

**STILLWATER TOWNSHIP
ENVIRONMENTAL COMMISSION
February 13, 2012**

MEMBERS PRESENT: Mrs. Fleck, Mrs. Tracey, Mr. Szabo, Ms. Ramberg, Mr. Nystrom, Ms. Fobes-Jacoby, Mr. Klimek

MEMBERS ABSENT: Mrs. Emmetts, Mr. Branagan

Mrs. Wunder called the meeting to order at 7:00 p.m. with the statement that this meeting is in compliance with the Open Public Meetings Act. This was a regularly scheduled meeting of the Stillwater Township Environmental Commission. Regular meetings are held on the second Monday of the month at 7:00 p.m., at the Stillwater Township Municipal Building located in Middletown, New Jersey.

The flag was saluted and roll call taken.

Appointment of Vice-Chairperson: Mr. Szabo made a **motion** to appoint Mr. Klimek as Vice-Chairperson for 2012, seconded by Mrs. Tracey; there being no other nominations, nominations were closed and roll call was taken.

Roll Call Vote: Mrs. Fleck, yes, Mrs. Tracey, yes, Mr. Szabo, yes, Ms. Ramberg, yes, Mr. Nystrom yes, Ms. Fobes-Jacoby, yes, Mr. Klimek, yes

*Appointment of the Vice-Chairperson was repeated as Mr. Klimek had not been sworn in prior to being elected at the reorganization meeting.

At this point, the meeting was turned over to Mr. Klimek.

Minutes

Mr. Szabo made a **motion** to approve the minutes of January 9, 2012, seconded by Mrs. Tracey.

Roll Call Vote: Mrs. Fleck, yes, Mrs. Tracey, yes, Mr. Szabo, yes, Ms. Ramberg, yes, Mr. Nystrom yes, Ms. Fobes-Jacoby, yes, Mr. Klimek, abstain

Bills

Mrs. Tracey made a **motion** to approve the following bill, pending availability of funds, seconded by Mrs. Fleck:
Secretary: \$ 180.25

Roll Call Vote: Mrs. Fleck, yes, Mrs. Tracey, yes, Mr. Szabo, yes, Ms. Ramberg, yes, Mr. Nystrom yes, Ms. Fobes-Jacoby, yes, Mr. Klimek, yes

At this point, this portion of the meeting was opened to the public at 7:05 p.m. There being no public wishing to speak, this portion of the meeting was closed at 7:05 p.m.

Presentation: John Anthony, Agenda 21

A lengthy presentation was provided by Mr. Anthony. He discussed governmental control and property rights and provided examples of such. He provided an overview on the following items: Earth Charter of 1976, Brundtland Commission Report, Morris Strong report entitled "Our Common Future," EPA website history of sustainable development, 1992 Earth Summit (Agenda 21), and the global bio-diversity assessment defining the implementation of Agenda 21. Mr. Anthony referred to a map entitled, "The Wildlands Project," and discussed the following: Order 12852 signed by former President Bill Clinton – President's Council on Sustainable Development, Order 13575 – Sustainable Development in 16% of the United States; the Rio Declaration, and the recommendation by Clinton advisors to use terms other than Agenda 21 such as "sustainable development" and "smartgrowth." He spoke about regulations requiring the movement of people out of rural areas and into urban areas; and regulatory agencies passing governing laws. He referred to the Growing Smart Legislative Guide Book, a report prepared under the HUD cooperative agreement H-59-51-CA. He spoke about the American Planning Association, Local Agenda 21 Planning Guide by the International Council for Local Environmental Initiatives (ICLEI), food production, land use, and pre-determined questionnaires and surveys, and grant stipulations. He discussed the Precautionary Principles of the Rio Declaration, which are included in the Smart Guide and he provided examples of precautionary principles and amortization of non-conforming uses. He spoke about the Notice of Funding Available from HUD and the required obligations; and the State Redevelopment Plan. He discussed conservation easements, stating easement listings and information regarding conservation easements can be found on his website entitled didyouknowonline.com. Mr. Anthony concluded his presentation stating there are two ways in which Agenda 21 is embedded into society: 1) the legislative process, through regulations and planning; and 2) the educational system – referring to books entitled: "UN Decade of Education Sustainable Development," "Getting to Know Connected Math," and "Education for Sustainable Development Toolkit."

