

Millburn Township Environmental Commission

Tuesday, February 8, 2021 @ 7:00 pm
(Virtual meeting via Zoom)

MINUTES

Members: Reade Kem (Chair), Laura Kosik, Jorge Mastropietro, Noah Packman, Priya Patel, Mark Robison, Odarka Stockert, Roger Timpson and Elizabeth Vollavanh.

Township Committee Liaison: Maggee Miggins (absent)

Secretary: Carolyn Scannelli

Call to Order: 7:00 pm

Commission Business:

- a. Open public meeting statement: *This meeting is being held in accordance with the provisions of the Open Public Meeting Act, N.J.S.A. 10:4-6-10: 4-21. Notice of this meeting has been published in the Item of Millburn and Short Hills, and on Tap as filed by the Environmental Commission and on bulletin board at Millburn Town Hall*
- b. **Master Plan Environmental Goals, Objectives, and Recommendations:**
 - i. Protect and manage critical environmental resources in the township.
 - ii. Improve the quality of life for residents.
 - iii. Minimize the environmental impact of the township on the environment.
- c. Acceptance of January 12th minutes – Reade Kem Reade motioned to accept the minutes, Laura Kosik 2nd, others in attendance who are eligible to vote are in favor, Roger Timpson abstain.
- d. Treasurer Report – No update.

Welcome New Member Roger Timpson

- Oath taken by new member Roger Timpson. Roger stated that he has lived in Millburn Township for 47 years. Roger is a semi-retired Civil Engineer and a Vietnam Navy veteran.

Public Comment – No one present.

Communication

- a. Millburn Green Team (MR) – Priya stated the Green Team had a meeting on January 31, she is waiting to receive a copy of their minutes. When she receives the minutes, she will distribute by email. They are focused on native plants and pollinator gardens. As Mark is Co-Chair of Millburn Creative Collective a subcommittee of the Green Team, he will report on this committee. Mark indicated that the Green Team uses a Facebook page “Sustainable Millburn” to promote their information.
- b. Millburn High School E-Club (NP) – Next meeting February 11.
Working on Aquafest to be held in the Spring. Creating wildflower seed bombs and working on kits to start a vegetable garden. This is for the 5th grade class at either Washington or South Mountain School, waiting to hear back from the Washington School Principal.
Working on rebuilding the rain garden, waiting on location approval
Tree planting update: Exploring what trees would work best at the high school. Noah and Priya will connect after the E-Club meeting to discuss additional resources and assistance.
- c. Millburn Township Green Schools Team (PP) – No update.
- d. Pedestrian Safety Advisory Board (MM) – Next meeting Tuesday, February 15th, 9 am.
- e. Bike Walk Millburn (JM) – No update.

f. Shade Tree Advisory Board (EV) – Shade Tree Projects include:

Preparing a presentation on the American Elm tree to be presented to either the Township Committee or Taylor Park Gateway subcommittee.

Tree ordinance update - the goal is to create a stronger ordinance, one that will include native street trees. Once the Native Plant Resolution is adopted, the approved native trees can coincide with the tree ordinance.

Mapping of landmark trees update. Members of the Shade Tree Board will research township trees and create a list and the Township Forrester Tom Doty and his assistant will review the list and make the final determination on the trees.

Township Committee Report (MM) – No update. Maggee was unable to attend the meeting.

Planning Board Report (JM) – Jorge is hoping for a discussion at the next meeting to include sustainable building in the zoning code. A question was posed regarding the soil condition at 11 Main Street, which does have contamination.

