

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

July 2, 2018

The July 2, 2018 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:05 p.m. with a reading of the Legal Notice.

ROLL CALL

Present: Tim Dalton (7:35 pm), David Ofshinsky, Douglas Ott, Jim Rogers, Thomas Tamayne, Clint Smith (Alt #1), Douglas Trainor (Alt #2).

Absent: Don Weise, Chairman Stephen Sangle.

In the absence of Chairman Stephen Sangle, Vice Chairman Douglas Ott presided over the meeting. He requested Clint Smith and Doug Trainor to sit in for the absent Commissioners and advised that there was a quorum for this meeting.

PRESENTATIONS – None.

GRANT MANAGEMENT AND STATUS REVIEW

NJDEP NNL \$620,197.00 Reforestation Grant Project: Ron Farr was not present at the meeting to provide an update. The Commission's Secretary advised that the Commission was required to approve the invoices for the contractor for the project, Fullerton Grounds Maintenance, based on the adjustments that were made by Ellen Mageean, the Township Treasurer. Commissioner Jim Rogers clarified that the Commission was approving the adjusted amounts on the invoices and inquired when, or if, the State would be involved in the approval process. The Secretary provided an explanation of the payment procedures with regard to this grant project.

A **motion** was made by Douglas Ott, with a **second** by Jim Rogers, to **approve** the payment to Fullerton Grounds Maintenance in the amount of \$289,705.00 based on the calculations and adjustments to the invoices made by the Township Treasurer. The Environmental Commission voted unanimously in the affirmative.

With regard to the apple trees that were planted at the Wallisch Homestead, the Secretary advised that there may be an issue with funding by the Friends of Wallisch organization, contrary to what our forestry consultant and Commission had been advised.

APPLICATIONS FOR REVIEW

There were no new applications, but the Secretary and Commissioner Doug Ott provided an update to the Commission on the Scattergood-Tooeey Major Soil Permit that had been approved by the Planning Board at a hearing on June 28, 2018.

ON GOING BUSINESS

Lakes Committee/Greenwood Lake Bi-State Commission: Commissioners Jim Rogers and Doug Trainor reported that they attended a program about septic systems at a recent Lakes Committee meeting in June. They advised that they will attend the next regular meeting in July and speak to the Committee about the Lakes Integrity Study that the Highlands Council requested collaboration on. Mr. Rogers advised that there were no meetings scheduled for the Lakes Committee in August.

Greenwood Lake Commission: Commissioner Clint Smith reported that Passaic County has approximately 47 catch basins (storm basins) around Greenwood Lake, and some of them are closed up and are not effective for the stormwater, so he will be contacting, Terry Duffy, one of our County Freeholders.

With regard to Belchers Creek, Mr. Smith reported that an initial assessment of the waterway was completed by some volunteers. The intent was to get a benchmark to work from, which included measuring the depth of the water and determining the number of trees along the banks that are in danger of coming down. Following this assessment, he felt that 4 workers with the proper tools should be able to clear the brush and trees. He noted that his mission is to “keep it simple.” Mr. Smith was informed that in 1948, there were estimates of 11 million dollars for the proposed clean up of Belchers Creek. Commissioner Tom Tamayne inquired whether the main purpose was to make the Creek more navigable, and Mr. Smith confirmed this. He noted that most of the land along the Creek is owned by the Township and Schools, and it should be more accessible. With regard to debris, the intent is for paddle boarders and kayakers to be able to traverse the Creek. Commissioner Doug Ott commented that the Creek gets very narrow closer to the Valley View Pub near Pinecliff Lake. Mr. Tamayne commented about powered or non-powered boats having access, and Mr. Smith noted that powered can go up the Creek from GWL only to a certain point. The Commission discussed the large number of new septic systems that have been installed at the houses along the lake, which has helped to improve the conditions, although it was noted that silt was evident from an aerial view of Belchers Creek and GWL. Mr. Smith reported that weed harvesting was completed this year, but there were still some complaints from one of the lake communities. Mr. Tamayne observed that if the intent is to conduct de-silting, it will most likely require permits from the State.

Mr. Smith requested that the Superintendent of the Ringwood State Parks be added to the August agenda to speak to the Commission about the Belchers Creek project. Mr. Smith will confirm the date with him. With regard to the proposed \$500,000. from the State of NJ for maintenance/clean-up of Greenwood Lake, Mr. Smith advised that he will follow up on this, but noted that a plan will need to be in place before the funds can be issued. With regard to the Belchers Creek testing, Mr. Tamayne offered the use of a secchi disc to test for turbidity in the water.

Environmental Contamination Issues: Commissioner Tom Tamayne reported on several environmental contamination issues that were brought to his attention, some of which were included on the Commission’s agenda. One issues of note was a solvent spill on Lycosky Drive by an industrial site.

Shade Tree Committee / Community Forestry Mgt. Plan: Commissioner Tim Dalton advised that he met with Ed Steines, the DPW Director. He noted that the Township should be involved with the Tree City USA program, which deals with liability issues from trees that are on public properties. The Township would be required to qualify for the program and prepare an action plan. He further noted that there was a list of action items included in the Community Forestry Management Plan that must be implemented. The new CFMP is due in 2019, and Mr. Dalton advised that we need to include the emerald ash borer and how the Township will address this invasive pest affecting the ash trees in the community. He reported that at the recent Sustainable Jersey Summit, the attendees were advised that the ash trees will be essentially gone in about 5 years due to the emerald ash borer, and there are funds available for the removal of the publicly owned trees before they create a hazard. Mr. Dalton expressed that the Shade Tree Program and Tree City USA are aligned programs and he is working with the DPW to get them integrated into the Township’s budget and project plan.

