

Township of West Milford
ENVIRONMENTAL COMMISSION

MINUTES

JANUARY 4, 2010

The regular meeting of the Environmental Commission of the Township of West Milford, was called to order at 7:30 p.m. by Chairman Stephen Sangle followed by a reading of the Legal Notice.

ROLL CALL: Present: Andrew Abdul, Gillian Hemstead, David Watson Hallowell, Timothy Metcalf, Douglas Ott, Bernie Stapleton, Alternates Gary Oppenheimer, Chairman Stephen Sangle.
Absent: Maryellen Gabay.
Guests: Bob Jonas and Edward Goodell from the NY/NJ Trails Conference.

NY / NJ Trails Conference – Recreational Trails Grant Discussion – Bob Jonas and Ed Goodell were present to review the Recreational Trails Grant with the Commission. They noted that the project had originally begun with Rob Sparkes and a conversation he had with Bob Jonas about a prior recreational trails grant that was unable to be consummated. On the recommendation of Bob Jonas, Rob contacted Ed Goodell of the NY/NJ Trails Conference to review alternate projects for the grant. He and Rob spoke about several options, and finally settled on a signage project that the Trails Conference had been pursuing for several years. The changes to the proposal for the new signage project had been submitted to the NJDEP and approved, allowing the allotted grant funds to be used for this project. Mr. Goodell noted that the NY/NJ Trails Conference maintains 20 trails, 10 in NY and 10 in NJ, and these trails are maintained on land controlled by about 120 public entities. Both Rob Sparkes and Ed Goodell agreed that the largest missing link was information or signage at the trailheads. They attempted to come up with 1) a universal system that would satisfy all parties involved, 2) a project that would be actively maintained by someone who would be assigned the responsibility for making it seasonally appropriate, and 3) fund it with private donations to cover the installation and establish a second maintenance endowment fund. This was a long-term plan that envisioned several hundred signs installed on the trails. Main Street Design from Cambridge, MA was chosen to do the design concepts; the Trails Conference had worked with them on other projects and they usually charge nominal fees to the Conference. Mr. Goodell noted that Main Street Designs are usually involved with large projects, more recently completing signage for the National Panda Park in China. Mr. Goodell proposed to Rob Sparkes, that, with approximately \$20,000. that the Trails Conference has to invest in this project, and with the \$25,000. that West Milford has with the grant, the design work could be completed and a prototype could be constructed in West Milford with “X” number of signs. The Township signed a contract with the Trails Conference for \$30,000. for the project to get the work completed, which included the “in-kind match” from the Township. There were a series of meetings with the design firm and also outside entities such as Waywayanda State Park, Newark Watershed, and Ringwood State Park, and, he commented, one of the meetings was held in Town Hall with several representatives present. The concepts were reviewed based on the input, then redesigned, and the resulting plan was presented. Mr. Goodell had only 6 copies of the design for the Environmental Commission (a copy was not provided to the Secretary.) He reviewed the draft design with the Commission, noting that the Trails Conference comments were not addressed in the draft he was presenting. A prototype is scheduled to be built, and the structural components have been fabricated, but will not be installed until the graphic panels are completed. The potential locations for the prototype were reviewed and he advised that the Jeremy Glick Trail had been chosen, but permission to install the sign was not obtainable.

Mr. Goodell advised that the project was at this point last year when Rob Sparkes went on unexpected leave from the Township, and the Trails Conference also lost some of their personnel. The project was assigned to Larry Wheelock of the Trails Conference, and Doug Ott from the Environmental Commission, for alternate locations to be researched. There were numerous debates on the location of the kiosks. A suggested new location for the prototype was Clinton Road by Parking Lot #3; permission has been obtained from Newark Watershed. The final graphic work on the prototype is required before this can move forward. Mr. Goodell noted that the agreement he signed was for the production of 14 to 20 signs and they are prepared to install various other signage based on the remaining funds in the budget. The actual number had been an issue with Rob Sparkes and also

Kevin Boyle, Township Administrator, because the Conference was unable to give an accurate number of signs that would be constructed. Mr. Goodell noted smaller signs that cost less would result in a greater number of signs installed. The actual cost of the kiosks will be determined by the building of the prototype, and he noted that the prototype was a spectrum of sizes. The actual kiosk prototype design consisted of one bench and one upright sign. Mr. Goodell advised that roadside signage of approaching trailheads was also part of the project. He commented that all the money that has been allotted for this will be spent to complete as much signage as possible.