Old Business

- a. Native & Invasive Plants Resolution (OS) – The resolution was emailed to members for a final review for voting at tonight's meeting. Roger had a few questions and concerns regarding the resolution including the cost that it may incur. Odarka explained that the Township staff will take care of the planting and upkeep, as they currently do. The township lands suffer from particular invasive species. Additionally, there is no current list of native plants specific to Millburn. This is intended to be educational information for plantings on Millburn Township property. After further discussion the EC voted to approve the resolution and forward to the Township Committee for their review and approval. Roger abstained from voting.
- b. Stormwater Management/Green Infrastructure Ordinance (/EV) – Ed Hilzenrath introduced Mike Pisauro who presented a power point of the Enhanced Stormwater Ordinance to the Township Committee at the January 18th meeting. Mr. Pisauro stated that six other towns are using this version. The Township Committee will have the Township Engineer Martha Callahan review for concerns and commits. Liz will contact the Township Clerk on the next step for this ordinance and inquire if the presentation has been posted to the webpage. Priya stated that ANJEC recently sent out a notice indicating that a group has lobbied to the state to push back against local governments authority to modifying their local stormwater ordinance. Further information is needed from ANJEC.
- c. Food Waste Recycling Pilot (PP) – Enrollment is at 110. The entry lock combination has been updated.
- d. Whittingham Triangle Pollinator Garden (EV/OD) – The boy scouts will work on some maintenance when the weather permits.
- e. Recycling/Waste Diversion (RK/PP/RT) – Investigating possible recommendations for the Township to improve recycling of glass. Priya stated the reason to separate the glass is that it has a high value, until it is broken, which than has a low value. This would require a separate collection and a glass hauler. Further exploring is needed. Roger volunteered to join this group.

New Business Ideas to Consider –

Township Natural Resources Inventory report – Last update was in 2014. The township is applying for a Sustainable New Jersey grant and wanted a letter of support which Reade submitted. Odarka encouraged commission members to read the report, which is located on the township website.

Related to updating Millburn Shade Tree ordinance, Mark stated he replied to the recent agenda email with a link to Jersey City's Urban Forestry standards which provides information for residents, builders and new development and includes an approved list of street trees. He also suggested to check the list of native species street trees for New York City, Philadelphia, and the suburban Borough of Rutherford. Jorge spoke about sidewalk tree planting and other types of plantings along Main Street and Millburn Avenue area when new development takes place. Odarka and Jorge will work together on a proposed ordinance.

Announcements/Events/Miscellaneous

ANJEC held a conference on the plastic bag ban implementation for May 2022. The town and business community needs to be reminded of this. The law is particular about what type of retailer needs to comply. Also questioned was who will enforce this law. NJ Clean Communities is offering educational efforts.

- Next MEC Meeting: Tuesday, March 8, 7:00 PM.

Odarka Stockert motion to adjourn, Jorge Mastropietro 2nd with all in favor.
Adjourn 8:12

Carolyn Scannelli
Minutes Secretary

RESOLUTION BY MILLBURN TOWNSHIP Millburn Environmental Commission¹

**RESOLUTION TO PLANT NATIVE SPECIES AND ENCOURAGE THEIR USE
THROUGHOUT THE TOWNSHIP**

WHEREAS, the Millburn Environmental Commission is committed to ensuring the healthiest possible Environment within our township borders and surrounding area; and

WHEREAS, the Millburn Environmental Commission recognizes the value of beneficial native plants in our township and surrounding areas, both developed and wild; and

WHEREAS, the Millburn Environmental Commission recognizes that our native species and pollinator plants support biodiversity and a healthy ecosystem and contribute valuable aesthetic, economic and ecological benefits to our town’s residents including but not limited to supply of native habitats, maintenance of water and air quality, waste decomposition and soil generation, nutrient cycling, climate stabilization, flood and erosion control; and

WHEREAS, the Millburn Environmental Commission acknowledges a growing problem of invasive species infringing upon and displacing native specials in all areas of the township, that cost our township and residents, valuable resources and energy to address; and

WHEREAS, the State of New Jersey on 1/10/2022 approved the “Jersey Native Plants Program” Act, that, in part, encourages the growth, sale and use of native plants through a program to be established by the Department of Agriculture; and

¹ (voted on and passed on Feb. 8, 2022 by the MEC)

WHEREAS, there are neither current guidelines established for preferential planting of beneficial native plants on township properties, right of ways, parks and open spaces, nor penalties for the planting of invasive and/or harmful plants in such areas,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION that the Township of Millburn adopts policies specified herein the following clauses:

A) Create guidelines requiring that native plants be used as preferential planting and landscaping material in all cases on Township property, right of ways and parks.

