

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

June 5, 2017

The June 5, 2017 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: David Ofshinsky, Douglas Ott, James Rogers, Thomas Tamayne (7:40), Don Weise, Chairman Stephen Sangle, Alt. #1 Clinton Smith, Alt #2 Kathleen Fitzpatrick.

Absent: Tim Dalton.

Also Present: Ron Farr.

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

Prior to, and during this meeting, several Commissioners conducted nitrogen and phosphorous readings on water samples taken from various locations along Belchers Creek.

APPLICATIONS FOR REVIEW – None.

GRANT MANAGEMENT AND STATUS REVIEW

NJDEP>NNL \$620,197.00 Reforestation Grant Project: Ron Farr, Consulting Forester, was present to provide an update on the Reforestation Project. He advised that the current billing from Fullerton Grounds was incorrect, and that each tree was billed at \$285.75 for the 1127 trees planted to date. The correct amount should be \$232.19 per tree, excluding the 10% retainage and the two year maintenance. With regard to the trees that have been planted, Mr. Farr advised that some of the trees have to be relocated or adjusted at the Museum and the Bike Shop, and several had to be moved from the septic field at the old Library. He also noted that there were several complaints about some of the trees planted by Brown's Point. Chairman Sangle reviewed the charges submitted by Fullerton and advised that they need to be adjusted since the unit price is incorrect. He also noted that the 30 day payment and finance charge listed on the invoice should be crossed out and initialed since it does not reflect the agreement in the contract. Chairman Sangle observed several trees with brown leaves, and Mr. Farr commented that some of the elms that were planted do not look too healthy. Chairman Sangle informed the Commission that he met with several of the Township department supervisors the prior month and they reviewed all the planting sites, resulting in the relocation of some of the trees. Mr. Farr advised that he would send an email to the Commission Secretary outlining the incorrect charges and a correction on the 30 day payment term. Upon receipt, the Secretary will send a memo to the Administrator with the adjusted invoices.

In order to review revised invoices from Fullerton so they can be prepared for payment processing, the Commission concurred that the July 10, 2017 meeting would be cancelled and a meeting would be scheduled at the end of the month on June 26, 2017. The Secretary was advised to send the required notifications. Following the discussion on the Reforestation project, Mr. Farr left the meeting.

2017 ANJEC Open Space Stewardship Grant: Don Weise was notified that ANJEC rejected 75% of the applicants for the 2017 Open Space Stewardship Grant, and the collaborative project between NY/NJ Trail Conference and the WM Environmental Commission was included in the denied applications. Mr. Weise advised that the Norvin Green North Trail project was already in progress and will continue with the assistance of volunteers under the direction of the NY/NJ Trail Conference. Chairman Sangle requested that a letter be mailed to ANJEC thanking them for

the opportunity to apply for the grant and request that we be contacted regarding any future grant opportunities.

ON GOING BUSINESS

Shade Tree Committee / Community Forestry Mgt. Plan: Chairman Sangle advised that the CEU's for this year's requirement under the Community Forestry Management Plan were satisfied with the program that was provided by Ron Farr on street trees in March 2017.

Lakes Committee/Greenwood Lake Bi-State Commission: Clint Smith advised that the tree stump removal project on Greenwood Lake is anticipated for this summer. He spoke to Jim Jones of the UGL POA and suggested that they contact the stump removal person. He was hoping that they may be able to assist with the project. He advised that Paul Zarillo is attempting to get recognition for the GWL Commission by focusing on public relations. Mr. Smith reported that the Township of West Milford is using Township DPW employees to harvest the weeds on Greenwood Lake and commented that it is a more economical situation than hiring an outside contractor.

On another matter, Mr. Smith inquired about a possible project that would require the owners of property along Belchers Creek to clear up the trees and brush that are blocking boaters from having clear access along the creek. He has made a request of the Tax Assessor's Office for a list of the property owners and they advised that they can provide one. Chairman Sangle inquired who would be the entity that would coordinate the work, and Mr. Smith suggested the Environmental Commission could be involved. He wondered who had jurisdiction of Belchers Creek, and Don Weise commented that the water is a public entity. Kathleen Fitzgerald noted that when she is testing for macroinvertebrates, she is permitted in the water to test, but not permitted along the banks of private property. Mr. Smith acknowledged that the State owns the ground under the lake and creek but the water is a public entity. Chairman Sangle did not feel that this was a project that the Commission should be spearheading, and thought it would be a major undertaking no matter who was involved since it would require contacting all the landowners. Mr. Weise suggested that Mr. Smith reach out to the Passaic River Coalition to let them know about his proposal. Mr. Smith stated that the first step was to identify all the land owners, and Chairman Sangle noted that a determination had to be made about the right to access the sites for tree/brush clearing and who it was that would have jurisdiction in this matter.