Mr. Goodell was concerned that the Commission may not be satisfied with the sign, and Gillian Hemstead responded that the concern was that a larger kiosk might present permitting issues. Mr. Goodell noted that permits depend on the jurisdiction of the site. He further advised that our contract for this grant with the NJDEP had expired, and he verified this with the DEP. The grant that we received funding on was a federal formula grant for the state, and the extension has to be granted. Mr. Goodell also advised that extensions cannot be granted if there is an outstanding invoice, and he confirmed that there is an outstanding invoices. Continuing, he stated that at this stage, where nothing is built and only design work has been completed, we should bill for \$5,000. because we are limited to 20% of the \$25,000. for design. Gillian Hemstead inquired if there was billing from the design firm, and Mr. Goodell replied that we have billing from the Trails Conference. Ms. Hemstead asked if the invoices had been forwarded to the Township, and Mr. Goodell confirmed that the Trails Conference had been paid, partially, by the Township. Chairman Sangle commented that he had not seen any invoices on this matter and suggested that the Township Administrator must have received them directly. Ms. Hemstead noted that quarterly reports and billing are usually requirements of the grants, and this has probably not been done since Rob went on leave, adding that we needed to bill the state for reimbursement. Mr. Goodell advised that quarterly reports are not required with this grant, but we are supposed to bill the state when we need money for the project, adding that a final report will be required. Mr. Goodell noted that when they started on this project, the grant had almost expired, so an extension for one year was written into the grant agreement by Rob and was approved. It was advised that the Commission or Township send a written request to Larry Miller of the NJDEP requesting a bill for the \$5,000 as a maximum of the 20% of the \$25,000. grant for the design work, and also request an extension. Mr. Goodell noted that we would most likely receive the extension. He also advised that a site for the prototype needs to be chosen, and unless the Township had property they owned and wished to use, he recommended the Newark Watershed property off Clinton Road, near Buckabear Pond.

Gary Oppenheimer inquired about the Trails Conference experience with vandalism on the trails and he commented about the notoriety of Clinton Road, especially with the hype from Weird New Jersey publications. He expressed concern about vandalism, and wondered if the kiosk would fall victim to damage. Mr. Goodell noted that trailhead signage is always subject to vandalism. David Watson Hallowell commented that it might be better to accept vandalism as a reality and place the sign kiosk where it would benefit the most people. Mr. Oppenheimer suggested a site near Monksville Reservoir, on Greenwood Lake Turnpike. Mr. Goodell replied that there are approximately 10 kiosks planned and they are usually located further off the road. He then proceeded to show a map of the potential sites. He noted that wherever the Commission chooses a site, that is where the sign will be located. Doug Ott commented that the list was compiled without consideration of the ability to get permission. Mr. Goodell stressed that a site needs to be chosen for the prototype, and then the text will be prepared by Don Weiss. When the ground thaws, the Conference will be ready to install. The materials used will be black locust and ¼ inch steel, which will render them very sturdy. The units will be delivered to the site and welded together. The Environmental Commission continued to discuss locations. Mr. Goodell said that once a site is verified, the next step will be to have the text and graphics prepared by their volunteer Don Weiss and their project manager for this project, Chris Ingui. Permission from Newark Watershed for use of the site will be obtained by the Trails Conference. If it is another site, such as a DEP site, they will present a group of kiosks and get permission for all the signs at one time. Chairman Sangle clarified that the Township needs to send an invoice to Larry Miller of the DEP and also request a no-cost time extension of one year. This must be done so that we get reimbursed. Mr. Goodell stated that the project could be completed in 2010, and hopefully by August, but a one-year extension was advisable. Chairman Sangle inquired about the

\$5,000. invoice to the state, and how it should be billed, to which Mr. Goodell replied that the Township should note design services. Gillian Hemstead inquired how the Trails Conference was paid, and Mr. Goodell said that they had invoiced the Township and were paid. He said that he would provide copies of those invoices. Mr. Goodell stated that the size of the kiosks had not been determined until the first prototype was built. Purchase of the material alone for one kiosk will be over \$1,000., but 10 kiosks may reduce the price per unit by 25–30%, although this amount was not confirmed. The units may be sent out to bid, or there may be a combination of larger kiosks and smaller signage, and the Township may install the stakes and the Conference will just fabricate and install the signs. He stressed that all the details need to be worked out.

Ms. Hemstead advised that the Commission and Trails Conference should move forward with the Clinton Road (Newark Watershed) site for the prototype, then determine the formula for the additional signs. Mr. Goodell stated that by March or April the prototype can be installed. He advised that the people who manage the various trails and parklands want the kiosks installed to assist visitors who utilize the sites and noted that they are willing to work with us. Bob Jonas advised that the Trails Conference has permission to thin out the vegetation in areas designated as parking areas and signs are being for posted that will identify key parking sites. He said that this, in conjunction with the kiosks, is a step in the right direction for hikers and people that frequent the trails. Ms. Hemstead noted that it is a safety issue, and the police need to identify the parking sites in case of an emergency. Mr. Hallowell inquired about the timing of the project and Mr. Goodell noted that it would depend on coordination and getting permission from the proper entities. Chairman Sangle requested Mr. Jonas and Mr. Goodell return to the Environmental Commission for the May meeting to give an update. The Trails conference will keep in touch with Doug Ott, Gillian Hemstead, and Bob Jonas to ensure the documentation is filed. There was a discussion about having more sites on the Township's proposed greenway, and Mr. Goodell noted that the flaw in the plan is establishing an endowment for maintenance as the Trails Conference cannot rely on external donors, adding that volunteers can only accomplish so much. He stressed the need for Township DPW assistance to get the holes dug and gravel spread. The long-term goal would be to have sponsorships for each sign. The Commission thanked the Trails Conference representatives for attending this meeting and for clarifying the project status.

