

Minutes for the Environmental Commission
June 14, 2012

Call to order

Chairperson Cathy Urbanski called the meeting to order at 7:27 pm.

In attendance: Baldino, Neufeld, Rich (TC liaison), Slowick, Urbanski, Van der Veen, Zuzov

Absent: Hall, Piel

Approval of minutes

The commission minutes from the May 10, 2012 meeting were reviewed and approved.

Opportunity for public comment

There were two members (Justin Holohan and Jennifer Andreoli) of the public present for comment.

Business

1. Sustainable Jersey

Chairperson Urbanski reviewed the communications between her and Banish and Associates regarding the inventory of West Amwell easements. The inventory will be part of a grant application to Sustainable Jersey. It was also reported that the grant application would include an outreach program.

The commission briefly discussed using some of the grant money to encourage back yard composting in the town. However, there would not be enough grant money from Sustainable Jersey to provide a composter for every resident of the town. As an alternative, the commission discussed doing a class on composting and perhaps holding a drawing for several composters at the end of the class. Chairperson Urbanski and member Zuzov will work on the grant

Grant applications are due by July 15th, 2012.

2. Cadmium Telluride Solar Panels and the Renewable Energy Ordinance

Chairperson Urbanski reviewed the history of the issue. Cadmium Telluride solar cells were restricted in the first draft of the ordinance. However, the commission revisited the discussion at the request of the planning board in the fall of 2011. At that time, the commission reviewed the available data and determined that there was no evidence to support a restriction.

Member of the public Andreoli, asked the commission to explain why the restriction was removed. The commission explained that due to a lack of evidence indicating an issue with the panels, the commission decided to remove the restriction. The decision was made in part to minimize the chance of a legal challenge to the ordinance.

Ms. Andreoli presented a paper to the commission stating that this type of solar panel could represent an issue.

Post meeting note: commission member Slowick reviewed the paper in presented by Ms. Andreoli after the meeting. The paper is not a report of scientific findings but is instead a list of potential impacts. It did not conduct any investigation to assess the reality of those impacts. In addition, the paper has not been through

Minutes for the Environmental Commission
June 14, 2012

the review process indicating that the opinions provide in the paper have not been corroborated.

The issue of the paper was discussed. It was noted that the paper was in opposition to the information from Brookhaven Laboratory (supplied by NJDEP) that was part of the commission's discussion in the fall of 2011. It was also noted that additional papers would be required to clarify the issue further.

It was suggested that the restriction should be left in and the burden of proof of safety be placed on the entity applying for a variance to allow the installation. The commission has rejected this approach because of the potential of legal challenge.

Member of the public Holohan accused the commission of being motivated by profit. He felt that there had been a change in the last two months regarding the ordinance and allowance of this type of solar panel. Chairperson Urbanski corrected him stating that this type of solar panel has been under discussion for much longer than that.

The commission discussed putting language into the ordinance restricting the use of the panels until evidence exists proving their safety. Commission member Van der Veen expressed a desire to write the ordinance so that the developer was required to prove that this type of solar is safe. The commission discussed and concluded that was not consistent with the format of ordinances.

Chairperson Urbanski also read into record a letter from New Jersey Department of Environmental Protection Stephen Jenks in the Office of Climate and Energy. In his letter, Mr. Jenks encouraged the commission to base the decision on the work done at Brookhaven that indicates no issue with this type of solar panel. It was noted that the letter was an opinion of Mr. Jenks and not the opinion of the department. The letter carries as much weight as the paper present by the Ms. Andreoli.

Ms. Andreoli again challenged the commission to restore the restriction on Cadmium based solar cells pending the outcome of additional research. She felt that the commission should not take into account any legal burden the restriction could pose.

At the time, commission member Slowick stated that the restriction could stifle research that could lead to cheaper and more efficient solar systems.

To this, Mr. Holohan accused the commission of experimenting on West Amwell Township Committee member Rich informed Mr. Holohan that the comment was inappropriate and that it was disrespectful of the commission.

Ms. Andreoli raised the concern about the recycling of retired systems. The commission noted that the ordinance provides for appropriate decommissioning of the fields. It was also noted that due to the scarcity of tellurium that it was unlikely that the panels would not be recycled.

The commission briefly discussed monitoring this type of system to ensure containment of the Cadmium. It was unclear that this could be done at the time of the meeting. Monitoring of soil and water would prohibitive.

Minutes for the Environmental Commission
June 14, 2012

The commission also discussed visual inspection of the panels for cracks. However, it was recognized that a broken panel would release Cadmium very slowly and the panel would likely be replaced long before the break had significant impact.

Chairperson Urbanski called for a vote. The vote would decide the commission recommendation to the planning board regarding the restriction of Cadmium Telluride solar panels.

The commission voted regarding keeping the ordinance as it is and without a restriction against this type of solar cell. A vote of "yes" indicated the commission member's vote to leave the ordinance without a restriction on Cadmium Telluride solar panels. A vote of "no" indicates the commission member's desire to see the ordinance restrict the use of these solar panels. The votes were as follows:

Baldino	No
Neufeld	Abstain
Slowick	Yes
Urbanski	Yes
Van der Veen	Yes
Zuzov	Yes

The commission voted to leave the ordinance without a restriction on Cadmium Telluride solar panels. A subcommittee will be set up to monitor the issue to ensure that if Cadmium Telluride solar panels are later determined to be a significant environmental and health impact it will be addressed.

The commission briefly discussed minor clarifications made to the ordinance by Chairperson Urbanski.

3. Invasive Species Binder

Chairperson Urbanski reported that binders were provided to Lake Hopatcong, Rutgers, and Munds.

4. NRI Update, to be done in 2012

This discussion was placed on hold until the next meeting.

Opportunity for public comment

There were no additional comments from members of the public.

Adjournment

The meeting adjourned at 8:53 pm.