Mr. Anthony again referred the public to didyouknowonline.com to obtain more information and stated people must ask legislators and public officials to pass laws that protect property rights. The information provided cautioned the Commission to read the fine print on any documentation included in the Sustainable Jersey process.

The presentation was followed by a public question and answer period:

Charles Gross, Township Committeeman, provided his experience with respect to the loss of property rights. A strict buffer zone of 300 feet was imposed on his property by the NJDEP due to a Category One stream that runs through it, resulting in very limited use of his property.

Bill Gettler, Wantage, referred to a property consisting of 150 acres that was subdivided into two parcels, one consisting of six acres. It was entered into farmland preservation and now due to wetland regulations the six acres cannot be developed.

Bill Steckowich, 907 Hardwick Road, asked if a CD was available of the presentation and Mr. Anthony referred the public to his website at didyouknowonline.com, noting two versions of the presentation are offered.

Mr. Szabo provided a background history on the EC considering involvement with Sustainable Jersey, leading to this presentation. He stated the EC is pursuing certification at this point and when applying for grants in the future, the EC needs to look at the downside and what can happen as a result.

Ms. Ramberg stated Sustainable Jersey is not equivalent to Agenda 21 and is not signed onto ICLEI. Mr. Anthony noted that non-affiliation with ICLEI does not equate to non-affiliation with Agenda 21. Ms. Ramberg stated Sustainable Jersey involvement is incumbent on all parties, Planning, Zoning, EC, etc. reading the fine print before committing.

Following a brief discussion, Ms. Ramberg made **motion** to continue to move forward with the Sustainable Jersey certification process, maintaining due diligence to review all requirements and obligations of said certification; and to re-establish a Green Team consisting of members from varied groups within the community, seconded by Ms. Fobes-Jacoby.

Roll Call Vote: Mrs. Fleck, yes, Mrs. Tracey, yes, Mr. Szabo, yes, Ms. Ramberg, yes, Mr. Nystrom yes, Ms. Fobes-Jacoby, yes, Mr. Klimek, yes

At this point, this portion of the meeting was closed at 9:10 p.m. and a five-minute recess was taken.

The meeting resumed at 9:15 p.m.

New Business

Budget Worksheet 2012:

Following a brief discussion, Mr. Szabo made a motion to approve the following 2012 Budget Worksheet, seconded by Mrs. Fleck:

Secretary Salary:	\$2,300.00
Advertising:	\$ 125.00
Forms/Books:	\$ 100.00
Office Supplies:	\$ 175.00
Postage:	\$ 100.00
Membership:	\$ 350.00
Water Testing:	\$1,500.00
Seminars/Training:	\$ 300.00
Miscellaneous:	\$ 100.00
Open Space Brochure (printing costs)	<u>\$ 500.00</u>
<u>Total:</u>	<u>\$5,550.00</u>

Roll Call Vote: Mrs. Fleck, yes, Mrs. Tracey, yes, Mr. Szabo, yes, Ms. Ramberg, yes, Mr. Nystrom yes, Ms. Fobes-Jacoby, yes, Mr. Klimek, yes

Site Survey Form Acceptance:

Zoning Board of Adjustment: Doolittle, Block 3602, Lot 4, free-standing patio

Mrs. Tracey made a **motion** to accept the site survey, seconded by Ms. Ramberg.

Roll Call Vote: Mrs. Fleck, yes, Mrs. Tracey, yes, Mr. Szabo, yes, Ms. Ramberg, yes, Mr. Nystrom yes, Ms. Fobes-Jacoby, yes, Mr. Klimek, yes

Old Business

Land Conservancy of New Jersey (LC) Contract:

