

## **NEXT MEETING: THURSDAY, SEPTEMBER 26, 2013**

### **MINUTES OF THE RP ENVIRONMENTAL COMMISSION JUNE 27, 2013**

Chairman James Ruff called the meeting to order at 8:10 p.m., it having been duly noted that this meeting is being held in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., notice of which was sent to The Record and the Newark Star Ledger on the 28th day of December, 2012. Members present were: James Ruff, Kevin Avery, Peter Garvey, Steve and Linda Quinn. Also present were: Peggy and Erin Conversano, Ariana Dindial, Marco Salazar (Troop 3 Boy Scout), Bruce and Karen Riede, Bill Sheehan and Gil Hawkins.

The minutes of the May 23, meeting were approved.

**Correspondence received:** 1) 5/31/13 – M&S, PC – Turnpike Salt Shed, NJDEP Wetlands LOI  
2) 6/11/13 – Roux Associates – Dowling Fued Coastal General Permit for remediation of UST's

#### **Old Business:**

**Dock** – Peter Garvey advised that the dock was now completed. There will be a ribbon cutting ceremony on Tuesday, July 9 at 11:00 a.m. Hackensack Riverkeeper Bill Sheehan that he will have the pontoon boat (which hopefully will be able to take a victory lap) and canoes present at the ceremony. Mayor Fosdick will cut the ribbon. This is just one stop on a river trail that will hopefully run from Oradell to Bayonne. They will be submitting another grant for the trail, which will be primarily dedicated to getting the whole trail uniform.

Steve Quinn said it would be a good idea to coordinate with the Riverkeeper so that signs are not duplicated. All signs by the Riverkeeper will be for trail info such as where you are, what is there, safety instructions for on the trail, etc.

The Riverkeeper will have a press event there and is trying to get as much press as possible. Mayor Fosdick will be cutting the ribbon and hopefully, this will get the dock on the map.

**Eagles** – Gil Hawkins advised that he was present as a sculptor only not as a councilman from Leonia. Over the past year there have been conversations about the eagle's nest and the development happening in Ridgefield Park. Gil Hawkins explained that at one meeting Langan presented the idea of moving the eagles and presented a tripod structure that was incredibly bad aesthetically. Gil thought he could design something better and Langan asked him if he would. They asked him to make a presentation because it seemed to him that they were looking for a permit to move the nest from whoever gives the permit for the national endangered species, the US Fish and Wildlife. They had to present some place to move them to before they could ask for a permit. Langan asked Gil to design something more appropriate. Gil advised that he is not present as an expert on eagles. He doesn't know if it would work but in his opinion this is much better than what they presented.

The structure itself is approximately 42 feet and to the top of the whole structure it would be 54 feet. The structure itself has a basket on top. It is a round basket to hold nesting material (metal or nylon could hold nesting material). Skymark and Langan have hired an environmental firm to make this possible. Gil feels it is their responsibility to make sure the eagles can or will move. There is no guarantee the eagles will move to his structure. This is all conjecture as no one knows what the eagles will do. It would be made out of (cortens) weathering steel, copper in color that changes to almost purple. There would be a ladder inside for someone to go up and to do research on the eagles to get up to the nest. The representation of the branches on the top is basically their perches that did not exist in the other design. They were pretty much designed like the existing nest. Gil said he cannot represent the fact of whether the birds will use this or not.

The branches will be dimensional rather than flat. They will also have rubber around the outside so when the eagles use their talons they can actually land on something that gives their talons pressure. It could

also be made out of aluminum if budget calls for it. Gil is just providing the tower; engineers are doing the installation. He has given suggestions about how to install it. They have considered ways it could be installed. It could possibly be segmented. Some other ideas he had were: basket on top is eight feet; tower would include lightening arrestor; top is meant to start cradle idea; one of the areas could have a remote camera so there is constant monitoring of the eagles; could have solar panels so it is totally independent of having its own electric to run a camera system so the eagles could be constantly monitored at all times. Gil has drawings of various footings for the structure. There is a lightning rod under each foot.

Gil felt that if it worked, it would provide an increased long life of eagles for 20-30 years. It is built to withstand high winds. There are obvious drawbacks such as no greenery on top to shade the eagles. Gil feels this is really entering a new era of endangered species and duplicating nature. There is no way to guarantee the eagles will use these artificial items. He has no contract with Langan or Skymarki at this time. He is not sure they will even use it. They seemed to love it when he presented it to them. It is 200-300 yards to the south of the nest.

