

**Township of West Milford  
ENVIRONMENTAL COMMISSION**

**MINUTES**

**August 1, 2022**

**Main Meeting Room**

The August 1, 2022 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:10 pm with a reading of the Legal Notice.

**ROLL CALL**

Present: James Lyons, James Rogers, Thomas Tamayne, Douglas Trainor, Chairman Stephen Sangle.

Absent: Don Weise.

Also Present: Chris Garcia

**PRESENTATIONS** – None.

**APPLICATIONS FOR REVIEW**

**SUHAILA MALIK**

**Bulk Variance #ZB-04-22-05**

Block 502; Lot 1

3 Yearling Trail; LR Zone

**Seeking:** Bulk Variance approval for replacement of an existing shed with a new 8' x 10' or 10' x 12' wood shed in the front yard of a corner lot.

Following a review of the request to the Board of Adjustment for bulk variance approval for Suhaila Malik, 3 Yearling Trail, Block 502; Lot 1, the Commission advised that there were no apparent environmental concerns with this application.

**ON GOING BUSINESS**

**Belchers Creek Testing:** Commissioners Jim Rogers and Doug Trainor reported on recent testing of Belchers Creek noting that 8 samples had been taken and phosphate levels were o.o. Brown's Pt. had Nitrate levels of .62 and .68. Mr. Trainor commented that he would attempt to draw samples further from the shoreline during the next tests.

Commissioner Tom Tamayne reported that the Bald Eagle Village treatment system had a failure in the gear box, but it has been repaired. The Commission should have received a notice from the NJDEP advising of an exceedance in the nitrates and phosphate levels, but the notices are not always forwarded to the Commission. He also reported that in West Milford, Suez has become Veolia, part of a large international firm, taking over some of the wastewater treatment plants. He noted that Suez still operates certain water treatment plants, but not in West Milford. He confirmed that many of the issues that faced the former M.U.A. have been addressed, including the replacement of many of the fields and upgrade of equipment.

The new testing equipment has been received from Hanna Instruments. Jim Rogers will inspect the new equipment for the Commission prior to taking samples.

**Shade Tree Committee:** No update at this time.

**Community Forestry Management Plan:** No update was available at this time. Commissioner Jim Lyons will review the Township's current CFMP plan and report to the

Commission in September. Chairman Sangle requested assistance in obtaining a forester to work with the Commission on a new plan so that future funding opportunities will be available.

**NJDEP NNL Forestry Grant Project Closeout:** Jim Lyons advised that he contacted the Assistant Commissioner for Parks and Forestry in NJ and reviewed the situation and details of the NNL Grant. He requested a process for resolution of the matter, either through the return of the remaining grant money to the State, or an alternative solution, but in a manner that would not penalize the Township, or prevent them from applying for grant funds in the future. The information was forwarded sent to the Assistant Commissioner, and he will look into the matter.

Chairman Sangle was not sure if the Administration has all the details of the project since it was ongoing for a number of years. He will contact Administration to have the Township Attorney present to Fullerton the option of completing the job that they were contracted for, or sign a release for the remaining funds. There were approximately 102 trees that Township would have to replace. The Commission discussed several options for the closeout of the project, and reiterated the need for a certified forester to coordinate with the NJDEP and the Township. Chairman Sangle thanked Mr. Lyons for following up with the State to try to get the matter resolved.

**Greenwood Lake Bi-State Commission/ Lakes Committee:** Doug Trainor advised that the recent meeting of the GWLC was combined with the Lakes Committee. Notes from the meeting were provided to the Commission by Jim Rogers. Mr. Trainor reported that there were solar panels on the buoys and they were stolen. The GWLC applied for some grants which they did not receive. With regard to Brown's Point, the GWLC maintained that they are not responsible for the site nor the clean-up of the trees that came down in a storm last year. They also discussed the boat launch, which is not feasible since the shoreline is too shallow.

