

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

APRIL 7, 2014

The April 7, 2014 Regular Meeting of the Township of West Milford Environmental Commission was called to order in the West Milford Municipal Court Room at 7:35 p.m. with a reading of the Legal Notice. The Main Meeting Room was unavailable due to a special meeting scheduled for the Governing Body.

Prior to commencing the meeting, the following Environmental Commissioner, Gary Oppenheimer, was administered his oath of office for his new term.

ROLL CALL

Present: Andrew Abdul (8:05), Tim Dalton, Gary Oppenheimer, Thomas Tamayne,
Don Weise, Alternate Jennifer Easterbrook, Chairman Stephen Sangle.

Absent: Douglas Ott, Lucas Slott.

Also Present: Fred Lubnow, Princeton Hydro.

Chairman Stephen Sangle requested Jennifer Easterbrook to sit in for Doug Ott, and advised that a quorum was present to conduct this meeting.

PRESENTATIONS – None.

APPLICATIONS FOR REVIEW – None.

GRANT MANAGEMENT AND STATUS REVIEW

2007 GWL NPS 319(h) Grant: Dr. Fred Lubnow, Princeton Hydro, was present to provide updated information on the 319h Greenwood Lake Non-Point Source Pollution grant projects. Dr. Lubnow reported that the grant had ended in March 2014, and the final walk through with the contractor is to be scheduled following the pouring of the concrete at one of the sites. He noted that a final report must be filed with the NJDEP, and the Environmental Commission will receive a copy of this report for review and filing. He distributed a draft of an assessment of the TMDL – Total Maximum Daily Load for phosphorous, and discussed stormwater projects that would be somewhat akin to “putting the lakes on a phosphorous diet.” With regard to the New Jersey end of Greenwood Lake, Dr. Lubnow noted that with the 8 stormwater projects that were planned, we have completed half of them, which will greatly aid in the removal of phosphorous, noting that 1 lb of phosphorus could result in the production of 1100 lbs. of algae. He reviewed a study that was completed at Lake Hopatcong regarding lawn fertilizer, and advised that when Princeton Hydro seeks funds for projects, they will include a GIS Study to quantify the results from lawn fertilizer regulation. With regard to septic management plans that require mandatory pump outs, they have calculated that 160 lbs of phosphorous is removed as a result of the pump outs. Future grant funding will quantify all the new septic system data, including the peat systems, and they will coordinate the data. The weed harvesting will also be quantified at the request of the Township of West Milford. Dr. Lubnow spoke briefly about the weed harvesting to control weeds at Greenwood Lake, and noted that if the same species is present throughout the lake, harvesting will not spread the weeds, but if there is new fragmentation, the conditions were not good for using a weed harvester. With regard to the use of chemicals, he observed that they may be adequate for some weed species, but ultimately, more weeds are created. Dr. Lubnow advised that with regard to stormwater and septic leachate, the Township is compliant with regulations. As for phosphorous contained in fertilizers, N.J. has banned the use in most fertilizers, and advises that residents review the labels when purchasing fertilizers.

Chairman Sangle inquired if there were more grants available to address a project for analyzing contaminants in Belchers Creek, and Dr. Lubnow responded that only if the grant proposals focused on non-point source pollutants, as in stormwater and septic systems, adding that 319h grants do not cover “point source pollution.” With regard to the proposed Marshall Hill Road stormwater project, Dr. Lubnow noted that the majority of the engineering plans had already been completed, but bid specs were needed, as well as implementation costs that would come to approximately \$200,000. He noted that if the Marshall Hill project had been approved and completed, it would have made a large impact on the amount of phosphorous going into the lake since much of the run-off along Marshall Hill would have been diverted to a wetlands area for filtering. The proposed addition of a rain garden at the elementary school would also act

as a filter, resulting in approximately 20 to 30 lbs of phosphorus that would be filtered out of the stormwater. He advised that he has also discussed other stormwater projects with the Township Engineering Dept.