Steve Quinn thinks this alternate plan would suggest that the existing tree be cut down. This is a perfect osprey platform. Steve thinks that it is "inferred" that Gil Hawkins represented the eagle coalition since he was heading the coalition. There was no communication or discussion with any of the coalition before Gil Hawkins made this presentation. Tonight is the first time the coalition was made aware of this presentation made by Gil (two months ago and without the knowledge of the coalition).

Bruce Riede asked Gil Hawkins if this would take the nest away from the rowing. Gil said it had nothing to do with the rowing. Steve Quinn thinks this is a conflict with Gil Hawkins being a sculptor and his position with the eagles. At that meeting he was appointed as the leader of the eagle coalition and his duty was to keep the other members of the coalition informed but he failed to communicate complete information to the Commission. It was only after Gil proposed this to the developers; he then filled in the coalition.

Gil said he never mentioned the Overpeck Preserve when meeting with the developers. Kevin Avery asked why he took it to the developers himself without talking to the coalition first. Gil said no one else from the coalition has made any comments other than Steve Quinn. Kevin Avery asked if he was going to be paid for this work. Gil replied yes.

Steve Quinn thinks Gil Hawkins should step down as the leader of the coalition. There is a real conflict of interest having Gil as the spokesperson of the RP eagle protection coalition when he has a vested interest in his tower design as a professional sculptor, had not openly shared recent events or his designs with the coalition (until the coalition requested to see them) and has gone ahead and had planning and design meetings with representatives and employees of the developer regarding his tower (sculpture). The other proposal (a subdivision that would allow the nest to remain intact), if the coalition allows it, will fall by the wayside. The EC needs to get it back on the table as an option. The EC needs to do this by actively requesting to meet with both the State and the developer. Gil can no longer do this for the coalition as he is now a hopeful contractor waiting for a business opportunity. If the coalition stands by and allows this to proceed, the developer may use Gil, by building his tower, as their means to demonstrate that they have met their obligation to best serve the situation - by following the proposal of Gil Hawkins, who is perceived as a the lead spokesperson for the coalition and champion for the eagles - among his other titles.

Gil said he never represented himself as a councilman from Leonia in any of his conversations with the developer. Steve Quinn asked what, in order to dig the foundation and required footings to support a 54 foot steel tower, what has to happen in the Ridgefield Park wetlands. Gil said that if he answered this question it would only anger Steve.

Bill Sheehan said this is only a very speculative idea. There will be many permits needed. They are expensive and take a long time to get. This could take at least 2-3 years possibly 3-4 years. Bill said he is in favor of whatever keeps the eagles in the watershed in his region. Bill Sheehan said he gets the impression the Village is very much in favor of Skymark.

Steve Quinn feels there are other options to keep the eagles in Ridgefield Park. There are other methods to keep them in Ridgefield Park. Gil said he never presented this solution as the head of the coalition. Steve Quinn said that even if he did not specifically say he was the head of the coalition, it is assumed he is. Steve pointed out that since the proposal is coming from Gil Hawkins, who is perceived to be the lead representative of the coalition, and it is Gil's proposal and desire to design this platform and be awarded a contract by Skymark and see it built, it is quite easy to assume that the coalition is in support of Gil and his ideas. Steve feels that Gil can no longer objectively represent the coalition or the best interests of the RP eagles as he has entered into a pending business relationship with the developer and, in so doing, has compromised his position to act and think objectively.

Gil said if Skymark did not come in and say that Skymark was interested in moving the eagles, he never would have designed this for Skymark. Steve said there was also the option of sub-dividing and maintaining the nest rather than building a tower. As one of the options of the coalition, the sub-dividing was suggested to maintain the nest and tree. At this point, Gil left the meeting and said he probably would not be returning.

Bill Sheehan said the NJDEP (Bob Martin) should have already answered the letter sent from the Ridgefield Park Environmental Commission by now. It was sent both electronically and by regular mail on June 4, 2013.

Steve Quinn strongly feels there is a way to find a middle ground and to live in harmony with wildlife.

Bill Sheehan thinks it is time to bring back the US Fish and Wildlife in this situation. They will be blindsided by this when they see a permit is issued for footings for a possible artificial nest. It is better to make sure the US Wildlife in Pleasantville is up-to-date on this. (Tim Kubiak, Director of Ecological Service – everyone answers to him). It is best to put everything in writing and a copy should be sent to the Village Planning Board.

