

# South Plainfield Environmental Commission

## Official Minutes - November 9, 2022

### 1. Call to Order

Notice having been filed with the S.P. Observer and TAPinto SP, Chairwoman Dorothy Miele called the Environmental Commission meeting to order in compliance with the Open Public Meetings Act at 7:35 pm.

**Present:** Dorothy Miele, Tom Walsh, Debra Leporino, Pete Smith (council liaison) and Rich Houghton (planning board liaison)

**Alternate members present:**

**Associate members present:** Kathleen Benton and Lisa Roseo (secretary)

**Others:** Dr. A. Tempel (environmental specialist)

**Absent:** Adam Butrico (e), John Ferguson (e) and Jonathan Walezak (e)

### 2. Approval of Minutes

The minutes for the October 12, 2022 meeting were reviewed and all were in favor of approval.

Dr. Tempel noted a correction on the amount she reported last month under the Clean Communities budget. The blank certificates cost \$75, not \$51.

### 3. Invitation for Public Comment

There were no members of the public present.

### 4. Budget - Dr. A. Tempel

- O&E (FY2022 = \$2,625) Since the last meeting we spent \$105 for three tickets to the Sustainable NJ luncheon. YTD spent = \$656. Balance = \$1,969.00.
- Clean Communities - The 2022 grant = \$49,621.17. Spent since October 12 = \$5,570 on: \$2,895 on wages for litter patrol & sign enforcement; \$570 on litter can maintenance; \$1,500 for assembly programs which include a \$500 deposit on the "Bash the Trash" program for Grant School; \$75 for blank certificates; \$530 on truck repairs and \$999 for water bottles. YTD spent since 8/10 = \$32,338. Balance = \$17,280.
- Dorothy asked all committee chairs to submit their year-end committee reports to Dr. Tempel by 11/24. The reports should be a summary of what the committee has accomplished in 2022. The report only needs to include the highlights, most of which can be found in the monthly minutes. It should also include goals for 2023. Dr. Tempel will take these reports and write a concise summary and submit to Glenn Cullen. The report becomes a part of the Mayor's 'State of the Borough' address.
- Signs Trust Fund – Spent \$0. The balance = \$640.12.
- Harris Steel Trust Fund – Since the last report we spent \$0. Deposits = \$0. Current balance is \$35,433.00.

### 5. Committee and Liaison Reports

#### A. Council Liaison - Mr. P. Smith

- Pete said he spoke with Glenn Cullen. The request for the additional 2 acres of deer fencing should be approved by the Mayor & Council.
- Sustainable NJ – Pete will be attending the 'Sustainable NJ' awards luncheon along with Tom and Dr. Tempel. He expressed his happiness with the efforts of SPEC, the Green Team, Kathleen Benton and

her students, the Creative Arts Team etc. for all they accomplished for the Borough's benefit. Pete speaks about it often at the Mayor & Council meetings.

- Cornell-Dubilier – Pete mentioned Dr. Tempel's correspondence/meeting with Diego Garcia and Pat Seppi regarding the restoration plans for OU4. Pete is looking forward to that collaboration.
- Pete said the retention basin on the New Market Avenue warehouse site seems to be very effective. All the rain storms we have had resulted in no flooding on New Market Avenue.
- Colonial Oaks – Pete said he was told that Native American artifacts have been found on site. He has not received any further response from the State other than it is up to the property owner to turn over any artifacts found to the Boro. Glenn Cullen had forwarded Dorothy's letter of inquiry to the State Historic Preservation Office to Senator Diegnan. Senator Diegnan's office responded with information from the preservation office.
- Pete will speak with Paul Rizzo and Mayor Anesh at tomorrow's Mayor & Council meeting concerning our By-laws and appointments. We never heard back from the Boro Attorney with advice about who appoints SPEC's chairperson and when.
- Pete mentioned to Kathleen Benton that if her students are working on new projects, he would love to have the students demonstrate their projects in Boro Hall like they have in the past.
- In 2023, Pete plans to ensure that all Boro buildings/properties dumpsters are fenced in/contained. This would align with the Boro ordinance that states all new buildings must have enclosed garbage receptacles.
- Dr. Tempel asked Pete where the 'open space' tax ballot question originated. Councilman Bengivenga found the information through his role as the Chairman of the Middlesex County Republican Organization. Pete explained it will allow the Boro to receive open space funds from the County.
- Pete mentioned the Mayor & Council will revisit discussing 'Quiet Zone' trains through the three RR sections within the Boro.
- Walnut Street Park – Pete is speaking with the Mayor & Council about making improvements to access the park from Walnut Street.

