

## Watershed Management Area 4 Public Advisory Committee DRAFT Meeting Minutes

July 12, 2001

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**Attendees:** Barbara Galli, League of Women Voters; Elli Gruber, League of Women Voters; Nicholas Felice, NJ Assembly; John Hroncich, United Water; Joan Coan, League of Women Voters; Pat Rector, NJDEP; Mark Newell, Ramapo College; Peter Kortright, Bergen County Planning Dept; Theresa Faber, USEPA; Jerry Mitchell, CAMCE; Veronica Hurst, PVSC; Walter Ash, Saddle River Environmental Com; Tom Thompson, Sierra Club; Ellen Taner, BC Dept. of Health; Frank Moritz, Ridgewood Water Dept; Rob Genetelli, NBCUA; Charles Shea, Saddle River Env. Com; Ella Filippone, PRC; Marty Etler, Fair Lawn Deputy Mayor; Allison Moehlis, PRC; David Baker, Ridgewood, STP; Paul Russo, Bloomfield College/Friends of Clarks Pond; Thess Prince, Watessing Heights Neighborhood Assoc; William Paterson Univ; Sue Ahern, Resident; Kim Cenno, NJDEP, Russ Furnari, PSEG; Lindsey Feldman, NJ Community Water Watch; James Ona, NJ Community Water Watch.

Meeting called to order at 6:40 PM.

Minutes accepted as distributed.

### **Committee Reports:**

*Education and Outreach:* The PAC approved the Bus Tour Brochure. Other upcoming events are the WMA 3 Festival, Sunday Sept. 30<sup>th</sup> at Ringwood State Park. The Fall Conference for the entire Passaic River Basin, Saturday, September 22 at Ramapo College and the Rockaway River Watershed Bike Tour (WMA 6) on October 13<sup>th</sup>.

*Open Space Committee:* The following mission statement was approved by the committee. **“To protect and preserve open space within WMA 4 in order to maintain water quality and water quantity to protect public health. Preservation should be through sound ecological methods that take into account sound economics for public benefit and public awareness.”** There was some discussion concerning criteria for ranking open space for easement or acquisition. It was suggested in the committee that there should be three classes of open space: a. natural, b. passive recreation, c. playgrounds, golf courses and ball fields.

*Technical Advisory Committee:* The first meeting will be August 23<sup>rd</sup> at 8-8:30 AM at a location to be announced. If you are interested in serving on the Technical Advisory Committee please let Hale know.

**Potential 319 project:** Ellen Taner from the Bergen County Health Department presented a project being submitted by the Water Pollution Goal Team (a working group under the Partnership for Public Health in Bergen County). The proposal covers all of Bergen County (the goal team was formed before the Watershed Management Process began), which incorporates portions of WMA 3, 4 and 5. It was noted that Bergen County the highest rate of pesticide use per capita. The proposed project will send a pesticide survey to the residents of Bergen County. Rutgers Cooperative Extension will review the completed surveys for free to see if the property owners or landscapers followed Integrated Pest Management procedures. The application is for \$270,000 over three years to be divided between the three areas. Genetelli asked the state regulates applicators, don't they keep track of how much fertilizer and pesticide is used? Taner replied that they do not. Baker replied that the records are very vague. Prince asked why landowners would cooperate. Taner responded to save money and to protect water quality. Genetelli stated that 319 you needed to show water quality benefit for the project. Taner stated that in her conversation with the DEP the projects do not require specific benefits. Felice asked about point of sale records, and applicators have to report usage but homeowners do not record purchase of use. Taner noted that DEP's numbers are from point of sale statistics. Etler asked how the forms and information would be distributed. Taner replied that United Water has agreed to distribute the forms in their monthly billing (distribution in 52 towns in Bergen County), available at Home Depot, through the Master Gardners and Health Fairs. Hurst suggested a newsletter go out with the forms to discuss or explain the problem to improve response numbers.

**PAC Visions, Goals and Objectives:** Mancuso stated to think about it at the next meeting and we will work on developing the visions, goals and objectives. Gill brought up and passed around a watershed place mat for restaurants, which are free and a great educational tool.

**By-Laws:** Genetelli discussed the By-Laws. Sections 1, 2 and 3 will be discussed at a future meeting and will be developed by the PAC. The By-Laws committee produced them as a guideline. Very few comments were received. Where comments were made and addressed changes were made in italics. The committee's intent is to work on consensus and in the very rare occasion would things come to a vote. Pardi mentioned that given the criteria and organizational requirements it eliminates environmental commissions. Newell stated that there was a four year timeline and wondered if it should be mentioned in the Purpose. Mancuso stated that after four years is the implementation phase. Filippone added that the time should not go in the By-Laws since it is just to govern how we operate. The time line is a in the NJDWSC contract. Felice asked if the committee will eventually make recommendations to local state and federal governments. Mancuso added that each committee has their own mission statement and the PAC will oversee their actions. Hroncich stated that stakeholder needed to be better defined. He had concerns about the deck being stacked in one meeting during a crucial vote. Mancuso informed him that issue was addressed later in the By-Laws. Hroncich asked if a simple majority carried a vote. Mancuso responded

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yes. Felice asked if there was a formal number established so you don't have a meeting with 6 people in attendance making major decisions. Filippone added that voting has never been a problem in WMA 6. Sticky issues are sent to committee where the issue is worked out and gone over again and again.