B) Create a comprehensive approved plant list for Millburn Township with consultation of Town Forester and Millburn Environmental Commission and Shade Tree Advisory Board based on the appropriate plant hardiness zone and New Jersey native species list, and an Essex County native species list, if available, for the purposes of landscaping, land management, reforestation or habitat restoration. Likewise, create a companion list of invasive species that should be avoided in our township, particularly species that are problematic in our wild spaces and parks.

C) Create an exception limits for extenuating circumstances in cases where native vegetation is not feasible, that non-native vegetation is to be deemed non-invasive and not otherwise detrimental to the environment.

D) Encourage residents, businesses, houses of worship, recreational clubs and golf courses and third party landscaping firms, by creating or identifying guidelines for best practices, and education and incentives, to embrace the use of native plants, native pollinator gardens, rain gardens and bioswales in residential landscaping and business landscaping and especially any new construction projects.

E) Designate a point of contact within the Township administration to serve as the point of inquiry for residents, businesses and landscaping firms seeking accurate guidance on plant species which have been identified as invasive and harmful.

F) Establish a roster of landscaping firms who have formally indicated to the Township that they will abide by the Township's Invasive Plants guidelines, such list to be posted in an appropriate place on the Township's website, so that such firms may see a benefit in their referrals among residents and businesses who are seeking to incorporate best practices in their landscape management.

G) Enhance planting and maintenance of existing native gardens, pollinator and rain gardens and bioswales on all township lands through a commitment of personnel and materials for such purpose.

AND BE IT FURTHER RESOLVED that the commission advises and respectfully suggests that the Mayor and Township Committee of the Township of Millburn support such related activities with the creation of ordinances and the commitment of labor and money as required for the application of this resolution.

Reference documents

SENATE, No. 3000
STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED SEPTEMBER 27, 2018

Sponsored by:

Senator CHRISTOPHER "KIP" BATEMAN
District 16 (Hunterdon, Mercer, Middlesex and Somerset)
Senator RICHARD J. CODEY
District 27 (Essex and Morris)

Co-Sponsored by:

Senators Corrado, A.R.Bucco and Greenstein

SYNOPSIS

Establishes "Jersey Native Plants Program."

CURRENT VERSION OF TEXT

As introduced.

An Act establishing the "Jersey Native Plants Program" and supplementing Title 4 of the Revised Statutes.

Be It Enacted by the Senate and General Assembly of the State of New Jersey:

1. a. The Secretary of Agriculture in conjunction with the State Board of Agriculture shall develop and implement a "Jersey Native Plants Program" to encourage and promote the sale of New Jersey native plants at retail garden centers and nurseries. The program shall increase

consumer awareness of the important role of native plants in the ecosystem through advertising campaigns and marketing programs, provide for the dissemination of information about the variety and availability of New Jersey native plants, and create a labeling program to identify native plants as “Jersey Natives” for sale similar to the Jersey Fresh and Jersey Grown programs.

b. The Department of Agriculture shall adopt, pursuant to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations to implement this act.

2. This act shall take effect immediately.

STATEMENT

This bill would establish the “Jersey Native Plants Program” in the Department of Agriculture. The bill requires the department to develop a program that would: (1) encourage and promote the sale of New Jersey native plants at retail garden centers and nurseries; (2) increase consumer awareness of the important role of native plants in the ecosystem through advertising campaigns and marketing programs; (3) provide for the dissemination of information about the variety and availability of New Jersey native plants; and (4) create a labeling program to identify native plants as “Jersey natives” similar to the Jersey Fresh and Jersey Grown programs.

