

FAIR HAVEN ENVIRONMENTAL COMMISSION (“FHEC”) MEETING MINUTES

June 14, 2023 at 7:00 pm HYBRID MEETING (IN-PERSON at Borough Hall 748 River Road and Zoom)

1. Call to Order @ 7:03pm
2. Sunshine Law Notice, J. Murray
3. Pledge of Allegiance
4. Roll Call:
 - a. Present: Michal DiMiceli, Kelly Flanagan, Jessie Murray, Brian Olson, Gary Patterson, Jonathan Peters, Brian Rice, Ralph Wyndrum, Councilwoman Cole, Borough Secretary Krystie Larsen.
Also present Administrator Casagrande
 - b. Absent: N/A
5. Approval of May 10, 2023 Meeting Minutes: All in favor.
6. Acknowledgement of Donations

K. Larsen advised the Commission of two donations received for the Green Team in honor of Robbyn O'Neill's family.
7. Deer Mitigation Discussion: Jodi Powers, Megan Mills and Brian Schumm of NJDEP Fish and Wildlife

Jodi Powers, Megan Mills and Brian Schumm of NJDEP Fish and Wildlife toured Fair Haven Fields and the Bird Sanctuary prior to the FHEC meeting. They evaluated the habitat, invasive/native species and saw 10 deer in FH Fields and 10 in the Bird Sanctuary. They assessed whether these areas can hold hunters and discussed options with FHEC. Typically, this group is contacted by municipalities for deer control due to agricultural, public safety, public health and forest health decline issues. Forest health issues were observed in Fair Haven. Residents are noting the impact of increased deer feces and eating ornamental plants on residential properties. Chief McGovern attended the tour and noted increased deer vehicle accidents. M. DiMiceli asked for a recommendation for Fair Haven: J. Powers said where there is open space and not a deer management program, there is a problem and she advised Fair Haven get ahead of it. Observing 20 deer per hour in a mile square radius is not near a healthy number of 1-3. B. Rice said FHEC must consider Navesink River health as well (feces run into water source). He believes deer overpopulation has grown exponentially in the last decade and noted that deer reproduce approximately 30% annually. K. Flanagan asked for program recommendations? J. Powers said a registered deer hunt is a solution and can be as restrictive as you want. Hunters may be chosen through a lottery. In NJ, hunters must pass a safety course and have a background check. J. Murray asked how many towns have done this successfully? J. Powers replied that Monmouth County Parks is bow hunting in almost all of its parks. Fair Haven would be bow only, no firearms based on its size. Deer hunting programs have been successful with forest health. Rumson allows hunting on private property, but their lots are larger. Colts Neck has a program, NJDEP is working with Ocean township and has met with Sea Girt and Little Silver to discuss options. J. Powers noted the Borough may make its program more restrictive than state regulations (just not less) and once it begins it should continue annual maintenance. Deer season in this Zone (50) runs from the second Saturday in September and ends in February. The program can be pared down to what Fair Haven needs. R. Wyndrum asked what the deer density is in Fair Haven and what should it be? J. Powers responded 10-15 per square mile if healthy forestation, but given the amount of invasives B. Schumm said Fair Haven is approximately 200 deer per square mile. Fair Haven's goal should be 8-10 deer. B. Rice said FHEC shouldn't focus on numbers, but focus on the environment. B. Schumm said Fair Haven likely sees the same deer frequently as there are not many natural predators in Fair Haven. J. Peters noted deer are everywhere in town including streets/houses and the browse line is prominent (about 4 feet high). R. Wyndrum noted that foxes in his neighborhood keep the deer away. J. Powers said deer will eventually patternize, but thinks they are naïve right now.

