

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

JUNE 3, 2013

The June 3, 2013 regular meeting of the Township of West Milford Environmental Commission was called to order at 7:30 p.m. with a reading of the Legal Notice.

ROLL CALL: Present: Andrew Abdul, Timothy Dalton, Douglas Ott, Thomas Tamayne, Don Weise, Alternates Lucas Slott, Jennifer Easterbrook, Chairman Stephen Sangle.
Absent: Gary Oppenheimer.
Also Present: Dr. Fred Lubnow of Princeton Hydro

Chairman Stephen Sangle advised that a quorum was present to conduct this meeting.

PRESENTATIONS

2007 GWL NPS 319(h) Grant: Dr. Fred Lubnow of Princeton Hydro was present to provide an update on the grant projects associated with the 2007 GWL NPS 319(h) Grant. He advised the Commission that the projects have changed following a meeting with the NJDEP in April 2013. It was determined that the Marshall Hill Road project could not be completed in time for the October deadline, and Green Acres and Passaic River Coalition would not give permission for access to the property. Dr. Lubnow further advised that the West Milford Board of Education have advised that they did not want to proceed with the rain garden at the Marshall Hill School site because they did not want the rain garden to be a substitute for the stormwater projects that are necessary on Marshall Hill Road. Dr. Lubnow recently notified the NJDEP about another project and he was waiting for a response to determine if it will be feasible. In the interim, he reported, a new round of funding has become available, and the intention is to submit proposals for some new projects that will aid Greenwood Lake. He was to contact the Greenwood Lake Commission for their endorsement, and will attempt to secure approval from Green Acres. Dr. Lubnow noted that the design work has been completed, and the remaining funds for the current approved projects will be for project oversight and implementation. He further stated that the Township is anxious to get a project approved that will address the road flooding on Marshall Hill Road. Several copies of the plans for the remaining projects, Durant Road, Adelaide Terrace, and Reidy Place, were reviewed with the Commission. Dr. Lubnow advised that he would bring one of his engineers to the Environmental Commission meeting to discuss the projects in detail, but wanted to get all the approvals in place first. (1.) Dr. Lubnow reported that the Durant Road project included the installation of a manufactured device and creation of a vegetative strip for dual filtration. This project, which must be completed by October, is awaiting approval of the NJDEP permits; the Township has already approved the project. (2.) The Adelaide Terrace project does not require any state permits for the installation of a manufactured treatment device to remove the particulates and dissolved materials before they enter the waterways draining into Greenwood Lake. Information for this device is being forwarded to the Township for approval. (3.) The Reidy Place project includes the use of a filtera system, and since the removal of the Marshall Hill Road project from the grant, two filtera systems are proposed to be installed, with the final plans currently being prepared. Dr. Lubnow advised that he will return to the Environmental Commission meeting in July or August with one of his engineers to provide a powerpoint presentation for the Township. He explained that the filtera system is a smaller structure that removes solids, and is retrofitted into existing stormwater structures, requiring easements and approvals, while the vegetative system removes dissolved waste. He noted that the Township prefers manufactured devices and the NJDEP prefers vegetative systems. Commissioner Don Weise inquired about the particulates that accumulate in these systems, and Dr. Lubnow responded that they are cleaned out by the DPW, adding that for a three-chamber baffle box, cleaning is required once a year. When asked where the phosphates go after they are removed, Dr. Lubnow was unsure of the location that they are taken. He continued his explanation to the Commission, noting that these are the end of the line filtration devices and are self-contained. When vegetative strips are included in the project, as in Durant Road, the particulates will go into the vegetative strip to remove more of the dissolved material, resulting in approximately 80% removal of particulates. He further explained that in many of the small lake communities there is not much space to install large vegetative strips, which is why manufactured devices are used. Chairman Sangle suggested that Dr. Lubnow speak with Ron Farr, our forestry consultant, to see if there are any costs that the reforestation grant could cover with regard to the vegetative strip plantings. Dr. Lubnow responded that if there are funds needed for trees in the vegetative strips, he would approach the DEP, especially since it is within the Greenwood Lake Watershed. When inquiring whether there will be funds remaining after the three projects

are completed, Dr. Lubnow stated that the funds must be used by October 31, 2013. The only project that may be in jeopardy is the Durant Road project due to the permitting that is required and the time estimated to complete the installation of the filtration systems. He noted that since funds were expended on engineering for the Marshall Hill Road project that did not get final approval, another round of funding is anticipated that could be appropriated to complete this project. Dr. Lubnow concluded his update and advised that he would return in July or August with his engineer for a powerpoint presentation on the projects.