Open Space Committee: Don Weise advised that there did not appear to be anything new at this time with regard to Open Space. Chairman Sangle noted the frustration of the Commission over the years when recommendations to purchase beneficial parcels of land go unheeded. Mr. Weise suggested that the Open Space Committee could do a land search report, and he could make a presentation to the Council so that we have something on record. Tom Tamayne noted that we should list the top five properties that are most beneficial to the Township, and Chairman Sangle advised that the Commission has sent their recommendations to the Council listing the properties to be considered for open space acquisition and the justification for their purchase. Mr. Weise noted that there were several open space stewardship opportunities on trail work with loop connections, including one of the mine (?) parcels. With regard to open space stewardship in the Township, such as the Norvin Green North Project (Phase I completed), the trails have been reconfigured into four or five route configurations, with the north south and east west connectors to be completed next year. He advised that there is work on Long Pond Ironworks State Park on the Jennings Hollow Trail for a bridge that was damaged and reconstructed over the stream. This summer, Mr. Weise reported, there is a "block buster survey" which will take large blocks of land and survey them for an invasive species report (by the NY/NJ Trail Conference Invasive Strike Force.) The areas will be assessed to ascertain where they are at, the effectiveness in the removals, and will identify the emerging threats of invasive species. These assessments will be conducted on the ground with the aid of GPS, and are primarily focused on trails.

Chairman Sangle inquired when the last time open space recommendations were made to the Township Council for prospective properties for open space. The Commission concurred that a recommendation should be sent every year, perhaps in June or July, to the Council, and requested that one be sent for this year. Mr. Tamayne suggested that recommendations be sent once a year, even if the properties are the same. Mr. Weise would reach out to Linda Glosinsky from the Land Conservancy and report at the next meeting on June 26, 2017 about any potential properties or an update on former properties that were recommended. Mr. Weise noted that the Trail Conference seeks to preserve land in a linear fashion to facilitate trail connections.

Environmental Contamination Issues: Tom Tamayne reported on several notices that he received including those listed on the Commission's agenda for this meeting. Referencing the NJDEP notice for 1946 Union Valley Road for a Suspected Hazardous Spill (anti-freeze fluids) at the Mountain Lake Car Wash, Chairman Sangle commented that the drainage from the car wash runs along Union Valley Road into Belchers Creek, and he recalls that the Commission recommended that collection pits be installed for the oil changes and other car fluids that are at the site. The car wash is a self-contained system for the water. He did not know where the anti-freeze leak would have come from, perhaps from car maintenance.

Belchers Creek Testing Project: As reported earlier, prior to the regular meeting, as well as during the meeting, testing continued on the samples drawn from Belchers Creek. The data was recorded and will become part of an analytical report. The testing of Belchers Creek samples included Crescent Park, Pinecliff Lake (before the dam), and a site at Brown's Point near the mouth of the creek and entrance to Greenwood Lake. Clint Smith offered to provide copies of the 2005 and 2007 Belcher Creek testing to determine how the current numbers compare. Crescent Park, below the sewer plant, was the main site tested at this meeting, and it will be used to develop a baseline. Chairman Sangle stated that a determination could not be made at this time regarding the results, but they will compare the results and compile them into a report. The Commission concurred that there would be no testing conducted for the June 26th meeting since there was only 3 weeks between the meetings. Kathleen Fitzgerald agreed to prepare a spreadsheet with the data that would include the site, date, weather conditions, and the approximate rainfall for the preceding 7 days. Prior testing data could be included. The Commission discussed possible phosphate and nitrate levels for sewer plants, and Dave Ofshinsky observed that he may have information on this. Tom Tamayne noted that for phosphorous, .3 was normal. Chairman Sangle would reach out to Doris Aaronson regarding the nitrate and phosphate standards for swimming areas.