With regard to lake grant projects, Dr. Lubnow suggested that at the end of 2014 there may be funds available for projects to be completed in 2015. He wants to include lake sampling of Greenwood Lake with a new grant to establish in-lake data. Commissioner Tom Tamayne inquired if the Commission could assist with the monitoring, and Dr. Lubnow responded that the DEP usually requires an approved QUAP (qualified professionals) for monitoring. The data could be used to guide Princeton Hydro, but he noted that the TMDL is a legal process. Dr. Lubnow also advised that cutting all the phosphorous would not result in a pristine lake since the phosphorous is in the sediment, and coupled with everything that drains into the lake, it takes about 2 years to leach out. Chairman Sangle inquired if there were any funds remaining from the 319h grant, and Dr. Lubnow responded that there were some funds in engineering. Following the 319h grant update, Dr. Lubnow left the meeting. The Commission discussed pollutants from sewer plants, and Commissioner Don Weise inquired if grants were available for the upgrade of the plants. Chairman Sangle noted that, as a former member of the M.U.A., he visited the small local plants and noted that many are deteriorating, but added that they are required to do mandatory testing. The options for the plants include raising the prices to fund the repairs, have the Township take over the authority, or have it taken over by another company. Chairman Sangle suggested that the EC review the proposed water testing results before reaching out to the MUA.

**NJDEP Green Comm. \$3000.00 Grant for Community Forestry Management Plan
NJDEP NNL Reforestation Grant - \$620,197.00**

Ron Farr, Certified Forester and grant consultant, was unavailable for this meeting. Commissioner Tom Tamayne advised that Mr. Farr needed to confirm some information with the WM DPW before finalizing the CFMP. It was noted that monthly meetings were supposed to be held on this project so that the document could be prepared and submitted to the State for approval prior to the NNL grant project commencing.

2010 ANJEC Smart Growth Planning Grant - Trails Master Plan: Commissioner Tim Dalton advised that he needs to contact Joanna Slagle about the updated information to be included in the plan.

ON GOING BUSINESS

Lakes Committee: Commissioner Andy Abdul distributed copies of the March 2014 Lakes Committee minutes. It was reported that local Health Inspector Kathy Coyman was at the recent Lakes Committee meeting to review the Health Dept. requirements and discuss updates for the summer lake season. The Lakes Committee also discussed the street grit problem affecting the lakes; several lake organizations will contact the WM DPW for a schedule on street sweeping.

Greenwood Lake Commission: Commissioner Andy Abdul reported that he attended a recent Greenwood Lake Commission meeting in New York, and said that their presence was welcomed. The discussion at the meeting focused on the main sources of pollution, which the GWL Comm. have determined to be the sewer treatment plants in New Jersey. Mr. Abdul noted that the participants at the GWL Comm. meeting discussed the difficulty in getting complaints addressed by the NJDEP since there is little follow up on issues, with no one responsible for collecting fines. With regard to weed harvesting, Mr. Abdul advised that the Village of Greenwood Lake owns the weed harvester and it is loaned to the Township for weed harvesting. Necessary repairs will be made by the Township to the equipment; the cost for weed harvesting is estimated at \$11,000. Chairman Sangle commented that the weed issue at Greenwood Lake was a combination of several factors, and addressing it will require more than one solution. Mr. Abdul also reported that there is a new Greenwood Lake Commission office at Camp Hope, but it does not have electricity or heat, only storage.

Open Space Committee: Chairman Sangle advised that Linda Glosinski of the Land Conservancy was working on obtaining grant monies for the purchase of the Weaver Road property, which will provide access to several trails.

Environmental Contamination Issues: Tom Tamayne reported that he has received some correspondence from the Health Dept. with regard to contamination issues. The Secretary advised that the Planning Dept. receives the same information and she enters it on the Spatial Data system for access by

other departments, and includes it on the Environmental Commission and Planning Board agendas and minutes.

Green Team–Sustainable Subcommittee: Alternate member Jennifer Easterbrook, Chair of the Sustainable Subcommittee/Green Team, reported that they met on March 25, 2014 and reviewed the expired points for the Sustainable Jersey Re-certification program. The Subcommittee reviewed the items needed to receive Bronze certification, with the re-certification documents required by June 8, 2014. Ms. Easterbrook noted that the projects must be completed by December 31, 2014 for re-certification. With regard to the grant that was awarded by Sustainable Jersey for educational initiatives, Ms. Easterbrook advised that the brochures and tote bag designs are on-going projects, but the quotes received have been reasonable. Gary Oppenheimer suggested that the informational brochures focus on money, i.e. tax savings. The Commissioners suggested several options for the pamphlets and were asked to contact Ms. Easterbrook with suggestions.