There were no questions concerning the membership section. Pardi asked if there are groups that should not be excluded. Prince asked if there is a powerful stakeholder group not involved in the PAC and then takes legal action. Mancuso added that we will continue to invite people throughout the process. Pardi asked how will we balance the power of the PAC. Mancuso stated that in the draft every municipality has one vote and the town must pass a resolution naming a representative and two alternates. Ahern stated that I am a stakeholder but do not get a vote. Mancuso responded that as a resident of a town you are given the opportunity to speak to the town council but when an issue comes to a vote it is up to the council to weigh your input and make their decision. Ahern added that residents are in the minority here at the meeting and it seems to discourage residents from being involved in the process. Mancuso stated that the goal is to work by consensus where everyone will have input and be heard out. Filippone suggested the possibility of using a 75% attendance rule for voting status to include residents. Mancuso pointed out what a logistical nightmare that would be and the controversy over whether some forgot to sign in or was somehow left off the attendance database. Newell commented that before consensus was added he was not comfortable with it but now that consensus has been added he understands it more clearly. Taner suggested that citizens could vote when electing officers and suggested that there could possibly be 2 or 3 citizen representatives elected for at large votes. The PAC could choose the citizen representatives. Cenzo commented that citizens are active in the consensus process and would only be precluded at the very last step. Newell had a question concerning groups like the Sierra Club, which have national, state, North Jersey and Essex County Chapters. Do they get just one vote? Mancuso responded that yes the Sierra Club would just get one vote as a group. Newell asked if one person could vote for a township, Bergen County and a Utility if they are chosen as the representative for each group as designated in number 2, 3 and 4 in the voting section. There was some discussion concerning this issue and the group came to the conclusion that one person should get one vote. Filippone had concerns about number 9 under voting. In 7 years the Whippany never had an issue come to a vote. Pardi added that WMA 4 is much more urban and there will probably be more controversy. Mancuso added that an official letter will go out once the By-Laws are approved. Gruber asked what about the person who is interested but does not want to join a group? Gruber does not want anyone to walk feeling left out of the process. Felice added that it must be done by voting members, so you don't get an interest group to bring in 50 people during a crucial vote.

Newell had a concern with only voting members of the PAC being able to hold office. Russo asked if you are an officer, who was not a voting member, could you then vote. Newell added that it would seem that by virtue of the position you should be eligible to vote. Kortright added that it should be clarified that you are eligible to be the Chair again. Russo asked could the person continue on if they do a good job? If so we should use the word normally may not be elected after two terms. Unknown person asked if the Chair is doing a bad job how do we remove them. Prince added that you would have to have specific reasons to do so. Mancuso added that it would have to be substantial. Cenzo felt that we should address the Chair's responsibilities.

**Duties of Officers:** Kortright feels that the PAC should establish or participate on the Smart Growth Committee. The use and management of land is very important to the watershed process. There were no questions or comments on the Duties of the Officers.

**319 Projects:** Cenzo distributed a hand out of all the non-point source projects funded thus far. In the past WMA 3 was chosen for more funding since it was a priority watershed. This year the money will be distributed more evenly since they are all priority watersheds. Storm water management plans, 303d list sites and addressing impaired dots will receive priority for funding. In the older projects ordinances, BMP's and Education were the focus. Now it will be on the ground projects. The Non-point source task force determined last Thursday that project proposals should be received by DEP by September 17<sup>th</sup>. By November 13<sup>th</sup> recommendations should be prioritized by the PAC and submitted by Cenzo. Cenzo proposed that at the September meeting the pre proposals be distributed to the PAC for review and discussed at the October meeting. Genetelli asked if the PAC would be notified of the projects that were not funded and why. Cenzo noted that a member of the PAC can attend the Technical Review Committee Meeting were they will decide which projects will receive funding. Education and Outreach will not be funded but it could be a component of the project. Furnari asked under what circumstances would our ranking of projects be overruled? Cenzo responded that projects that do not have merit and the Technical Review Committee find that it could be achieved cheaper or would not work. Adjourn 9:00 PM.

**Recap:**

At the next meeting, August 9<sup>th</sup>  
Smart Growth Presentation

By-Laws Discussion  
Brief Discussion of Visions, Goals and Objectives