APPLICATIONS FOR REVIEW

MARY & LOUIS ROSNER

Bulk Variance # ZB-05-13-02

Block 4201; Lot 39

565 East Shore Road; LR zone

Seeking: Bulk Variance from the ZBOA for front yard setback for proposed expansion of an existing accessory structure.

Following review of the proposed expansion of an accessory structure on the above referenced property, the Commission recommended the use of rain barrels or a dry well, if feasible, for the additional stormwater run off.

DONOVAN FRITZ

Bulk Variance #ZB-05-13-04

Block 8602; Lot 40

18 Cherbourg Drive; R-2 Zone

Seeking: Bulk Variance from the ZBOA for rear yard setback for proposed 1 bedroom, 1 bath addition to an existing SF residence.

Following review of the bulk variance application for an addition to a single-family residence, the Commission recommended the use of rain barrels or installation of a dry well, if feasible, to address the additional stormwater run off.

GRANT MANAGEMENT AND STATUS REVIEW

Recreational Trails Signage Grant: Don Weise reported that he met with Gerry Storms, the Public Works Director, and they confirmed the sites for the installation of the trails signage. He advised that the signs would be installed in the coming weeks.

2010 ANJEC Smart Growth Planning Grant-Trails Master Plan: Doug Ott reported that a tentative meeting has been scheduled with Kerry Miller from ANJEC for the following week and he will report further at the next Commission meeting.

NJDEP NNL Reforestation Grant - \$620,197.00 – Ron Farr reported that the NNL grant application had been mailed the previous Friday and he forwarded an unsigned copy of the grant application in an email to Evan Dilluvio of the NJDEP-Division of Forestry. He was advised by Mr. Dilluvio to include several locations on the reforestation map for consideration. Mr. Farr also advised that he had been in contact with the superintendent of buildings and grounds for the local public schools, but he informed Mr. Dilluvio that he did not want to include too many specifics until we received confirmation that the funds were available. He will be in contact with the Board of Education when the grant is confirmed. Mr. Farr advised that one of the locations that was added to the original list of possible planting sites was the new library. Tom Tamayne suggested that the Wallisch property also be included in the list of sites for planting. Mr. Farr advised that he would speak to Dr. Lubnow of Princeton Hydro and suggest that trees be planted on the Marshall Hill School property to aid in diminishing the stormwater run off. He advised that the reforestation plantings might not take place until the Spring, and that local contractors may be used if the plantings are broken into 500 tree increments. He stressed that there must be a 2-year survival rate for the trees. Mr. Farr will update the Commission when further information is received about the NNL Grant. Renee Alessio commented that the Sustainable Jersey Program gives credit to a municipality that has a Community Forestry Plan and Mr. Farr noted that the Forestry plan will be developed under another grant, the 2013 Green Communities Grant, also provided by the DEP.

ON GOING BUSINESS

Lakes Committee: Andy Abdul advised that the Township Administrator, Nancy Gage, and the Health Officer, Mike Fitzpatrick, attended the prior Lakes Committee meeting and reported that there is a computer system that is receiving the septic pumping data, but they are unable to produce the required reports to assist in a follow up process with the residents. They are working to resolve the issue. The minutes from the last several Lakes Committee meetings were distributed to members of the Commission for review.

Open Space Subcommittee: Doug Ott advised that there was nothing new to report other than the recent referendum that is before the Township Council to dedicate a portion of the open space funds for maintenance of historic properties or purchase of open space for recreation, including ballfields. The Open Space subcommittee has prepared a recommendation for review that one third of the funds should be for the purchase of environmentally sensitive properties. Chairman Sangle noted that he read the original ordinance and it does state that there could be purchase of properties for recreational use, adding that it will be up to the voters in November to decide which is more important. Doris Aaronson commented that the voters do not understand the issue, and suggested that the Commission send their comments to the Township Council. Chairman Sangle requested that Luke Slott, Tim Dalton and Doug Ott prepare a draft statement requesting that one third of the open space funds be dedicated towards the purchase of environmentally sensitive properties. The statement would be reviewed and approved by the Commission before sending it to the Township Council.

Environmental Contamination Issues: Tom Tamayne sent the Health Officer a copy of the contaminated sites spreadsheet that needed updating, but has not received a response.