Belchers Creek Testing: Doug Ott advised that this project is on hold and that the equipment is still unavailable until it can be unpacked from temporary storage. Tim Dalton commented that he has the contact information for the testing equipment and he may have to speak to them to determine what the issues are in order to attain reliable readings.

Green Team–Sustainability Committee: Tim Dalton commented that the Green Team should be a separate entity from the Commission, and that most of the Green Teams that he encountered at the Sustainable Jersey Summit were not part of the Environmental Commission. This is an issue that may need to be addressed with the Council and new Mayor.

NEW OR CURRENT BUSINESS

Lake Management Planning: Lake Integrity Study and Highlands Council – Tom Tamayne advised that he and Doug Trainor will attend the next Lakes Committee meeting and discuss the proposed project with the members.

Sustainable Jersey – Electric Vehicle & Charging Station – For Township Use: Tom Tamayne reviewed some of the information that he received on electric cars and charging stations from the recent Sustainable Jersey Summit. He will provide the link to the presentation for the Commissioners. He reported that the State of NJ plans to have charging stations on major highways within 3 years, and a NJDEP representative would be willing to do a presentation at the Township. He further noted that he has contacts at Mercedes and BMW and they may be able to assist with securing a charging station for the Township's use. The Commission agreed to continue this discussion on electric cars and charging stations at the next meeting.

Single Use Plastic Bags: Jim Rogers reported on a newspaper article in the Record - Letters to the Editor column - from the chairman of the Environmental Commission in Tenafly, regarding single use plastic bags and the proposed bill that was being considered by the Governor as part of the Assembly's 2018 budget package. The bill proposed a fee of \$.05 on plastic bags, with the merchant getting \$.01 and the State \$.04, which would be used by the State for lead abatement programs. The Commission discussed the matter, and Mr. Rogers suggested that the Township should consider an ordinance to address the issue of single use plastic bags.

MINUTES

The minutes from the April 2, 2018 and June 4, 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 by the Commission:*

Highlands Water Protection and Planning Act Correspondence

1. None.

NJ Department of Environmental Protection Correspondence

1. Correspondence from the NJDEP – Division of Dam Safety & Flood Control, dated June 25, 2018, regarding the Dam Safety Inspection Reports for the Upper Crest Lake Dam - NJ Dam File No. 22-333 and the Lower Crest Lake Dam - NJ Dam File No. 22-334, finding the dams to be in POOR Condition, and advising that the recommendations of the engineer should be implemented, with any repairs to be approved by the Division that are not considered general maintenance.
2. NJDEP Suspected Hazardous Substance Discharge Notification, dated 06-29-18, regarding 264 Marshall Hill Road, Block 6002; Lot 27, advising that leachate from a dumpster containing Q-Cut 245C (a product to clean metals) spilled onto the ground. No storm drains or waterways were compromised – clean-up completed.
3. Correspondence from the NJDEP – Division of Dam Safety & Flood Control, dated June 11, 2018, regarding the Dam Safety and Inspection Reports for Lake Arcadia Dam Nos. 1 & 2, NJ Dam File No. 22-45 & 22-46, c/o Jim Hosford, 429 Georgetown Rd., Nazareth, PA, advising that both dams are in POOR Condition, and notifying them to implement the recommendations of their engineer, with the Division's approval of any repairs not considered general maintenance.
7. Notification from the NJDEP, dated June 1, 2018, regarding the Draft NJ Pollutant Discharge Elimination System Permit for Bubbling Springs Park, 1468 Macopin Rd, Block 9001; Lot 13, with complete copy of the permit viewed on the NJDEP's website at www.state.nj.us/dep/dwg/t1.

8. Notification from the NJDEP, dated June 1, 2018, regarding the Draft NJ Pollutant Discharge Elimination System Permit for Township of West Milford, 1480 Union Valley Rd., Block 7903; Lot 14, with complete copy of the permit viewed on the NJDEP's website at www.state.nj.us/dep/dwg/t1.

9. Correspondence from the NJDEP – Division of Land Use Regulation, dated May 31, 2018, regarding Block 16901; Lot 4, advising that the applications for a Transition Area Waiver and Letter of Interpretation have been inactive for two months or more, and the Department was cancelling the application, effective May 30, 2018. A new application with the required Highlands Exemption Determination and new fee will be required to reactivate the Department's review.

10. NJDEP Division of Dam Safety correspondence, dated May 16, 2018, regarding the Henion Pond Dam, NJ Dam File # 22-18, advising that the request for a time extension is approved for the commencement of work under Permit #1469 for modifications to the dam, with the expiration date extended from July 9, 2016 to July 9, 2019. No modifications to the approved plans can be made unless receiving prior approval for the rehabilitation project that is scheduled to begin in the Fall of 2018.

11. Correspondence from the NJDEP Division of Dam Safety & Flood Control, dated June 5, 2018, regarding the Dam Safety Inspection Report for Bubbling Springs Lower Pond Dam, NJ Dam File No. 22-320, finding the dam to be in POOR Condition with recommendations of their engineer to be implemented, and any repairs other than general maintenance must be approved by the Division.

Miscellaneous

1. Update dated June 25, 2018 from the Township Administrator on the MUA purchase by Suez.
2. HEPSCD correspondence, dated May 14, 2018, regarding the Henion Pond Dam Rehabilitation, 256 Macopin Road, Block 12501; Lot 41.01, advising that the soil erosion and sediment control plan is recertified for 3.5 years, or until November 11, 2021.

PUBLIC COMMENTS – None.

ADJOURNMENT

With no further business to come before the Environmental Commission, the June 4, 2018 regular meeting was **adjourned** at 8:50 p.m. on a **motion** by Tim Dalton and a second by Dave Ofshinsky.

Approved: August 6, 2018

Respectfully submitted by

Tonya E. Cubby, Secretary