Following the presentation, the Secretary was requested to place this matter on the May 3, 2010 agenda for an update on the project.

APPLICATIONS – None.

TELECOMMUNICATION APPLICATIONS - None.

GRANT MANAGEMENT AND STATUS REVIEW

2004 Greenwood Lake 319H Grant and 2007 Stormwater Implementation 319H Grant and the 604b OWTS::

Gillian Hemstead reported that Fred Lubnow will attend the February 8, 2010 meeting to give an update on the grants' status.

Streetscape Grant: Gillian Hemstead reported that the Township was receiving \$100,000. for a community development block grant for streetscape and sidewalks.

Urban Forestry Grants: No report or update.

ON GOING BUSINESS

Community Forestry Plan: No report or update.

Lakes Committee: Andy Abdul reported that there no meeting was held in December.

Wetland Mitigation Project: David Watson Hallowell noted that he will contact George White to inquire if there is anything remaining on this project. On another matter, Chairman Sangle noted that the Hudson Essex Passaic Soil Conservation District had approved the soil and sediment control plan for the State's breaching of the West Milford Lake Dam.

Open Space Subcommittee: Chairman Sangle reported about property on Morsetown Road that is being considered for open space; the property is 28½ acres and is not farm assessed. The Chairman noted that removal of property from the tax roles when it is not farm assessed is not advisable. It was noted that the Township Council will look further into this and make the appropriate recommendations.

Renewable Energy Subcommittee: Chairman Sangle inquired about the draft wind turbine ordinance. The Secretary noted that the Planning Board Ordinance Committee has not met recently to discuss the matter.

Environmental Contamination Issues: Bernie Stapleton had nothing new to report at this time.

Sustainable Jersey: David Watson Hallowell reported that the first meeting to form the Green Team will be held on January 11, 2010 at Town Hall. He noted that there seems to be a good response from the public. The goal is compile the points that West Milford has qualified for in order to be certified as a Sustainable Community in New Jersey.

Trails Master Plan: David Watson Hallowell reported that this program will be re-evaluated and changes will be made to the proposal from the last submission. He may seek some assistance from the Trails Conference.

Beaver Dams at Environmental Boardwalk: Bob Jonas reported that he breached the beaver dam over 70 times in the past several months. He and Estelle Anderson have been monitoring the site and assisting when necessary. He reported that a trapper has been hired by the Township, and since December, everything is status quo. He discussed the use of bypass pipes, but noted that they have been known to fail. The Commission discussed whether the beavers are trapped and killed or relocated.

NEW BUSINESS

Annual Report to Township Council: Gillian Hemstead reported that the tentative plan is to make a presentation to the Township Council in April. It was agreed by all that meeting with Fred Lubnow at the February meeting for an update on the grants status was necessary prior to the annual report being made.

Autumn Lights: Gillian Hemstead reported that she was preparing a power point presentation and would have laminated displays for the public educational outreach; she will have a trial run at the West Milford Green Fest sponsored by Sustainable West Milford in May. She inquired about purchasing another banner or sign and the Chairman asked for consensus from the Commission for a new banner to be ordered from "That Special Gift." The Secretary will confirm that there are funds in the budget to cover this purchase. The Commission unanimously agreed on the purchase of a new EC banner for various events that they may be present at. Chairman Sangle will donate the use of a 12 x 20 carport canopy for use at the Autumn Lights.

ANJEC 2010 Smart Growth Grants: Chairman Sangle suggested that possible grant projects needed to be reviewed. Chairman Sangle made a motion with a second by Gillian Hemstead, to pay the ANJEC dues as soon as the Township allots the funds in the budget. The Commission unanimously agreed.

MISCELLANEOUS

On another matter, Gary Oppenheimer advised of a notice that the Township will not be accepting refrigerated appliances that contain Freon. The Commission agreed that this is contrary to state programs that encourage the recycling of the Freon to avoid the contaminant leaking into the waste sites. Tim Metcalf will inquire of his company if they have a recycling program and will report back to the Commission. Chairman Sangle requested the Secretary to inquire about the origins of this press release and report back to the Commission.