Karen Riede said that in Ridgefield they have had two large battles and the public was involved and they won both battles. She thought it would give more power to the fight to get the public involved. She said that perhaps a meeting to educate the public could be held in RP and she even offered the use of the Ridgefield Community Center. It could make a big difference if the public were involved.

Steve Quinn said, to Skymark's credit, they were open to maintaining the nest. Perhaps the site remediation people at DEP should send someone to address the issue that Skymark is being forced to clean up the land. The EC could ask and meet with the state to learn what the toxin tests for the actual area of the nest site are. The EC could request a copy of the records on the site and ask the state to attend one of the EC meetings to brief everyone on what is happening at the site.

Steve Quinn and Kevin Avery will work on a letter to Tim Kubiak of the US Fish and Wildlife and Jim Ruff will work on a follow-up letter to Bob Martin. Both of these letters need to go out as soon as possible.

**RP Nature Preserve** – Maintenance was done on the trees planted by Nick Gerken. Erin Conversano did a clean-up last week.

**Interpretive Signs** – Steve Quinn brought some drawings that he has completed. He told John Anlian he would have the drawings completed for September. Kevin Avery will work on the text and then will be ready to turn the project over to the production company.

**Bat Watch** – Joe Angeli and the high school were both contacted to try to set up a date for the bat watch. The EC is awaiting dates from both parties.

**Girl Scout Project** – Ariana Dindial completed her planting at Vogt Park on Lincoln Avenue. It looks very nice now. She wanted to thank everyone for their help and experience in allowing her to attend the meetings and learning what is going on in the community. She said she learned a lot from the whole experience and thinks more people should attend the meetings and get involved. She said she would like to install a birdhouse in the park. It was suggested that she put some type of sign stating that she was

the person that did this project as her Gold Award Project. It is a good idea to document the various projects done throughout the Village.

Erin Conversano said her project is progressing very well. Last week she led a clean-up of two areas. Part of the nature preserve was cleaned (the DPW said they will remove the larger debris and rest of the sticks, etc., after July 4). The other area cleaned up was the stream on Brinkerhoff Street.

Erin said that on September 7 she planned to return to plant flowers around the trees so they wouldn't be damaged when the grass is trimmed. Bruce and Karen Riede advised her that there are plastic collars that are placed around the trees to stop the damage. They had some extras and would gladly donate them to her project. Jim Ruff said the RP Nature Preserve currently has about 22 acres.

Erin would like to eventually put up one or two signs pointing out where the nature preserve is and that work is currently in progress at the nature preserve. The EC is not sure the nature preserve is ready for signage yet but does not object to a sign that work is in progress. It might be the appropriate time to let people know what is going on at the site. Erin will work on proper wording of the sign and bring it back to the EC. Even though it is premature to install further signage at this time, Eric would like to get involved when the time is right for the installation of signage. Karen Riede said to look up David Arthur for signage information. She has used them in Ridgefield. Erin and Peggy Conversano said they are taking an educational class on Saturday regarding invasive plant training.

Karen Riede said that Ridgefield's Environmental Commission works closely with their Shade Tree Commission. She also noted that Weed Warriors is also another good resource. She feels it is always good to get individuals involved and train them. She said that if members of their EC wanted to visit their preserve it is open on Saturdays from 8:00 – 12:00 p.m. but they could arrange a visit at a different time if members requested it. There are lots of possible scout projects to view.

Marco Salazar, a member of Boy Scout Troop 3, was present to ask for suggestions for a possible project he could use for his Eagle Scout Award. He just turned 17 and needs the project completed before his 18<sup>th</sup> birthday. One suggestion was to clear the fallen trees from the main path of the nature preserve and then provide a woodchip path that clearly defines the path in the nature preserve so it can be used. Marco was told to speak to Alan O'Grady about this. The EC could give direction on what to use for this pathway so it is environmentally friendly. The EC said they would meet Marco at the nature preserve and possibly Riverside Park to see what could be done. The EC will also touch base with Alan O'Grady to see what they plan to remove. The EC will meet Marco at 1:00 p.m. on Sunday at the entrance to the nature preserve.

Another suggestion was to possibly install some benches in the nature preserve. Karen Riede said she has plans for benches that she would share if the EC was interested. Karen said Joel Flagler of Rutgers is another good source of information and assistance.

**New Business:** The EC will discuss meeting at 7:30 p.m. instead of 8:00 p.m.

There is work being done by the high school. The EC will ask Commissioner Anlian if he knows what is happening.

The next meeting is scheduled for Thursday, September 26, 2013.

The meeting ended at 10:15 p.m.

Respectfully submitted,

Barbara DeLuca