Renewal of the Land Conservancy Contract for 2012 was denied by the Township Committee at their last meeting by a vote of 4-1, with Ms. Chamblings voting in favor. Ms. Chamblings reported Mrs. Straway had provided information she obtained through research, including information on three properties that were acquired that Mrs. Straway felt had limited development potential. Ms. Chamblings stated extensive work is done by the Land Conservancy at the County level for open space and farmland preservation acquisitions. She stated Mrs. Straway suggested that individuals could contact the County Open Space and Agricultural Development Board and Donna Traylor to pursue farmland preservation without the need for Land Conservancy involvement. Mr. Klimek felt the process would be extensive and difficult for an individual owner to pursue on their own. Ms. Chamblings noted none of the open space tax has been used toward farmland preservation and the Land Conservancy obtained open space and farmland property without using open space money except for the cost of the annual contract. Mr. Szabo stated he was in attendance when the Township Committee made their decision on the contract and Mrs. Straway had researched a number of properties and indicated a majority were not developable due to wetland issues and limited access. The Township Attorney agreed to research how the open space funds could be spent other than for the acquisition of properties. Mr. Szabo questioned the accuracy of the development limitations reported by Mrs. Straway and felt it should be researched further. Mr. Klimek provided an example of a property on West End Drive that at one time could have been developed into 19 or more homes. He discussed the limited access reported by Mrs. Straway regarding property on Hardwick Road and stated the lot is approximately 116 acres and has a ½ -mile of road frontage. Mr. Gross noted that the Huff and Roof farms were preserved through the County with no involvement from the Land Conservancy. Mr. Klimek stated funding sources have changed and it is very different now. He expressed concern with property being labeled as non-developable, noting even if a portion of a property is wetlands, the remainder can be developed. He referred to a map depicting the Hardwick Road property, comparing the small wetlands portion and the balance of the property that could be developed. He referred to the perfect acre ordinance and its effect on recent subdivisions. Ms. Chamblings stated she has been in contact with the Land Conservancy and they are forwarding a revised contract proposal that she would like to bring back to the Township Committee. Mr. Gross stated he voted against renewal of the contract, not to save money, but to have it go into surplus to be used elsewhere and to maintain the parks. He expressed concern with the Green Acres property that is left unmaintained on Saddleback Road and he thanked Mr. Klimek for all his work on open space acquisitions and farmland preservation. Mr. Gross stated over 30% of the township is preserved and there are no ratables, noting the town is carried by the single family homeowners. Mr. Klimek stated open space saves money as it does not have to be supported and payment is received in lieu of taxes. He noted most of the property purchased is farmland assessed, he referred to the rate of return on the investment, and he noted when a major subdivision is proposed in town there is public outcry indicating the public wants open space. Ms. Chamblings noted that according to the 2011 State Strategic Plan, every \$1.00 spent on open space and preservation, return on goods and services is \$4.00.

Marion Gross, 912 Stillwater Road, asked what percentage of open space and farmland would be appropriate for Stillwater because at this point it is at 38 percent. Mr. Klimek stated as long as it is cost effective it can be unlimited. Mrs. Gross noted the school enrollment has declined drastically and there is a lack of development, as well as a decline in population and she questioned the need to protect the land. Mr. Klimek referred to a 10-lot subdivision off of Mt. Benevolence Road that the Nature Conservancy was able to acquire as open space. Mr. Szabo felt if the description provided at the Township Committee meeting is questionable, then the EC should address it and bring the facts to the Committee.

Following further discussion, Mr. Szabo made a **motion** authorizing Mr. Klimek to attend the next Township Committee meeting on behalf of the Environmental Commission to recommend the revised Land Conservancy Contract for 2012 and address any issues concerning renewal of the contract, seconded by Mrs. Tracey.

Roll Call Vote: Mrs. Fleck, yes, Mrs. Tracey, yes, Mr. Szabo, yes, Ms. Ramberg, yes, Mr. Nystrom, yes, Ms. Fobes-Jacoby, yes, Mr. Klimek, yes

Township Liaison Report: Committeewoman Chamblings

Ms. Chamblings reported the Sustainable Jersey resolution was tabled by the Township Committee at their last meeting pending the presentation provided at tonight's EC meeting and it will be considered at their February 21, 2012 meeting. The EC clarified that the resolution was to appoint a Green Team for 2012, and Ms. Ramberg stated the Green Team should include other community members.

With no further business to come before the Commission, Ms. Fobes-Jacoby made a **motion** to adjourn the meeting at 10:07 p.m., seconded by Mrs. Fleck. In a voice vote, all were in favor.

Respectfully submitted,

Kathy Wunder, Secretary

Paul Klimek, Vice-Chairperson

Next Meeting: March 12, 2012