M. DiMiceli wondered if hunting is allowed in Fair Haven Fields, will deer move even more to residential areas? B. Schumm responded that the benefits of a program will far outweigh this potential issue. It is legal to bait deer (corn), not to feed them. Stephanie Adams asked if Fair Haven natural areas are more maintained, are there other non-lethal methods the Borough can employ? J. Powers said no: research on non-lethal mitigation tactics are not effective. B. Rice noted the Hunters for Hungry program- \$75 to have the deer butchered and meat would go to local foodbanks. J. Peters believes there will be a lot of hunters interested in participating in the hunt and thinks FHEC should educate the public on a management mindset vs. recreational mindset. K. Flanagan asked what the next steps will be if a program is implemented? J. Powers needs to look at Fair Haven ordinances for hunting stipulations. Then NJDEP will help form a specific plan and present it to Council and/or have more educational meetings. She would likely pull from an application in another town that has a successful program. Hunters apply through the Borough, DEP does background checks. B. Rice noted that if the Borough uses Green Acre Funds, it must advertise. B. Olson asked who does the dressing of the deer? Powers said field dressing is allowed, but has to be in the woods, not on a trail. B. Schumm noted there are laws against shooting an animal and leaving in woods. J. Peters asked if Fair Haven can have a late season (December) when the fields are not used as much, but B. Rice believes the yield won't be as high. B. Rice suggested Tuesday-Thursday sunrise to noon and limit the number of hunters but not the number of deer. J. Murray asked if the plan can be adaptive over the years? J. Powers said any changes post initial plan can be made through resolution. Councilwoman Cole asked if two hunters can carry a deer out? B. Schumm said sleds or carts are typically used to remove a deer. She asked if a bow and arrow injures vs. kills a deer and it runs, what is the protocol? B. Schumm responded that the hunter must get private property owner permission to follow or call the police. Councilwoman Cole noted the issue of containment. M. Mills said these scenarios are all discussed during the hunting training and offered that the training is online for anyone to view. Councilwoman Cole said the FHEC provides recommendations to the Governing Body, so would like data to form policy: how is the data collected for Fair Haven? NJDEP would provide harvest data; by regulation hunters must report it to NJ Fish and Wildlife. Forest health monitoring would be done by someone else and they suggested asking Monmouth County Parks for a reference. K. Flanagan asked for baseline data; B. Schumm suggested doing a drone survey. B. Olson suggested getting the car accident data from Chief McGovern. M. DiMiceli asked what the costs are to the town for a program? J. Powers said the Borough can charge a permit fee for hunting and the funds would go back into a Stewardship program. B. Rice asked Administrator Casagrande if permit fees can go to FHEC to use the funds on environmental projects? Stephanie Adams suggested if fees were charged, but there are no costs, perhaps money could be donated to hunger or another cause. T. Casagrande responded that the Boro's fee ordinance would need to be amended. B. Torcivia noted that understory plants were planted in the Natural Area and although they were deer resistant, the deer ate them immediately. M. Mills recommended a deer exclosure. J. Peters suggested doing a comparison in the community garden (fenced in) vs. not fenced area. M. DiMiceli asked about diseases? J. Powers noted chronic wasting disease (like mad-cow), EHD (transmitted via insects) and tick-borne illness.

8. Current Business

A. Green Team ("GT") (Kelly Flanagan, Michal DiMiceli)

GT was awarded a \$2,000 grant to help fund Third Street Pollinator garden and an educational sign. GT had a successful outing at Rally for Rivers Eco Fest June 3 and promoted oysters as nature's filter. She believes oysters should be brought back to the Navesink River and would like to have an open discussion with ALS and NJDEP to discuss options. B. Rice noted the issue of DEP monitoring water quality and was sued in the 1960s for unhealthy oyster sickness. Clams coming out of restricted waters must go to a clam plant to certify. J. Murray noted it is an enforcement issue. B. Rice will get an update from DEP regarding an oyster project like New York does. K. Flanagan suggested working oysters only, possibly on private residences. M. DiMiceli noted that she sent a report Stephanie Adams wrote about oysters to legislators to review.

B. Third Street Trail Project (Brian Rice)

On Arbor Day, 28 trees were planted with private funds. The watering of trees has been provided by Michele Decker. Frontier Tree service is coming Monday to clean out the area. Japanese knotweed is an invasive species that is a problem all over town. B. Torcivia is completing an intake form for this project (new mechanism to prioritize projects in town). B. Rice said FHEC supports eradicating invasives, but their only jurisdiction is public spaces. Councilwoman Cole suggested GT come up with educational awareness material that can go out on Boro communication channels. K. Flanagan noted it must be sprayed. The intake form, if approved, would give DPW authority to treat it on public areas.

Administrator Casagrande noted the intake form is a planning, budgeting and delegating tool. B. Rice asked if volunteers can cut it down? T. Casagrande suggested a volunteer day to cut it in public spaces and there is a waiver form they must complete to do so.

C. ERI (Jessie Murray, Michal DiMiceli)

J. Murray made comments on various sections of the ERI and will send to K. Larsen to circulate to the FHEC. She will add deer management and invasive species. Once J. Murray receives all comments, the FHEC should discuss hiring a professional to update the ERI. J. Murray provided a rough estimate of under \$10,000 to complete.