#### **B. Planning Board Liaison – Mr. R. Houghton / Mr. B. Bythell**

- Rich said there has not been a meeting since last month, therefore there is nothing new to report.

#### **C. Site Plan Review – Mr. A. Butrico**

- Touch Dynamics (121 Corporate Blvd.) – applicant proposes an addition to the existing warehouse/office. Adam has not reviewed this prior. Dr. Tempel has reviewed their 'Environmental Assessment Report' and made several notes. SPEC reviewed the plan. They will be removing 66 trees and plan on replacing 20. The tree ordinance calculations require replanting 137. Dr. Tempel said our tree ordinance states the developer can pay up to 50% of their replacement requirement by paying into the tree fund; there is still the remaining 50% to account for. To Dr. Tempel's knowledge, the ordinance has not been enforced as written. Larger tree removal plans are sometimes impossible to enforce. She feels the tree replacement plan should be rewritten. This property is adjacent to Traditions on New Durham Avenue. SPEC reviewed the plan and will comment on their insufficient tree plan, request a larger dumpster/recycling container, ask for 'Anti-Idling' signs at the loading docks and question hours of operation due to the proximity to residences.

#### D. ERI - Ms. D. Leporino

- Debra has not heard further from Rich Wolff on the status of a new software program for the Boro.

#### E. Clean Communities - Dr. A. Tempel

- Dr. Tempel posted photos on our Facebook page from the Fall Cleanup for extra publicity. She said Debra alphabetized the waiver forms by cleanup group so we can scan them into a computer file and discard the paper copies. Lisa made up 'Certificates of Appreciation' for volunteers.
- We had a CCA meeting on 10/19. Debra said they discussed how to roll out the newly named SPCCA. We have Kathleen Benton's students who are also willing to help. The students created a revised flyer geared more towards the business community. Debra asked Kathleen if the flyers could be printed on color paper. Kathleen replied yes. Debra said she is planning to have a public introduction to the new SPCCA, formerly SPBA, in February/March. SPCCA applications are now being included in 'Adopt-a-Spot' renewal mailings. Debra has hand-delivered several renewals to meet participants in person. She is looking for a location for a phone drive. Debra spoke with Pete Smith about revitalizing the 'Glitter Award' and creating an incentive program for residents to report illegal dumpers. Pete wants a detailed plan before approaching the Mayor & Council. Dr. Tempel sent an email to the Police Department asking if they could make use of a drone to patrol Metuchen Road and other isolated areas for illegal dumpers. She has not received a response yet.
- We need to do a press release for the 3<sup>rd</sup> quarter 'Adopt-a-Spot' renewals.
- In October Luke Melick cleared 96 storm drains and picked up 38 bags of litter and leaves.
- Dr. Tempel reported that we are supporting Grant School to book 'Bash the Trash'; a \$500 deposit was paid. Also spent \$1,000 for a Riley School assembly program.

#### F. Land Use - Dr. A. Tempel

- Wetlands – received an LOI application, delineating wetlands, for the shopping center on Durham Avenue. Another LOI application was filed for a single residential lot for 1400 Hamilton Blvd.

#### G. Forestry - Mr. A. Butrico

- Bayberries – Dr. Tempel reported that Adam Butrico brought his brother and one of his coworkers to help plant five Bayberries. They offered help with any other planting projects we may have in the future.
- Dr. Tempel mentioned coming across an article citing several towns across the country whose ordinance requiring property owners to replace trees that they remove from their property or pay into a tree fund was an unconstitutional condition on their rights under the takings clause. In one case the court cited US Supreme Court cases holding that governments cannot leverage their legitimate interest in mitigating the impact of development to pursue governmental ends that lack an essential nexus (relationship) and rough proportionality to those impacts. The court said the township did not indicate how the tree removal effects a certain level of environmental degradation on the surrounding area. Nothing had been quantified by the township. Rich suggested we could suggest/ask developers to pay into the tree fund rather than state it as a requirement. Our Boro does not hold up development based on whether a payment was made to the tree fund.
- Dorothy said our Salem Oaks have turned color and shed their leaves. She said we need to winterize the trees for the rest of the cold season. Dr. Tempel said ideally, the pots should be sunk into the ground with mulch to keep them dormant.

#### H. Highland Avenue Woods / Public Education - Mrs. D. Miele

- There was nothing additional to report.

#### I. Historical Sites Preservation - Mr. L. Randolph

- Dorothy has arranged for Dr. Eugene Bosch, archaeologist, to give a lecture at our library on the history of Spicer Manufacturing and the historical significance of that property. Dr. Bosch will be involved as the Cornell-Dubilier OU4 remediation unfolds. Dorothy said Dr. Bosch is also well versed in Early Woodland Indians. It is believed there is also a historic site along the Bound Brook that ties in with the Lehigh Valley Railroad. There are underground turbines from 1875 that are eligible for National Historic Preservation recognition. Coincidentally, downstream there is an archaeological site that has yet to be fully revealed of Early Woodland Indians. This will all be approached as the EPA digs up the floodplain and removes trees as part of the remediation.

