

CONSERVATION ADVISORY COUNCIL
Meeting Minutes
Monday, October 19, 2015
Delancey Hall

Members Present: Lori Tripoli, Co-Chair
 Pam Pooley, Co-Chair
 Janine Selendy
 Nancy Welo
 Alan Towers

Also Present: Janice Will, Secretary

Lori Tripoli opened the meeting.

The minutes of the September 21 meeting were unanimously approved.

Liability Issues

Ms. Tripoli stated that she exchanged emails with Roland Baroni (Town Attorney) about this, looking ahead to CAC members inspecting conservation easements. Mr. Baroni informed her that all Town volunteers have liability coverage.

Alan Towers asked what is provided in cases of litigation.

Ms. Tripoli replied that the Town will represent them in a lawsuit, but CAC members are unlikely to be targets, because they are purely an advisory group; the agency that denies an application, etc. would more likely be sued.

Mr. Towers remarked that in cases of indemnification clauses, he would always prefer to choose his own lawyer, but he agreed that the CAC was not really at much risk of a lawsuit.

Ms. Tripoli said she was comfortable with what Mr. Baroni told her.

Town Board re Inspection of Conservation Easements

Ms. Tripoli said she attended the Town Board meeting on September 29 at which they approved a policy change (no change to the Code) to authorize the CAC to inspect the Town's conservation easements. Ms. Tripoli informed the Town Board that the CAC intends to do a pilot inspection of an easement on Bloomer Road accompanied by either the Building Inspector or the Planning Board Chair. Noting that it will be winter soon, she suggested they set a date for the inspection and notify Gloria Stein of the North Salem Open Land Foundation (owners of the land).

Mr. Towers said it seemed to him as though the inspection should be done during the week if Mr. Thompson or Ms. Stein are to go along (weekend might be okay for Ms. Curtis).

Ms. Tripoli stated that she will speak to Mr. Thompson/see what he thinks.

Best Management Practices/Removal of Invasives from Wetlands

Pam Pooley said she will work on this during the winter. She added that she has been given a copy of a BMP for Bloomerside (the CAC's first inspection project) prepared by the NSOLF, adding that they have one for each of their properties.

Southeast Pipeline Expansion/Spectra Energy

Mr. Towers submitted a draft of a letter he wrote to the Governor about this project, noting that he included a link and reference to a letter from the Nuclear Resource and Information Service to the Nuclear Regulatory Commission and suggestions from Amy Rosmarin. Mr. Towers asked who the letter should be sent from, if the group agrees to the letter being sent.

Ms. Welo thought they should offer it to the Town/ask if they want to send it, and Ms. Pooley agreed that the CAC should not just send it themselves.

Ms. Tripoli said they could do that, or send it themselves if they are all in agreement.

Mr. Towers said they did not approve it at the September meeting (Ms. Tripoli was absent from that meeting); they agreed that he would ask Ms. Rosmarin what she thought they should do.

Ms. Tripoli felt the letter seemed to be at the behest of Ms. Rosmarin; if it is, the CAC should see how the other Town Board members feel about the issue.

Mr. Towers said he brought a letter Ms. Rosmarin had to share at the September meeting, and those present thought the CAC should do something/Ms. Rosmarin did not ask for the letter.

Ms. Tripoli said the CAC seemed to be acting without any independent assessment of the issue/were taking someone else's word. She said she was also concerned because she was familiar with the NRIC, and she, personally, views them as anti-nuclear power. Ms. Tripoli felt the NRIC's reference to 1991 research could be inappropriate 14 years later. She asked if the CAC was happy with their assessment of the pipeline expansion project.

Mr. Towers said he did not know how accurate the NRIC's assessment of the issue was, but his letter is not anti-nuclear; it suggests that locating an expanded pipeline so close to a nuclear reactor (Indian Point) is cause for concern and asks the Governor to make sure that extreme care was taken in determining that the pipeline expansion is safe.

Ms. Welo offered some suggestions, and Janine Selendy said she thought the letter was well-written/raised valid points.

Ms. Pooley agreed that the letter was good and said anyone on the CAC who agreed could sign it/she did not see a problem sending it as a CAC member.

The group discussed signing/not signing the letter and offered further suggestions to amend it.

Mr. Towers said he could mention that Ms. Tripoli abstained.