D. Mapping (Jon Peters)

J. Peters provided basic Fair Haven maps to FHEC. B. Rice suggested adding a map with coordinates for knotweed to save DPW time.

E. Living Shoreline and Pocket Parks (Brian Rice, Jessie Murray)

K. Flanagan asked what the next steps are for a Living Shoreline to move forward. Administrator Casagrande said the likely case is using an outside engineer. Given riparian rights and the new owner of Yachtworks, there are a lot of considerations. This type of project would be a good example for a Monmouth County Open Space Grant. B. Rice said there has been so much erosion at Williams, Albert and Robards Park that the Boro should employ resources to save the land now and develop a more comprehensive stormwater plan later. M. DiMiceli emphasized that the Boro should have stormwater management prioritized. Administrator Casagrande noted that Assistant Engineer Poruchysky is the Flood Plain manager and has a very good handle on stormwater management. She added that every time a road project is done, stormwater upgrades are included. NJDOT grants have been awarded for the drainage issue by Forman Street and another for Fair Haven Road (River to Ridge). J. Peters noted FHEC's previous conversation of pervious vs. impervious surfaces to help reduce sheetflow into the river. B. Olson said \$20,000 has been earmarked for raingardens at the end of DeNormandie. Administrator Casagrande will confirm language. K. Larsen will recirculate the Living Shoreline memo to Council. M. DiMiceli asked for the list of rain garden locations prepared by Rutgers. K. Flanagan suggested FHEC should plan to complete one rain garden a year. K. Flanagan walked Sickles School with Rutgers noted a favorable spot at for a rain garden. Councilwoman Cole said Pocket Park work (except Hance Road) will be listed on the Council agenda.

F. Rain Garden at Knights of Columbus (Gary Patterson)

G. Patterson noted the Knight of Columbus rain garden is a 2024 project. K. Larsen to remove from FHEC agenda until further notice.

G. Navesink River (Brian Rice)

B. Rice noted that S. Adams brought to his attention a hot spot issue by the Shrewsbury Yacht Club beach. B. Rice advised not to swim in the river immediately following a rain event. A buoy was deployed to monitor oxygen levels in Blossom Cove, Middletown.

H. Waste Receptacles (Michal DiMiceli)

M. DiMiceli's research indicated \$12,000 for a self-compacting garbage can, so it isn't an option. She spoke to Borough secretary Betty Ann Berube about overfill can spots in town and will research further with DPW. Administrator Casagrande said she and the Director of Parks and Rec looked into the compacting cans at one point. She noted Fair Haven outsources trash pickup, so DPW can help manage overflow by hand, but not with automated trucks. The National Parks Service employs a garbage in, garbage out policy, perhaps Fair Haven should consider this. K. Flanagan asked for more recycling containers in the downtown area. Administrator Casagrande responded they are not included in the Borough's hauling contract.

9. Planning Board Update (Brian Olson)

The DPW renovation is being led by Councilman LaBarbera. An open house was held and feedback concerning the fence/finish was discussed. B. Olson suggested thinking ahead to the amount of recycling that can happen on site. It is a priority for cardboard to stay dry and boxes should be broken down and emptied (no plastic or styrofoam in box). Individuals can bring Styrofoam to Middletown but not a town may not.

10. Council Update (Councilwoman Cole)

Due to a tight Borough budget, a potential open space tax was discussed at the Council meeting. If approved by Council, a decision would be made by residents via a referendum on the November election ballot. Generally speaking, Councilwoman Cole did not sense there was an appetite to pass this, noting taxpayers want to know what it would fund (not be applied to a generic bucket in the budget). A transfer tax was also discussed, which is a fee that gets paid during a closing. Administrator Casagrande reviewed the budgetary process. J. Peters noted he is on the finance committee and is a proponent of open space tax. He added that maintenance spending is uneven in the Borough. M. DiMiceli asked what the negatives were? Councilwoman Cole said some Council members did not want to increase taxes at all.

11. New Business

B. Olson suggested efficiencies be taken to avoid lengthening FHEC meetings.

12. Public Comment: *The FHEC welcomes comments, suggestions, and inquiries from residents of Fair Haven. You must wait to be recognized by the Chair. IDENTIFY YOURSELF BY YOUR NAME AND ADDRESS FOR THE RECORD. Limit your comments to three (3) minutes.*

Stephanie Adams noted a Facebook post regarding hooks and lines being left at McCarter Pond creating issues with pets. B. Rice said hooks and lines can go into a regular trash receptacle.

13. Adjournment @ 9:38pm