Green Team–Sustainable Jersey: Renee Alessio reported that 2014 is the renewal year for the Sustainable Jersey program and the Township needs to adopt a new resolution endorsing the Green Team. The Commission will review the resolution at the August meeting before forwarding it to the Township Council for approval. Chairman Sangle requested that Ms. Alessio draft a new resolution and forward it to the Commission.

With regard to the anti-idling issue, Mr. Alessio reported that she prepared a powerpoint presentation and wants to have the information available for the Autumn Lights Festival. The goal is to get the larger business owners to comply to the anti idling law and, following discussion, the Commission requested that a memo be sent to Shop Rite to request that they install anti-idling signs when they complete their site renovations. Ms. Alessio also reported that the NJDEP is a good source for signs and referenced “stopthesoot.org” website. Tim Dalton suggested that Google maps be used to link the hot spots for the signs. The Commission Secretary suggested that the JIFF insurance seminars for Township employees could include a session on anti-idling for various health reasons.

With regard to the Pet Ownership resolution, Chairman Sangle advised that there should no problem in passing this on to the Township Council. Ms. Alessio was requested to draft the resolution for Council consideration since the Administrator’s Office and the Clerk’s Office no longer prepare resolutions for the committees, commissions, or boards in the Township. Chairman Sangle also commented that the Township Council should be aware that there are residents in the community working hard as volunteers for the residents in the Township. With regard to Sustainable Jersey, Ms. Alessio commented that the Township should be proud of the work that they have done, thus far, on Sustainable Jersey related matters, and that they have used some of the resolutions and projects as models for other municipalities to emulate.

Regarding the Wildlife Action Plan, the Commission recommended that this resolution should be forwarded to the Council for consideration when it has been drafted in the correct format.

With regard to Autumn Lights, Chairman Sangle advised that members of the Commission, the Green Team, and Sustainable West Milford could coordinate their efforts. Tim Dalton noted that he is the Autumn Lights liaison for the Green Team and Sustainable West Milford and would keep the Commission informed.

Ms. Alessio advised that the Mayor’s Wellness Campaign needs a new resolution, and that we may be able to get credit for some of the events held this year including a Health Fair, clinics, 5K runs, and Senior Center activities. Tom Tamayne inquired whether the new library will be LEED certified and Doug Ott responded that the engineer and architect are LEED certified.

Ms. Alessio advised that she would re-draft the resolutions, and when she was notified that they were on the Council agendas, the Green Team/EC members would attend the meetings to show their support. Chairman Sangle suggested that the Mayor's Wellness resolution should be the first resolution for Council approval, and the others could be reviewed in the coming months. He suggested condensing them and removing some of the "whereas" and stressing the main points of the issues. Mr. Tamayne commented that these would be reviewed at the next Sustainable West Milford meeting before presenting to the Commission for review and approval.

Braemar at West Milford, LLC – Conservation Easement: Doug Ott reported that he had not received a response from Ralph Loveys, but the conservation easements should be reviewed with the Planning Board and Township Engineer Paul Ferriero.

Tennessee Gas Pipeline: Ron Farr advised the Commission that the Tennessee Gas pipeline project is about 1500 feet from the reservoir, and as part of their mitigation, they will have to mitigate 188 acres in West Milford. With regard to the reservoir drilling, Mr. Farr reported that TGP plan to drill multiple holes and meet in the middle of the reservoir. Don Weise commented that the TGP project was supposed to have been completed in Ringwood by this time.

MINUTES

The Minutes of the March, April, and May 2013 regular meetings were unavailable for approval but copies were available in draft form upon request.

The following correspondence was received and reviewed by the Commission prior to filing:

CORRESPONDENCE RECEIVED

Highlands Water Protection And Planning Act Correspondence - None.