Native plant species are a vital part of New Jersey’s heritage, providing valuable aesthetic, economic, and ecological benefits to State residents. New Jersey possesses approximately 2,100 native plant species, a number that is comparable to states that are three to four times larger. This diverse native flora includes hundreds of different wildflowers, like violets and orchids, as well as many different trees, shrubs, grasses, and ferns. Nineteen globally rare plants have their largest or most viable populations in New Jersey, and nine plants have been documented only in New Jersey and do not occur anywhere else on Earth.

New Jersey’s floristic diversity is due in large part to its geographical diversity, which includes the mountainous Highlands in the north, the sandy Pine Barrens in the south, the rich Delaware River Valley in the west, and the salt marshes of the Atlantic Coast. Native fruits like the blueberry and the cranberry helped spur the development of the agricultural industry in New Jersey, and earned the State its official State slogan, the “Garden State.” New Jersey’s preserved open space and farmland, which make up close to a third of the State’s total acreage and contain most of the State’s native plant species, provide an estimated \$20 billion per year in ecosystem goods and services.

Native plants are vital to the State’s biodiversity, which provide inhabitants with food, maintenance of water and air quality, waste decomposition and soil generation, nutrient cycling, climate stabilization, flood and erosion control, and medicines and pharmaceuticals. Native plants also provide food and shelter for native wildlife and insects, which in turn, perform essential ecological and agricultural services such as seed dispersal, predation, and pollination.

Studies have shown that New Jersey is rapidly losing its native plants, with roughly one-third of those plants designated as endangered or of special concern by the State’s Natural Heritage Program. Threats to native plants include habitat destruction caused by development and urbanization, pollution, and harmful invasive plant species.

Summary
Sponsors
Texts
Votes
Research
Comments
Track
Introduced
Amended
Chaptered

Bill Title: Requires DOT, NJTA, and SJTA to use only native vegetation for landscaping, land management, reforestation, or habitat restoration.

Spectrum: Moderate Partisan Bill (Republican 8-1)

Status: (Passed) 2017-05-01 - Approved P.L.2017, c.41. [S227 Detail]

Download: [New_Jersey-2016-S227-Chaptered.html](#)

- ◆1 - C.27:7-42.1
- ◆2 - C.27:23-59
- ◆3 - C.27:25A-50

P.L.2017, CHAPTER 41, approved May 1, 2017
Senate, No. 227 (First Reprint)

An Act concerning use of native vegetation by the Department of Transportation, New Jersey Turnpike Authority, and the South Jersey Transportation Authority, and supplementing Title 27 of the Revised Statutes, P.L.1948, c.454 (C.27:23-1 et seq.) and P.L.1991, c.252 (C.27:25A-1 et seq.).

Be It Enacted by the Senate and General Assembly of the State of New Jersey:

1. a. 1(1)1 Notwithstanding the provisions of any other law, rule or regulation to the contrary 1and except as provided otherwise pursuant to paragraph (2) of this subsection1 , no later than the 180th day after the date of enactment of 1[this section] P.L. , c. (C.) (pending before the Legislature as this bill)1, the Department of Transportation, when planting vegetation for purposes of landscaping, land management, reforestation, or habitat restoration, shall plant only vegetation identified by the Department of Environmental Protection pursuant to subsection b. of this section as being native to the State and that will thrive in the particular plant hardiness zone in which the vegetation is being planted.

1(2) Notwithstanding the requirements of paragraph (1) of this subsection, upon application by the Department of Transportation to the Department of Environmental Protection, the Department of Environmental Protection in consultation with the Division of Plant Industry in the Department of Agriculture and representatives of appropriate plant industry organizations and environmental organizations selected by the Department of Environmental Protection, may authorize the Department of Transportation to use non-native vegetation for purposes of landscaping, land management, reforestation, or habitat restoration in prescribed circumstances where and when necessary if the use of native vegetation is not feasible, provided that the non-native vegetation is deemed to be non-invasive and not otherwise detrimental to the environment.¹

b. No later than the 90th day after the date of enactment of this section, the Department of Environmental Protection¹, in consultation with the Division of Plant Industry in the Department of Agriculture,¹ shall identify, for each plant hardiness zone, all of the particular species of vegetation that are native to the State, and that thrive in each plant hardiness zone in the State.

c. As used in this section:

"Plant hardiness zone" means a zone identified as existing in New Jersey pursuant to the most recent edition of the Plant Hardiness Zone Map published by the United States Department of Agriculture.