Ms. Welo suggested stating that it was from CAC members and listing those who sign.

Ms. Tripoli thought it unlikely that the Governor will weigh in on the issue and was not sure the CAC should want to be seen as supporting the opinions of the 2 groups mentioned in Mr. Towers' letter that are known to be opposed to nuclear energy; NRIC and SAPE (Stop the Algonquin Pipeline Expansion). She added that the CAC has no assessment of whether or not the NRIC is correct in their allegations of flawed research.

Mr. Towers admitted he did not know who was right/who was wrong, but he thought it was acceptable to ask the government to double-check the impact/safety data. He said no elected official has even spoken about the issue.

Ms. Tripoli and Ms. Welo both said New York elected officials have always kept a low profile on the subject of nuclear issues.

Mr. Towers said he is concerned about the safety of the project, but if the others don't think it poses a risk the letter should not be sent.

Ms. Selendy asked if any national environmental groups have addressed the pipeline expansion.

Mr. Towers replied that he believed that if they had, the CAC would not be considering sending a letter now, but he did not check.

Ms. Pooley asked what the CAC should do, and Ms. Welo said she would rather the letter come from the Town Board than the CAC.

Ms. Tripoli believed the letter would receive little attention.

Mr. Towers agreed that the letter will not have a big effect on anyone, but he is concerned about expansion of the pipeline near Indian Point, for which reason he felt it was worth sending. He was open to amendment of the letter. He thought it was worth sending, but those who did not need not sign it.

Ms. Tripoli suggested that perhaps the CAC could simply express their concern without citing old science. She noted that the pipeline has been in place since 2002 or 2003.

Mr. Towers said the concern is the magnitude of the possible catastrophe if something went wrong with an expanded pipeline near Indian Point.

Ms. Welo was interested to know just how close it is, but they did not have that information.

Ms. Tripoli thought maybe a compromise would be a letter to the Governor stating their concern about the proximity and leave the science to them/request some kind of third party independent review, and Mr. Towers said that would be fine.

Ms. Selendy suggested some changes in the wording, and Mr. Towers asked her to go ahead and make the changes she thought would improve it.

Ms. Pooley thought it would be acceptable for the CAC to send the letter as a concerned group if it sounds neutral.

Ms. Tripoli wrote and read aloud a short, neutral-sounding letter:

The Conservation Advisory Council of the Town of North Salem in Westchester County is concerned about expanding a gas pipeline in the proximity of a nuclear reactor in the Greater New York City Area and would appreciate an independent review of the Spectra Energy gas pipeline project by the Governor's Office.

All the CAC members were in favor of the amended letter.

Everyone agreed that the letter should be signed by Mr. Towers on behalf of the CAC.

H2H Initiative Update

Ms. Pooley said the grant from the Forestry Service will officially come to an end in June 2016, but the Westchester Land Trust wants to continue with the project and will take the lead. She said it has proven difficult to get numerous conservation easements, which was a big part of the project's goal.

Mr. Towers said he could understand why people would not want to tie up their land/the tax break is not significant.

Ms. Tripoli said it is valuable in helping to prevent over-development.

Ms. Pooley said she knows of a woman who is going to put a 16-acre easement on her property in North Salem to preserve her view/prevent the land from ever being developed, even by her heirs.

Ms. Tripoli thought some of the major land-owners in Town would want to preserve the land.

Ms. Selendy said her neighbor on Keeler Lane has granted an easement to the NSOLF.

Mr. Towers felt people want to maintain their freedom to choose to subdivide or develop their land or leave it so their heirs may do so.

Ms. Tripoli thought the presence of numerous conservation easements in a town could enhance property values.

Ms. Pooley said H2H's stewardship model is particularly important/valuable for people to learn about.

Mr. Towers asked how much land must be included in a conservation easement, and Ms. Pooley said at least 10 acres.

North Salem Social Media Policy

Ms. Tripoli said this subject was discussed at the Town Board meeting she attended. She explained that towns are still dealing with the issue of who represents the town in various social medium forums like Facebook, Twitter, etc. She commented that the CAC Facebook page is innocuous enough, but someone could post an offensive comment, and the issue is if First Amendment rights would prevent them from deleting such a comment. Ms. Tripoli said another issue is that while the current CAC knows it will not post anything objectionable, the membership will change/political views and opinions could be put up in the future. She asked the others if they want to weigh in on the issue and say they are in favor of allowing the use of social media/it is the only way the CAC can communicate and ask that use of social media be left as open as possible.