MINUTES

The approval of the minutes of the December 14, 2009 Regular Meeting of the West Milford Environmental Commission were held until the following month.

The following correspondence was reviewed by the Environmental Commission and filed:

HIGHLANDS WATER PROTECTION AND PLANNING ACT

1. Notice of Intent To Cancel the Highlands Applicability Determination and Water Quality Management Plan Consistency Determination application dated December 28, 2009 from the NJ DEP for David Koblitz, Block 8704; Lot 26, 225 Ridge Road, for failure to submit required documents with regard to a proposed sanitary sewer connection.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

1. Flood Hazard Area Applicability Determination – “No written flood hazard area approval is required” – dated November 18, 2009, received from the NJDEP, regarding the installation of a subsurface septic system replacement for William Thayer, 11 Glenwood Road, Block 2609; Lot 1.

2. Flood Hazard Area Applicability Determination – “No written flood hazard area approval is required” – dated December 7, 2009, received from the NJDEP, regarding the installation of a subsurface septic system replacement for John Mileski, 12 Albertine Place, Block 16201; Lot 6.

3. No Further Action letter from the NJDEP, dated December 14, 2009, sent to the West Milford M.U.A. regarding the removal of a 550-gallon underground diesel fuel tank from the site of the Greenbrook Well House No 2., Woodland Avenue.

4. No Further Action – Covenant Not To Sue letter from the NJDEP, dated December 11, 2009, sent to Claus Neppel, 361 Lake Shore Drive, Block 2402; Lot 29 regarding the removal of a 550 gallon #2 Heating Oil Underground Storage Tank.

5. Notice of Deficiency – Remedial Action Report received from the NJDEP, dated December 21, 2009, for Alaina Scala, 3 Crest Lake Road, Block 16701; Lot 8 with regard to remediation of the site and failure to conduct a remedial investigation of ground water when required, and failure to conduct necessary site investigation of building interiors. Compliance is required within 90 days.

6. Notice of intent to apply for a NJDEP general permit submitted by Dale and Glory Bracken, 23 Spruce Point Trail, Block 505; Lot 21, received on December 29, 2009.

7. Notice of Adopted Revision with regard to the Northeast Water Quality Management Plan received from the NJDEP dated December 18, 2009 for Shiloh Bible Camp, Block 6002; Lot 47.

CORRESPONDENCE

1. Notification of an intent to file a multi permit application received on December 14, 2009 for Freshwater Wetlands GP #1, Coastal GP #23, Coastal Wetlands Permit, Flood Hazard Area Individual Permit, and Water Quality Certificate for JCP&L-Jersey Central Power and Light Company with regard to Vegetative Maintenance, Utility Infrastructure, Repair and Replacement Activities in 174 municipalities and 13 counties in New Jersey.

2. Notice received on December 14, 2009 from Passaic County Board of Chosen Freeholders regarding the Passaic County Community Development Block Grant Award FY 2009 – award of \$100,000. for the Marshall Hill Sidewalk Improvement Program – Phase II.

3. Memo dated December 16, 2009 from Kevin Boyle, the Township Administrator, advising of a Green Team Kickoff Meeting on January 11, 2010 at 7:30 pm at Town Hall.

4. Memo received on December 16, 2009 from the Township Administrator requesting comments or concerns be provided to him before January 8, 2010 regarding the potential donation of property by owners AND, LDN, L.L.C., Block 5002; Lot 5, Morsetown Road, 28.5 acres.

5. Ordinance #2009-033 of the Township of West Milford, effective January 5, 2010 establishing a Lakes Committee with 9 members for two-year terms appointed by the Township Council, to meet monthly at West Milford Town Hall for the purpose of addressing any issue that may affect lake communities, and to strive to promote and protect lakes in the Township.
6. Notice of a conference and exhibitor fair on February 11, 2010 sponsored by Rutgers Institute of Marine and Coastal Sciences, Monmouth University, NJ Coastal Management Program, and Barnegat Bay National Estuary Program regarding issues facing NJ coastal estuaries related to climate change and sea level rising, held at the Sea Oaks Golf Course in Little Egg Harbor.
7. Hudson Essex Passaic Soil Conservation District Certification of Soil Erosion and Sediment Plan, valid for 3½ years, received December 11, 2009, submitted by the NJDEP regarding the removal of the dam at West Milford Lake, Block 5708; Lot 1.
8. Invoice from ANJEC for 2010 Dues - \$380.00.

PUBLIC COMMENTS - No one was present to address the Commission on any matter of concern.

ADJOURNMENT

With no further business to come before the Commission the meeting was adjourned at 9:30 p.m. on a **motion** by Bernie Stapleton and David Watson Hallowell.

Approved: April 5, 2010

Respectfully Submitted,

Tonya E. Cubby, Secretary