NJ Department of Environmental Protection Correspondence

1. Freshwater Wetlands Individual Permit and flood Hazard Area Individual Permit – Modification No. 2, dated March 27, 2013, received for Tennessee Gas Pipeline from the NJDEP – Land Use Div., with a change to condition #55 requiring the applicant to only use non-petroleum based hydraulic fluids in equipment in connection to the Monkville Reservoir HDD crossing. If this is determined to be impractical, the contractor shall install a secondary containment around the operating equipment, as well as impermeable material to be placed under and around all equipment, with an inspector to be on site at all times to monitor for spills and leakage.
2. Notice from the NJ DEP Natural and Historic Resources, dated May 1, 2013, advising that Michael Friedman of Vacamas Programs for Youth, 256 Macopin Road, has been awarded a loan in the amount of up to \$1,165,000.00 for the repair of the **Henion Pond Dam (NJ File No. 22-18)**.
3. Notice to the Township of West Milford, dated May 7, 2013, from the NJDEP Bureau of Dam Safety & Flood Control, advising that the State is unable to offer any funding assistance at this time from the Dam Restoration and Inland Water Projects Loan Program for the repair of the **Bubbling Springs Lower Pond Dam (NJ File No. 22-320)** and advising that the Township should continue efforts to bring the dam into compliance with the Dam Safety Standards.
4. Notice to Tom McNair, Farmcrest Acres Association, Inc., dated May 7, 2013, from the NJDEP Bureau of Dam Safety & Flood Control, advising that the State is unable to offer any funding assistance at this time from the Dam Restoration and Inland Water Projects Loan Program for the repair of the **Lower Crest Lake Dam (NJ File No. 22-334)** and advising that Farmcrest Acres Association should continue efforts to bring the dam into compliance with the Dam Safety Standards.
5. Notice to Tom McNair, Farmcrest Acres Association, Inc., dated May 7, 2013, from the NJDEP Bureau of Dam Safety & Flood Control, advising that the State is unable to offer any funding assistance at this time from the Dam Restoration and Inland Water Projects Loan Program for the repair of the **Upper Crest Lake Dam (NJ File No. 22-333)** and advising that Farmcrest Acres Association should continue efforts to bring the dam into compliance with the Dam Safety Standards.
6. No Further Action Covenant Not to Sue letter dated May 16, 2013 received from the NJDEP regarding 22 Glenridge Road, Block 1802; Lot 20 for the removal of a 550 gallon #2 heating oil USTS.

7. Copy of a treatment works approval application received on May 23, 2013 from Joan DeFreest of 195 Awosting Road, Block 4016; Lot 1 requesting an exemption from the sewer ban for the abandonment of an existing malfunctioning septic system and connection to the existing MUA sewer line.

MISCELLANEOUS CORRESPONDENCE

1. Notice from the HEPSCD dated April 19, 2013 advising that the Joo Fill & Grade Project Revised Plans for Grading and Drainage have been approved and their soil erosion and sediment plan remains certified.
2. Notice from the HEPSCD dated April 1, 2013 advising that the First, Second and Third Avenue Improvements plan by the Township of West Milford has been certified for 3.5 years.
3. Notice from the Passaic County Freeholders and Division of Economic Development regarding a free seminar on “Greening Your company in 2013: Opportunities to Improve Cashflow and Maximize Environmental Benefits” on June 19, 2013 at William Paterson University – registration required. Passaic County will also award certificates to municipalities/companies organizations in Passaic County who have implemented green design concepts and techniques including recycling, alternative green power, green new or rehab construction. Contact Deborah Hoffman, Dept of Planning & Economic Development at 973-569-4725.
4. Notice from NY/NJ Trails Conference regarding the availability of the revised edition of the Harriman-Bear Mountain Trails map set for \$9.95. Also advised of various trail and hiking publications available for purchase.
5. Notice dated May 21, 2013 from ANJEC requesting the participation of up to 30 Environmental Commission members in 4 half-day sessions with local Public Health Officers, Rutgers, and the NJDEP to solicit input regarding the design of tools for an online mapping system to support environmental activities at the local level. Sessions to be held at Rutgers in New Brunswick and at NJDEP offices in Trenton.
6. Article from New Jersey Municipalities Magazine, April 2013 entitled “Tapping the Power of Local Environmental Commissions” by Mayor Thomas Hannen of Cranford, NJ, and A community Asset that pays Off by Sandy Batty, Exec Director of ANJEC.
7. Notice from Passaic County Department of Planning and Economic Development advising that on May 2, 2013 Passaic County Future was adopted as a Sustainability Element of the Passaic County Master Plan, with a copy provided to the Township Clerk’s Office.

PUBLIC COMMENTS

Doris Aaronson, Bearfort Road, thanked the Environmental Commission for their letter of support for Ella Filippone’s efforts on behalf of the environment and Greenwood Lake. Ms. Aaronson reported that following a meeting of the Passaic County Freeholders, it was determined that Ms. Filippone should remain the NJ Chairperson of the Greenwood Lake Commission.

ADJOURNMENT

With no further business to come before the Commission, the meeting was **adjourned** at **9:18 p.m.** on a **motion** by Luke Slott and a **second** by Don Weise.

Approved: September 9, 2013

Respectfully submitted,

Tonya E. Cubby, Secretary