Green Team–Sustainability Committee-Sustainable Jersey Re-Certification: The members of the Green Team who were present at the meeting advised that they were not able to submit the required documents to Sustainable Jersey for re-certification by the June 5, 2017 deadline. Kathleen Fitzgerald commented that she felt it would be best to coordinate the documents and be prepared to submit for certification in 2018 for the following 3-year cycle. The Commission suggested that Sustainable Jersey be notified that we could not complete the requirements for this year, but plan to submit for bronze certification during next year's cycle. Several Commissioners commented about the amount of details in the documentation that is required with the program, as well as the shortage of manpower to coordinate and document the projects that qualify as action items. Don Weise observed that participation in the program may be worth it if we have access to grant funds, but Tom Tamayne remarked that the amount of work for the certification is more than the grants are worth. Chairman Sangle observed that it was a good program, but we seemed to put in more than we received back. He noted that the Green Team and Sustainable Jersey is a positive for the Township, although not being able to get cooperation from the Township departments make it more difficult to get the action items completed. Kathleen Fitzgerald observed that she was aware of several towns in Passaic County that were planning to apply for re-certification. Mr. Tamayne remarked that if an inquiry is made

as to why the Commission/Green Team did not re-certify for the next cycle, we can advise that there were too many requirements with limited manpower. Mr. Weise commented that the Green Team should focus on what is important for West Milford, such as making the Township more walkable, which would include sidewalks and connections to trails. It was suggested that he contact the Engineering Dept. for information about proposed sidewalks. Jeremy Scott, local resident and student at William Paterson University, was present at the meeting and volunteered to assist with the Green Team. The Secretary will copy him on Commission emails and he was invited to attend the meeting each month, as well as any Green Team meetings. Chairman Sangle suggested that he can assist with the Belchers Creek testing.

NEW OR CURRENT BUSINESS

Environmental Boardwalk – Mosquito Larvae Detected – Passaic County Mosquito Control – Chairman Sangle advised that P.C. Mosquito Control requested permission to spray an insecticide at the Environmental Boardwalk, and they were advised to contact the Health Dept. since this was a Township property and a health related issue. The Health Director gave permission for them to spray.

Autumn Lights – October 14, 2017 – Kathleen Fitzgerald volunteered to man the table for the Environmental Commission for Autumn Lights. Chairman Sangle advised that he has a tent, table, and chairs that he would lend for the event. Jeremy Scott and Jim Rogers also volunteered to assist during the day. Chairman Sangle emphasized that this fulfills the Commission's environmental education component. Ms. Fitzgerald will look into getting some ANJEC games for the day.

WM Economic Development – Passaic County Economic Development – Environmental Compliance Seminar – June 12, 2017, 9 – 11, WM Town Hall – Kathleen Fitzgerald advised that she will be attending this event and will provide a report at the next meeting.

MINUTES

The minutes from the May 1, 2017 regular meeting of the West Milford Environmental Commission were **approved** on a **motion** by Dave Ofshinsky and a **second** by Tom Tamayne.

The following correspondence items were reviewed by the Commission:

CORRESPONDENCE RECEIVED:

Highlands Water Protection and Planning Act Correspondence – None.

1. Highlands Resource Area Determination (HRAD) – Boundary Verification, dated April 25, 2017, received from the NJDEP regarding Leonescu-Randa Investments for Block 7601; Lots 2 & 3, 1463 Union Valley Road, verifying the jurisdictional boundaries of the Highlands Open Waters (no), Steep Slopes (yes), Upland Forests (no), Flood Hazard (no), and other Highland resources on the subject property, with the determination valid for five years from the date of the letter.
2. Highlands Brownfields Designation received from the NJDEP, dated April 25, 2017, regarding Leonescu-Randa Investment for Block 7601; Lot 2 & 3, advising that the subject site, a former gas station and deli facility, contains confirmed on-site contamination with no final remediation document issued by the NJDEP or Licensed Site Remediation Program. This project qualifies for a Track Three Highlands Brownfields Designation under NJAC 7:38-6.6(b)3 and allows the applicant to obtain designation of the redevelopment area and Highlands Preservation Area Approval with a Redevelopment Waiver.
3. Highlands Act Exemption #11 received from the NJDEP, dated May 4, 2017, regarding Block 4701; Lots 22 & 43, 246 Morsetown Road and Burnt Meadow Road, regarding the proposed

installation of PSE&G Equipment under and adjacent to existing Transmission Tower (Steel Tower #61/4).

4. Highlands Applicability Determination Application to the NJDEP - notification dated 05-24-17 received from Ferriero Engineering regarding Block 9302; Lot 16, Nosenzo Pond Road.

NJ Department of Environmental Protection Correspondence

1. Response Action Outcome notification, dated April 13, 2017, received from Betts Environmental, regarding Block 7508; Lot 16, 1367 Union Valley Road, PJD Petro Inc., advising that the remediation has been completed in compliance with the Administrative Requirements in accordance with NJAC 7:26C. The areas of concern included AOC#11-Electrical Monitoring Port-Active 12,000 Gal Unleaded Gasoline UST, (E5) and AOC#12-Monitoring Port-Active 10,000 Gal Med Diesel Fuel (No. 2D) UST, (E6) and no other areas.