#### J. Pollution - Mr. A. Butrico

- Cornell-Dubilier - On 11/9, Dr. Tempel met with Diego Garcia and Pat Seppi. They talked about the restoration process which will be done segment by segment, within limitations, following removal of contaminated sediments and soil from the Bound Brook and its floodplain. This cleanup will be the final portion of OU4, the last stage of the CDE superfund site remediation. Dr. Tempel brought the EPA's overview plan for the first reach which will cover from Sherban's Diner to the Lakeview Avenue overpass. She said it is a very impressive plan with many considerations detailed. She went over some of the details. Also, at that meeting Diego Garcia phoned Doug Partridge, consultant with Arcadis who will be doing the restoration work at the site. They completed a sizeable ecological restoration at the edge of the Cornell-Dubilier site, a little upstream. They removed all the trees and contaminated soil. Dr. Tempel is interested in looking at that project. They have invited SPEC to the site. Dr. Tempel will coordinate a site visit for those who are interested.
- \*\*\*\*update\*\*\*\* a visit has been scheduled for 12/7 @10:00 am.

#### K. Green Team - Mr. T. Walsh

- Tom reported on the 'National Drug Take-back' that took place on 10/29. 28 cars came through with 50lbs. of pharmaceuticals. He thanked those involved. Tom submitted his report to Bob Longo and Dr. Tempel.
- Dr. Tempel, Councilman Smith and Tom will be attending the League of Municipalities Convention in Atlantic City to receive our Bronze Certification from Sustainable NJ.
- We had a Green Team meeting on 10/27. Discussed the Community Solar action details. The next GT meeting is on 1/26/2023.
- Dr. Tempel said we did not receive enough response from the 'Diversity Survey'. Bob Longo asked Roberto Sayers, Human Relations Committee, to get a few people together to meet with us. We are waiting for a response from Roberto Sayers about setting up an ad hoc committee to review the results we have. Dr. Tempel said in order to finish up the action as specified by Sustainable NJ, we need to make a presentation to the Mayor & Council with our findings.

#### L. Public Information & Technology - Dr. A. Tempel / Mr. C. Cioffi

- Dr. Tempel reported that in October, SPEC's Facebook page carried 2 posts: reached 1,775 people, 270 engagements with 4 comments and 1 share.

M. Stormwater Advisory Committee - Mr. J. Ferguson / Mr. T. Walsh

- There was nothing to report.

N. Environmental Specialist - Dr. A. Tempel

- There was nothing additional to report.

O. Chairwoman's Report - Mrs. D. Miele

- There was nothing additional to report.

6. Incoming / Outgoing Correspondence

- A list of correspondence is attached.

7. Old Business

8. New Business

9. Adjournment

A motion to adjourn was made, all were in favor, and the meeting was adjourned at 9:35 p.m. The next regular meeting is scheduled for December 14, 2022 @ 7:30 p.m. in the Borough Hall Conference Room.

Respectfully Submitted,  
Lisa Roseo  
Environmental Commission Secretary

## Acronyms

ANJEC	-Association of New Jersey Environmental Commissions
BOA	-Board of Adjustment
CCA	-Clean Communities Association
CCAB	-Clean Communities Advisory Board
DOT	-Department of Transportation
DPW	-Department of Public Works
EIS	-Environmental Impact Study
EPA	-Environmental Protection Agency
EWA	-Edison Wetlands Association
FEMA	-Federal Emergency Management Agency
FOW	-Friends of the Woods
GBFCP	-Green Brook Flood Control Project
HAW	-Highland Avenue Woods
KCS	-Known Contaminated Sites
LEEDS	-Lead in Energy and Environmental Design
LOI	-Letter of Interpretation
MCDSWM	-Middlesex County Division of Solid Waste Management
MCOEM	-Middlesex County Office of Emergency Management
MCUFAC	-Middlesex County Urban Forestry Advisory Committee
NJCF	-New Jersey Conservation Foundation
NJDEP	-New Jersey Department of Environmental Protection
NOV	-Notice of Violation
OTOSP	-Oak Tree Open Space Parcel
PRP'S	-Potentially Responsible Parties
ROSI	-Recreation and Open Space Inventory
ROW	-Right of Way
SPCCA	-South Plainfield Clean Communities Association
SPEC	-South Plainfield Environmental Commission
USACE	-United States Army Corp of Engineers