

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

January 7, 2019

The January 7, 2019 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:07 p.m. with a reading of the Legal Notice. The Oaths of Public Office were administered to the members who were re-appointed to the Commission: Tim Dalton, Thomas Tamayne, Douglas Ott, and Douglas Trainor.

ROLL CALL

Present: Tim Dalton, David Ofshinsky, Douglas Ott, Jim Rogers, Thomas Tamayne, Don Weise, Chairman Stephen Sangle, Clinton Smith (Alt #1), Douglas Trainor (Alt #2).

Absent: None.

Chairman Sangle advised that there was a quorum for this meeting.

PRESENTATIONS – None.

APPLICATIONS – None.

ON GOING BUSINESS

Shade Tree Committee / Community Forestry Mgt. Plan: Tim Dalton reported that he was in the process of preparing the annual report for 2018. He noted that the Township will qualify for the required continuing education credits. He requested to meet with the Chairman and Mayor on the new Community Forestry Management Plan, but stressed that the main objective now was to get the annual report filed. Mr. Dalton reported that he must coordinate certain information required in the report with Ed Steines, the DPW Supervisor. He is also attempting to coordinate the necessary documents and information required for Tree City USA status for the Township.

Greenwood Lake Bi-State Commission: Commissioner Clint Smith reported that the GWL Commission has been investigating the most effective method for weed control on GWL, but they were not sure if State funds can be used for chemical weed control in addition to mechanical weed harvesting. Chairman Sangle commented that the harvester used for cutting weeds was better than using chemicals, since the chemicals caused the weeds to die and eventually removed oxygen from the water in the process. He added that there were other potential adverse effects to chemical treatments. Commissioner Tim Dalton observed that certain weeds are broken off with the weed harvesting process and re-seed, creating more weeds. Mr. Dalton then raised the issue of Mt. Laurel Lake, which he thought was a Township-owned lake, and noted that it is not being maintained with regard to weeds. He commented that the condition of the upper end of the lake is the worst. Chairman Sangle suggested that a letter might be sent to the Mayor and Township Council requesting that they maintain the lake. Mr. Dalton noted that the Upper Greenwood Lake Property Owners Association has a very well thought out program for weed control and they may be able to provide some information. Commissioner Don Weise inquired if the Mt. Laurel Lake was membership funded, and Mr. Dalton replied that there were easements with access to the lake through the UGL POA property, and although there are several interested residents, there was no formal lake association. Mr. Dalton advised that he would research this matter further to confirm ownership by the Township.

Lakes Committee / Lake Management Planning: Clint Smith raised the issue of the condition of the creek behind the new Tractor Supply (formerly Sears Hardware) and reported that he attempted to get the property's owners and the store tenants to clean up the area. They acknowledged that the debris was present, but were unable to commit the funds to clean up the 44(?) wood pallets, among other debris that is present at the site. Mr. Smith advised that he

reported this to the Zoning Officer, but there was not much that could be done other than to advise the owners. He also spoke to the owners of the site, The Lane Group. Mr. Smith felt that installation of a fence would help solve a lot of the issues. Chairman Sangle recommended that Mr. Smith contact the Zoning Officer to request the owners to install a fence. He also noted that the NJDEP should be contacted so they are made aware of the issues since they oversee all water bodies. Mr. Dalton remarked that he would be speaking to Dr. Fred Lubnow (Princeton Hydro) about their Watershed Implementation Plan project, and since the small creek behind Tractor Supply flows into Belchers Creek, they may be able to assist with getting something done at that location. Don Weise suggested that Mr. Smith contact the manager of the Tractor Supply store. Chairman Sangle agreed with the suggestion that installation of a fence be proposed as part of the WIP grant project with Princeton Hydro.

Open Space Committee: Commissioner Don Weise advised that he did not have anything new on Open Space to report at this time. He commented that The Land Conservancy and the NY/NJ Trail Conference has had a good working relationship, and he hopes that it will continue again this year, in spite of budget cuts. Chairman Sangle suggested that there may be more funding available with the new Governor and some of the programs that he supports. He then suggested that Mr. Weise reach out to the new Township Council to request that they allocate some funds for a contract with The Land Conservancy for open space matters. He requested information on the contract that the Township had with TLC and the Secretary advised that she would make an inquiry of the Clerk's Office. Mr. Weise thanked those who made donations to the Trail Conference.