2. a. 1(1)¹ Notwithstanding the provisions of any other law, rule or regulation to the contrary¹ and except as provided otherwise pursuant to paragraph (2) of this subsection¹, no later than the 180th day after the date of enactment of 1[this section] P.L. , c. (C.) (pending before the Legislature as this bill)¹, the New Jersey Turnpike Authority, when planting vegetation for purposes of landscaping, land management, reforestation, or habitat restoration, shall plant only vegetation identified by the Department of Environmental Protection pursuant to subsection b. of this section as being native to the State and that will thrive in the particular plant hardiness zone in which the vegetation is being planted.

1(2) Notwithstanding the requirements of paragraph (1) of this subsection, upon application by the New Jersey Turnpike Authority to the Department of Environmental Protection, the Department of Environmental Protection in consultation with the Division of Plant Industry in the Department of Agriculture and representatives of appropriate plant industry organizations and environmental organizations selected by the Department of Environmental Protection, may authorize the New Jersey Turnpike Authority to use non-native vegetation for purposes of landscaping, land management, reforestation, or habitat restoration in prescribed circumstances where and when necessary if the use of native vegetation is not feasible, provided that the non-native vegetation is deemed to be non-invasive and not otherwise detrimental to the environment.¹

b. No later than the 90th day after the date of enactment of this section, the Department of Environmental Protection¹, in consultation with the Division of Plant Industry in the Department of Agriculture,¹ shall identify, for each plant hardiness zone, all of the particular species of vegetation that are native to the State, and that thrive in each plant hardiness zone in the State.

c. As used in this section:

"Plant hardiness zone" means a zone identified as existing in New Jersey pursuant to the most recent edition of the Plant Hardiness Zone Map published by the United States Department of Agriculture.

3. a. 1(1)1 Notwithstanding the provisions of any other law, rule or regulation to the contrary 1 and except as provided otherwise pursuant to paragraph (2) of this subsection1, no later than the 180th day after the date of enactment of 1[this section] P.L. , c. (C.) (pending before the Legislature as this bill)1, the South Jersey Transportation Authority, when planting vegetation for purposes of landscaping, land management, reforestation, or habitat restoration, shall plant only vegetation identified by the Department of Environmental Protection pursuant to subsection b. of this section as being native to the State and that will thrive in the particular plant hardiness zone in which the vegetation is being planted.

1(2) Notwithstanding the requirements of paragraph (1) of this subsection, upon application by the South Jersey Transportation Authority to the Department of Environmental Protection, the Department of Environmental Protection in consultation with the Division of Plant Industry in the Department of Agriculture and representatives of appropriate plant industry organizations and environmental organizations selected by the Department of Environmental Protection, may authorize the South Jersey Transportation Authority to use non-native vegetation for purposes of landscaping, land management, reforestation, or habitat restoration in prescribed circumstances where and when necessary if the use of native vegetation is not feasible, provided that the non-native vegetation is deemed to be non-invasive and not otherwise detrimental to the environment.1

b. No later than the 90th day after the date of enactment of this section, the Department of Environmental Protection1, in consultation with the Division of Plant Industry in the Department of Agriculture,1 shall identify, for each plant hardiness zone, all of the particular species of vegetation that are native to the State, and that thrive in each plant hardiness zone in the State.

c. As used in this section:

"Plant hardiness zone" means a zone identified as existing in New Jersey pursuant to the most recent edition of the Plant Hardiness Zone Map published by the United States Department of Agriculture.

4. This act shall take effect immediately.

Requires DOT, NJTA, and SJTA to use only native vegetation for landscaping, land management, reforestation, or habitat restoration.