Mr. Towers said the Town reasonably fears people being too autonomous/getting too personal; if one agency causes embarrassment, it will reflect on the Town as a whole.

Ms. Tripoli asked if the CAC wanted to state that they will include a disclaimer to the effect that their postings on Facebook are only the opinions of the individual members/not the Town.

Mr. Towers was concerned that implementing oversight could lead to censorship.

Ms. Tripoli said Town Board member Martin Aronchick really wants a policy developed.

Mr. Towers wondered what is really in everyone's best interests, enumerating some of the other Town groups who may be affected.

Ms. Tripoli thought a reasonable compromise for the CAC would be to offer the disclaimer re individual opinions/not those of the CAC as a group, and Ms. Selendy thought that was a good idea.

Mr. Towers asked if the CAC would allow one member who holds views not agreed to by the others to post those ideas.

Ms. Welo suggested blocking comments on the Facebook page.

Mr. Towers asked if it would be better if the disclaimer were to state that all opinions posted are agreed to by all members of the CAC.

Ms. Tripoli said that is not what they have been doing; Ms. Pooley posts informative things when she wants to that have not been discussed by the CAC (as can Ms. Tripoli), but she also does not post opinion pieces.

Mr. Towers said facts are fine, but opinions should be approved; if anyone ever did post some kind of an opinion that most of the CAC members did not agree with, they could say it was not supported by the CAC as a whole.

Ms. Pooley said that was why she liked the option of saying any opinions posted are the responsibility of the individual people who post them.

Ms. Welo suggested waiting to see what the Town Board comes up with.

Ms. Tripoli said she could let the Town Board know that the CAC has no firm plan in place as of yet. She asked the others to look at the CAC page and think about what to do.

Ms. Pooley thought maybe they should only use it to announce activities, but Ms. Tripoli pointed out that the problem of inappropriate responses would remain.

Ms. Selendy said they need guidelines re inappropriate statements.

Ms. Tripoli proposed saying the CAC is giving the issue some thought. She said they might not want to give input beyond stating their support of openness and opposition to offensive statements.

Mr. Towers thought the CAC should be opposed to unreasonable restrictions of candid opinions and information, and he asked if all Town groups have Facebook, etc./wondered whether or not they are policed.

Ms. Tripoli suggested they think on it and discuss further at their next meeting.

Meetings Attended

Ms. Pooley said she intends to attend the next Planning Board meeting and also the Planning Board site inspection at 884-894 Peach Lake Road. The property-owners are proposing a large-scale project to clear out invasive plants and construct a wall on a part of their property that is on Peach Lake (Planning Board wetlands permit required), and the CAC has specifically been asked to comment. Ms. Pooley asked if any other CAC members will go along.

Ms. Tripoli will go and Ms. Selendy will try to.

Specific Sites

Ms. Pooley said the branch design for the Homeland Towers cell tower will be discussed at the Planning Board meeting and also the results of the Hawley Woods boring test. She added that there is no hurry for the CAC to comment on the Fuelco/BP application, as the DEP has recently submitted a lengthy list of additional requirements.

There was no new information available on the other items on this list.

Other

Ms. Selendy reminded the other members of her suggestion to host a panel/information sessions at the Library.

Some CAC members are going to be away in January and/or February.

Mr. Towers thought early spring would be a good time to host something about planting.

Ms. Selendy agreed and said the owner of Garden of Ideas in Ridgefield (provider of seed samples for the CAC table at the Library fair) would be a good speaker, although he does charge a fee. She added that a question and answer session put on by the Improvement Society had been very good.

Mr. Towers offered to see if the head gardener at The Farmer and the Fish would be willing to participate in a panel discussion on gardening.

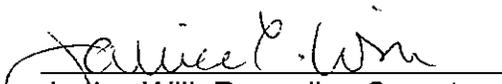
Next Meeting: December 7 at the Library/secretary unable to attend.

To adjourn at approximately 6:25

Motion by: Janine Selendy

All in favor.

Respectfully submitted,


Janice Will, Recording Secretary