Environmental Contamination Issues: Tom Tamayne reviewed the list of contamination notices that he received, as well as those listed under correspondence on the agenda.

NNL Grant Reforestation Project: Tim Dalton commented about the correspondence received regarding the NJDEP NNL Reforestation Grant, and suggested that although the grant has been cancelled, the Forestry Division staff will most likely do an inspection prior to the Township releasing the remaining funds from the grant to Fullerton. He noted that he had already spoken to Ron Farr, the Forestry Consultant for this project, about requiring his assistance with inspections. Chairman Sangle remarked about the tree survival rate and wondered if only 80% of the trees survive, would Fullerton Grounds Maintenance have to replace 15%(?) of the trees in order to get the remaining funds from the contract? Tom Tamayne responded that it would depend on the language in the contract.

Belchers Creek Testing Project: Chairman Sangle noted that there was no testing this month at the Belcher Creek sites. Dave Ofshinsky advised that he would create a spreadsheet that can be provided to the GWL Commission for use in their grants.

Green Team–Sustainability Committee: Tim Dalton reported that he plans to speak to the Green Team teachers at the High School to coordinate the Sustainable Jersey efforts.

NEW OR CURRENT BUSINESS

MUA – Suez – Dave Ofshinsky reported that the sale of the W.M. M.U.A. had been completed, but the M.U.A. will still be involved until all the matters have been addressed, including an audit that must be completed, as well as final invoices that need to be paid. He noted that Suez has been working diligently with the transition and getting prepared for upgrades and repairs, with the repair to the plants to begin as soon as practicably possible. Chairman Sangle commented that the repairs are necessary, adding that the test results for the various (deteriorating) plants are public knowledge.

Federal Climate Assessment – Tim Dalton reported on the new federal climate assessment and will send the link to the Commissioners, noting that everyone will be impacted. He further noted that the report also includes health impacts of climate change

Highlands Council – Tim Dalton advised that he would contact the Highlands Council to discuss funding for projects that were not necessarily planning related. Chairman Sangle suggested that he inquire about a grant for Mt. Laurel Lake.

MINUTES

The minutes from the December 10, 2018 regular meeting of the West Milford Environmental Commission were **approved** by the Commissioners who were present at the meeting on a **motion** by Tim Dalton with a **second** by Dave Ofshinsky.

CORRESPONDENCE RECEIVED

The following correspondence items were reviewed:

Highlands Water Protection & Planning Act Correspondence

1. Highlands Exemption #4, Water Quality Management Plan – Inconsistent notification received from the NJDEP, dated November 30, 2018, regarding 1590-1610 (1592) Union Valley Road, Block 6401; Lots 1 & 3, Kingwood Flex LLC, for a proposed Dollar Tree building expansion and associated site improvements, with no additional impervious surfaces, with all proposed construction within previously disturbed areas. This exemption determination does not eliminate the need for any other permits or approvals by federal, state, county and local agencies with regard to freshwater wetlands or flood hazard permits, or storm water management. The proposed building expansion extends outside the current sewer service area and therefore requires an amendment to the Water Quality Management Plan before construction.

