHONE
NJDCA Delegate

ASBSENT:

RALPH J. MARRA, JR., ESQ.
NJSEA Delegate

ALSO PRESENT:

CHRISTINE A. SANZ, Chief Executive Officer
JASON STYPINSKI, Deputy Attorney General - VIA PHONE
COLLEEN MERCADO, Senior Operations Administrator, NJSEA

Chairman Sheehan called the meeting to order at 11:04 a.m., followed by the flag salute.

CEO Sanz read the Sunshine Law statement into record and Colleen Mercado took roll call.

OLD BUSINESS - None

NEW BUSINESS - None

Chairman Sheehan noted that there was no one from the public in attendance. He moved forward by presenting Resolution No. 17-10.

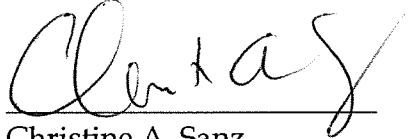
Resolution 17-10 Resolution Ratifying and Approving a Contract for Surveying Services to be Performed on the Eastern and Western Brackish Marshes. Chairman Sheehan noted that once this work was done the Trust could move forward with taking ownership of these properties.

ADJOURNMENT - Chairman Sheehan asked for a motion to move the resolution. Upon motion by Vice Chairman Remaud and second by Delegate Palombi, proposed Resolution 17-10 was unanimously approved.

Chairman Sheehan asked for a motion to adjourn. Delegate Mayor Santos motioned, second by Vice Chair Remaud and carried with all in favor.

The meeting concluded at 11:08 a.m.

I certify that this is a true and accurate transcript of the Open Session Minutes of the Meadowlands Conservation Trust Special Board meeting of July 3, 2017.



Christine A. Sanz
Chief Executive Officer

July 3, 2017

NAME	Roll Call	Resolution 17-10
Chairman William Sheehan	P	Y
Vice Chairman Greg Remaud	P Via phone	Y
NJDCA Delegate Donald Palombi	P Via phone	Y
NJSEA Delegate Ralph Marra	--	--
HMMC Delegate Mayor Alberto Santos	P Via phone	Y

P = Present -- Absent A = Abstain
R = Recuse Y = Affirmative N = Negative

**RESOLUTION AUTHORIZING SETTLEMENT IN THE MATTER OF
WILLIAMSTOWNE MANOR, LLC et al., v MEADOWLANDS CONSERVATION TRUST et al.**

WHEREAS, the Meadowlands Conservation Trust (MCT) is the owner of the Richard P. Kane Tract (“the property”); and

WHEREAS, Plaintiffs Williamstowne Manor, LLC, Liberty Bell Village, LLC and Cheridan Realty, LLC (“Plaintiffs”) filed a lawsuit against the MCT and EnviroFinance Group, LLC, Kane Mitigation, LLC, the Louis Berger Group, Inc., Environmental Barrier Company, LLC, Dawson Corp., Hesco Bastion, Inc. and Shaw Environmental Inc., (collectively, “Defendants”) alleging that a breach of the berm constructed on the property caused flooding during Superstorm Sandy on October 29, 2012 causing property and economic damages to Plaintiffs entitled Williamstowne Manor, LLC, et al., v. Earthmark NJ Kane Mitigation, LLC et al., Docket No. BER-L-8112-13 on or about October 21, 2013; and

WHEREAS, MCT filed an Answer to Plaintiffs’ Complaint on December 31, 2013; and

WHEREAS, Plaintiffs and Defendants engaged in mediation before the Hon. Peter Doyne (Ret.) on July 31, 2017; and

WHEREAS, as a result of that mediation, MCT is agreeable to settling this matter to avoid the costs of protracted litigation; and

WHEREAS, Plaintiffs have advised that they will accept a settlement in the amount of \$170,000.00 to dismiss all their claims against MCT with prejudice; and

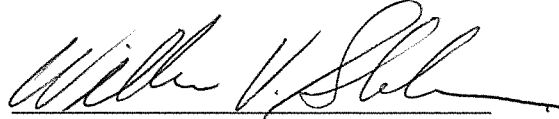
WHEREAS, the settlement provides that the claims will be dismissed without an admission of liability by MCT; and

WHEREAS, this settlement has been approved by the Office of the Attorney General; and

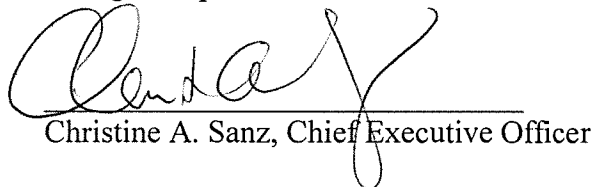
WHEREAS, this settlement has been authorized by and will be paid in full by MCT’s insurance carrier.

NOW, THEREFORE, BE IT RESOLVED that the MCT hereby approves the settlement of the litigation and dismissal of all claims against MCT with prejudice.

The foregoing resolution was adopted by vote of the Meadowlands Conservation Trust Board of Trustees.


William Sheehan, Chairman

I hereby certify that the foregoing is a true copy of the resolution adopted by the Meadowlands Conservation Trust Board of Trustees vote at its meeting of September 14, 2017.


Christine A. Sanz, Chief Executive Officer