NEW OR CURRENT BUSINESS

- **Americorps Watershed Ambassador 2013-2014** – Ms. Reyes was unable to attend this meeting but requested that updated information be provided regarding the clean up dates at various up county sites.

MINUTES

The Minutes for January, February and March 2014 Environmental Commission meeting were unavailable for review and approval at this meeting.

CORRESPONDENCE RECEIVED – *The following was reviewed by the Environmental Commission and filed:*

Highlands Water Protection And Planning Act Correspondence

1. Notification received from Hatch Mott MacDonald, dated March 4, 2014, advising of a Highlands Applicability Determination and Water Quality Management Plan Consistency Determination application being filed on behalf of the City of Newark regarding the Pequannock Residuals Treatment Facility located on Route 23, Block 14102; Lot 1, seeking an exemption for the construction of a new water treatment plant with a gravity sludge thickener and mechanical dewatering facility, eliminating the need for the current sludge lagoon, which is at full capacity, for the disposal of backwash waste.
2. Correspondence from the NJDEP, dated March 7, 2014, regarding an application from Boswell Engineering for a Highlands Preservation Area Approval (HPAA) with Health and Safety Waiver regarding Village on Ridge II and Passaic Valley Water Commission, citing certain deficiencies in the application and requiring additional information within 30 days in order to complete the review and make a determination regarding the HPAA.
3. Notice received from the NJDEP, dated March 10, 2014, advising that the Camp Hope Swimming Pool and Spray Park, 1792 Union Valley Road, Block 6402; Lot 4, was determined to be exempt from the Highlands regulations under Exemption #4 since it does not generate any additional wastewater discharge; the WQMP was not addressed.

NJ Department of Environmental Protection Correspondence

1. Letter from the NJDEP, dated March 11, 2014, to Lake Arcadia Association, regarding the Lake Arcadia Dams No. 1 & No. 2 and Saddle Dikes (File Nos. 22-45 & 22-46), advising that the 2013 Inspection Report and Dam Safety Compliance Schedule by Richard E. Deubert, P.E., as well as the NJDEP inspections, finds the dams to be in POOR condition, and agrees with the findings and recommendations in the reports. Also advising that a recommended hydrologic and hydraulic analyses must be submitted by March 31, 2014, with further requirements based on the results of the analysis.
2. Correspondence received from the NJDEP, dated March 11, 2014, to Camp Vacamas Assn, Inc., 256 Macopin Road, advising that the permit application and Inspection Report received from Civil Dynamics regarding the Henion Pond Dam (File No. 22-18) requires several items to be addressed, including confirmation that the raising of the 100 year water level and backwater will not exceed the boundaries of the Vacamas property, as well as citing the effects of the proposed dam on the downstream area in a failure

condition, including breach scenarios. Also required is verification of compatibility of existing fill with proposed sand, Fill A & B, and Filter Fabric, and to provide design basis for riprap outlet protection at the primary spillway.

3. Letter from the NJDEP, dated March 12, 2014, to the City of Newark regarding the Cedar Pond Dam (File No. 22-240) and Hanks Pond Dam, (File No. 22-242) advising that, based on the emergency actions and status update provided by Civil Dynamics, they are ordered to proceed with the recommendations of lowering the reservoirs and completing the work to make the dams safe, with notification of the completed results to the NJDEP by April 30, 2014. Also advising that the Hazard Classification Study for both dams is required by December 31, 2014.

4. Notice from the NJDOT, dated March 11, 2014, announcing that the 2014 SRTS – Safe Routes to School Program funding is available for the construction of infrastructure projects, including sidewalks, bike lanes, multi-use paths, and other means for children to walk or bicycle to school; deadline for application submission is May 15, 2014.

5. Notice from the NJDOT, dated March 11, 2014, announcing funding for the TAP - Transportation Alternative Program for various projects including facilities for bicycles or pedestrians, tourist and welcome centers, landscaping or other scenic beautification, historic preservation, and environmental mitigation for highway runoff pollution; deadline for application submission is May 15, 2014.