2. Copy of documents submitted to the NJDEP for a Freshwater Wetlands Letter of Interpretation-Line Verification, dated May 2, 2017, received from Boswell Engineering regarding Block 4601; Lots 17 & 21, 960 Burnt Meadow Road, with respect to a wetlands evaluation requested by Green Meadow Organics for property consisting of approximately 81 acres at the former Tilcon Quarry.

3. Suspected Hazardous Substance Discharge, dated May 6, 2017, received from the NJDEP regarding Block 1807; Lot 17, 58 Cedarbrook Road, with respect to removal of one 2000 Gal UST, with clean up pending.

4. Suspected Hazardous Substance Discharge, dated May 19, 2017, received from the NJDEP regarding Block 4005; Lot 3, 31 Board Road, with respect to removal of one 1000 Gal UST, with clean up pending.

5. Suspected Hazardous Substance Discharge, dated May 20, 2017, received from the NJDEP regarding Block 6701; Lot 13, 1946 Union Valley Road, with respect to a puddle of anti-freeze on the ground.

6. No Further Action correspondence received from the NJDEP, dated May 3, 2017, regarding Block 11302; Lot 10, 470 Otterhole Road, with respect to the removal of one 275 Gal #2 HO AAST.

7. Notification from the NJDEP Division of Dam Safety and Flood Control, dated May 9, 2017, for Kitchell Lake Association – Kitchell Lake Dam, advising that based on the recent Formal Dam Safety Inspection Report by Richard Deubert, P.E., the dam was found to be in Satisfactory condition with minor long term improvements recommended, and Class II inspections to be performed every two years.

8. Compliance Evaluation and Assistance Inspection report received from the NJDEP, Bureau of Hazardous Waste/UST Compliance & Enforcement, dated May 5, 2017, Program Interest ID# 135569, Program: Water Quality, regarding 165 Lakeside Road, Block 3401; Lots 21, 23, Joseph Fontana, formerly Masens Mountainside Inn, advising that an inspection was conducted on May 3, 2017 and violations were identified with regard to the NJPDES Permit, requesting a written report of the remedial measures to be instituted, as well as an implementation timetable with respect to the T1 Sanitary Subsurface Disposal General Permit (Vacant Building, Change of Ownership), within 30 days of the notice.

9. NJDEP Groundwater Remedial Action Permit# RAP170001 dated May 25, 2017 (effective May 30, 2017) received for Hewitt-Exxon Facility #32950, 1 Lakeside Road, Block 3504; Lot 3, which establishes the monitoring, maintenance, and evaluation requirements for determining the effectiveness of an on-going ground water remediation. A Classification Exception Area/Well Restriction Area (CEA/WRA) has been established for this site. The CEA/WRA applies to the following contaminants: 2-Methylnaphthalene, VO & BN TICs (Synthetic Organic Chemicals-Total), Synthetic Organic Chemicals Individuals, Xylenes (Total), 1, 2, 4 Trimethylbenzene.

10. NJDEP Dam Report, dated May 15, 2017, Dam File #22-182, for the Boy Scout Camp Dam on Westbrook Road, advising that the Class III dam is in Satisfactory condition with minor repairs and maintenance necessary by 09-30-17.

11. NJDEP Suspected Hazardous Discharge notice, dated June 2, 2017, Case # 17-06-01-0737-47, received for 11 Land Of Oaks Drive, Block 16702; Lot 4, regarding the removal of a previously abandoned 550 G #2 H.O. UST; cleanup is pending.

12. Groundwater Monitoring Report, revised Classification Exception Area/Well Restriction Area, and Ground Water Remedial Action Permit Modification, received from Synergy Environmental Inc for 2 Lakeside Road, Block 3509; Lot 16.

Miscellaneous Correspondence Received/Sent

1. HEPSCD Certification dated April 18, 2017, received for Greenwood Lake Services Boat Maintenance Building, 341 Lakeside Road, Block 3101; Lot 9, certifying the plan for 3.5 years.

2. Passaic County Green Infrastructure Plan public meeting, May 24, 2017, 6:30-8:30, Paterson Museum.

PUBLIC COMMENTS – None.

ADJOURNMENT

With no further business to come before the Environmental Commission, the June 5, 2017 meeting was **adjourned** at **9:20 p.m.** on a **motion** by Chairman Sangle and a second by Douglas Ott.

Approved: June 26, 2017

Respectfully submitted,

Tonya E. Cubby, Secretary