NJ Department of Environmental Protection Correspondence

1. No Further Action letter received from the NJDEP, dated December 6, 2018, regarding 8 Mayfair Rd, Block 12208; Lot 25, with respect to the removal of one 275 gal #2 HO AST.
2. Suspected Hazardous Substance notice received from the NJDEP, #18-12-07-1348-20, dated December 8, 2018, regarding 84 Circle Dr., Block 16307; Lot 14, with respect to one 550 gal #2 HO UST, with clean-up pending.
3. Suspected Hazardous Substance notice received from the NJDEP, #18-12-10-1606-15, dated December 11, 2018, regarding 1367 Union Valley Rd, Block 7508; Lot 16, with respect to a historic discharge and soil contamination for a previously removed gasoline UST, with the removal of one 10,000 gal and one 12,000 gal. gasoline UST, and one 10,000 gal diesel UST pending.
4. Treatment Works Approval No. 18-0339 – Moosehead Marina, dated December 19, 2018, received from the NJDEP for Gogats Holding Co., 263 Lakeside Rd, Block 3202; Lot 6 regarding the construction of a subsurface wastewater treatment and disposal system for existing residential/commercial development at 263 Lakeside Road (Moosehead Marina).
5. Stipulation of Settlement, Notice of Resolution received from the NJDEP, dated December 21, 2018, regarding John Aiello, Block 4402; Lot 1, advising that the restoration work, including the removal of fill and implementation of an approved planting plan, has been completed. Therefore, the requirements of the Stipulation of Settlement, dated December 4, 2012, and associated violations are hereby resolved.
6. Suspected Hazardous Discharge notice received from the NJDEP, dated December 20, 2018, regarding Block 509; Lot 12, 414 Warwick Tpk., with respect to removal of one 550 gallon UST, with clean up pending.
7. Notification of a General Permit application being submitted to the NJDEP, dated 10-26-18, for Lazara Fernandez, 2 Glencross Road, Block 7005; Lot 3 regarding construction in wetlands or a transition area.
8. Suspected Hazardous Discharge notice received from the NJDEP, dated December 11, 2018, regarding Block 7508; Lot 16, 1367 Union Valley Road, with respect to a historic discharge resulting in soil contamination from a previous UST removal. Contamination was identified during the recent removal of one 10,000 gal gasoline UST, one 12,000 gal gasoline UST, and one 10,000 gal diesel UST.

9. Suspected Hazardous Discharge notice received from the NJDEP, dated December 8, 2018, regarding Block 16307; Lot 14, 84 Circle Dr., with respect to removal of one 550 gallon UST, with clean up pending.
10. No Further Action correspondence, dated December 6, 2018, received from the NJDEP regarding the removal of one 275 Gal #2 H.O. AST for 8 Mayfair Road, Block 12208; Lot 25.
11. Notification of a General Permit application being submitted to the NJDEP, dated 11-26-18, for Steven Eid, 102 Wayside Road, Block 806; Lot 28 regarding construction in wetlands or a transition area.
12. Correspondence from the NJDEP – Division of Parks & Forestry, dated December 14, 2018, advising that the NNL Reforestation Grant #FS14-019 has expired and the grant agreement has been cancelled. Any unused funds remaining from the reforestation grant may be available for future reforestation projects through the NJ Urban & community Forestry Stewardship Program.
13. Suspected Hazardous Discharge notice received from the NJDEP, dated December 27, 2018, regarding Block 5901; Lot 9, 31 Mountain Circle North, with respect to removal of one 550 gallon UST, with clean up pending.
14. Suspected Hazardous Discharge notice received from the NJDEP, dated January 4, 2019, regarding Block 9302; Lot 1, Starlight Road, with respect to unknown green liquid material coating the bottom surface of the Nosenzo Pond.
15. Surface Water G.P.A. Renewal notification received from the NJDEP, dated December 28, 2018, regarding Phillips 66 Co., 1367 Union Valley Rd., Block 7508; Lot 16, General Permit GW Petro Product Cleanup, NJPDES # NJG0076511, allowing for discharge of treated groundwater through the discharge outfall to Pinecliff Lake/Belcher Creek which are classified as FW2-NT (C2) waters. Permittee is required to sample the influent prior to any treatment within one month of the effective date of the permit.
16. Notification of a Remedial Action Report and Groundwater Remedial Action Permit Application, dated December 26, 2018, received from Envirotrac regarding Former Getty Station #56009, 2048 Rt. 23 N, Block 14104; Lot 2.
17. Notice of a 30 Day Extension to Pending Application for a Flood Hazard Area Individual Permit #FHA180001 received from the NJDEP, dated December 21, 2018, regarding Upper Greenwood Lake Property Owners Association, Block 2901; Lot 1.
18. Stipulation of Settlement, Notice of Resolution received from the NJDEP, dated December 21, 2018, regarding 828 East Shore Road, Block 4402; Lot 1, advising that an inspection of the site was completed on October 24, 2018, and all restoration work involving the removal of fill material and implementation of an approved planting plan has been completed as required.

Miscellaneous Correspondence

1. None.

PUBLIC COMMENTS – None.

ADJOURNMENT

With no further business to come before the Environmental Commission, the January 7, 2019 regular meeting was **adjourned** at 8:05 p.m. on a **motion** by Tim Dalton and a **second** by Dave Ofshinsky.

Approved: February 4, 2019

Respectfully submitted by

Tonya E. Cubby, Secretary