6. Copy of a letter from the CFO/Treasurer of the Township of West Milford, dated March 13, 2014, to the NJDEP regarding the 319H (SFY2007) Grant – Stormwater Implementation and Lake Characterization and Restoration Plan for Greenwood Lake, transmitting quarterly reports from Princeton Hydro summarizing the work that was completed from November 2013 through February 2014.

7. Notice to the NJDEP from G Environmental-GECP Inc., dated March 3, 2014, regarding the abandonment of a 6,000 gallon No. 4 Heating Oil UST at the West Milford Presbyterian Church, 1452 Union Valley Road, Block 7903; Lot 11, with the associated Response Action Outcome, finding no contamination in the soil.

8. Notice from the NJDEP, dated February 11, 2014, to Chelsea Senior Residences, advising of a deficiency in the Freshwater Wetlands LOI and Transition Area Averaging Plan Application, and requesting verification of prior freshwater wetlands permits for the existing development, or requiring an amendment to the application to address all regulated activities, existing and proposed. In addition, the applicant is required to reassess the site to quantify and depict all freshwater wetlands and wetland transition area disturbances and apply for appropriate approvals required for the development, and if not received within 30 days, the application would be cancelled and referred for NJDEP enforcement.

9. Letter from the NJDEP, dated March 6, 2014, to Kitchell Lake Association, regarding the Kitchell Lake Dam (File No. 22-157), advising that the 2014 Regular Dam Safety Inspection Report found the dam to be in SATISFACTORY condition, with long term improvements recommended, and an inspection and report required within two years from the current report.

10. No Further Action - Covenant Not To Sue notice received from the NJDEP, dated March 17, 2014, regarding Peggy VanGilst, 13 Gwyneth Road, Block 7003; Lot 15.01 for the removal of a 550 gallon #2 Heating Oil UGST.

11. Draft NJ Pollution Discharge Elimination System–Ground Water Renewal Permit Action notice received, dated March 17, 2014 regarding the Bald Eagle Village STP – Underground Injection (UIC – Sanitary for Block 7801; Lots 65, 66, 67 for the treatment of approximately 75,000 gals per day of sanitary wastewater generated and directed to an on-site sewage treatment plant.

12. Flood Hazard Area and Riparian Zone Verification received from the NJDEP, dated March 11, 2014, regarding Jack Lipari, Split Rock Road, Block 5306; Lot 4.02, advising that there is no flood hazard area on the subject site.

Miscellaneous Correspondence Received/Sent

1. Correspondence from the Passaic County Planning Board, dated March 11, 2014, regarding Twins Realty Site Plan, 937 Burnt Meadow Road, Block 3906; Lots 9 & 10 and Block 6002; Lot 39.01, advising that the site plan has been approved and will not adversely affect any County facilities.

2. Notice from Passaic County Planning Board, received February 26, 2014, that a public hearing will be held on an amendment to the Corridor Enhancement Plan element of the Passaic County Master Plan, to be held on April 3, 2014 at 5:00 pm at the office of the Planning and Economic Development on Riverview Drive, Totowa, NJ.
3. Invitation from the NJDEP to attend the US Army Corps of Engineer's upcoming Passaic River Basin public information sessions on March 25, 2014 from 7 to 9 at Winston Churchill School, Fairfield; March 27, 2014 from 7 to 9 at Pompton Lakes High School, Pompton Lakes; and April 3, 2014 from 7 to 9 at the Lyndhurst Fire Department, Lyndhurst. RSVP required by contacting Cindy.Randazzo@dep.state.nj.us.
4. Notice from ANJEC regarding a program entitled "Municipal Open Space, Planning, Acquisition, Management" to be held from 7:00 to 9:30 pm on April 10, 2014 at the Mt. Holly Township Courtroom, and from 7:00 to 7:30 pm on April 29, 2014 at the Essex County Environmental Center, Roseland. Registration and fees are required.
5. Notice from the Friends of Wallisch Homestead with an update on events planned for 2014 with regard to maintenance and fundraising efforts including Spring Cleanup on 04-19-14 and Flower Planting on 05-18-14.

PUBLIC COMMENTS – None.

ADJOURNMENT

With no further business to come before the Environmental Commission, the April 7, 2014 meeting was **adjourned** at **10:15 p.m.** on a **motion** by Tim Dalton and a **second** by Don Weise.

Approved: August 4, 2014

Respectfully submitted,

Tonya E. Cubby, Secretary