Jim Rogers reported that a list was submitted to the NJDEP for lake clean-up of GWL and Lake Hopatcong, with 10 million appropriated by the State. He advised that a good portion of the funds allotted to GWL in 2023 will be used in Belchers Creek, which the State has determined to be a major contributor to phosphorous in the lake. He further reported that the GWLC, with Princeton Hydro, installed 5 floating islands in Belchers Creek, to help mitigate the phosphorous in the creek. Mr. Rogers noted that the GWLC have 12 – 20 hotspots that they monitor weekly. Engineer studies have been conducted on Brown's Point for a possible boat launch. The GWLC discussed their concern with the "water parks" that have been appearing in the lake, including inflatable islands with slides and rides, which are a hazard to boaters. Unfortunately the lake is under State authority, so the GWLC could not provide any assistance on this matter. With regard to geese control, a vendor has been hired to deal with the geese using an environmentally friendly spray along the shore.

Mr. Rogers noted that the culvert on Warwick Tpk has to be replaced by the county in 2024 due to concerns about structural integrity. He concluded his report by advising that Princeton Hydro should have a draft of the water study in October.

The Commission discussed malfunctioning septic systems as the main cause for the elevated phosphorous levels. Mr. Tamayne commented that the numbers have been declining as Suez/Veolia have been upgrading their facilities. Mr. Trainor observed that there were a lot of clams along Belchers Creek, and Mr. Tamayne noted that the clams filter the water. Chairman Sangle requested that Mr. Trainor obtain the data from Montclair State testing, and we can provide our information to them. The Commission concurred that weed and algae growth were a main concern, and Chairman Sangle stressed that a balance was needed to control the growth without the excessive use of herbicides and algaecides.

**Open Space Committee:** Don Weise was not present to provide a report. **Environmental Contamination Issues:** Tom Tamayne reported on a notice he received regarding chlorination treatment facilities on Bergen Drive.

**Environmental Boardwalk** – Mr. Tamayne reported that the initial spraying was completed by Lake Management Services and he has been trying to reach them regarding another application. The spraying was very effective, and he provided photos to the Commission on the condition of the phragmites surrounding the Boardwalk. Addressing the replacement of the board on the boardwalk and the beaver situation that recurs every year or more, he recommended that the boardwalk be raised. He has contact with an architect and contractor who he will request to review and provide an opinion. The Commission discussed several options on the manner that the height would be achieved, as well as replacement of the boardwalk structure.

**Green Team–Sustainability Committee:** No update at this time.

### **NEW OR CURRENT BUSINESS**

**Passaic Open Space Fund \$750,000-Nosenzo Park Community Center** – Following a discussion with the Mayor, Chairman Sangle provided an update regarding the Nosenzo Pond Park, advising that Passaic County was providing 150,000 a year in funds for the next 5 years to construct a building for the seniors (total project to be approximately 1 million), with the remainder of the funds to be included from the Township’s budget. The funds will not come from the Open Space funds dedicated to acquisition of open space and maintenance of open space properties. To avoid any miscommunications in the future, Chairman Sangle requested that information regarding open space matters be provided to the Commission prior to reports in the media.

**Greenway Project** – An update was provided by Chris Garcia, reviewing some of the items discussed at a meeting prior to this regular Commission meeting. He noted that a drone flyover was scheduled, and the data showed some of the areas (i.e. Bearfort Shopping Center) that need consideration when preparing a plan for the area. Some of the areas of discussion included: the former Bowling Alley considered for parking, parking for kayakers at several locations, kayak launches for Belchers Creek, and utilization of the West Milford Lakes property. Mr. Garcia advised that the Township Planner was working on a planning grant for Master Plan updates and has been involved with the Greenway plan concepts. Mr. Garcia reported that he was working on a task force and further details will be discussed at the next Master Plan meeting. He expressed that all the parties involved in the process must coordinate their efforts. Once the task force is formed, the roundtable discussion will be renewed and all the principals will be invited to provide input so that it is a collaborative approach. He will reach out to the Board of Education for their capital improvement plan.

Chairman Sangle maintained that it was necessary to prepare a viable preliminary plan before moving forward with execution of the plan. He inquired what the best use of the 1.2 million in open space funds would be, and Mr. Garcia stated that obtaining easements or purchase of portions of properties. Mr. Sangle noted that obtaining easements was preferable since it would not remove land from the tax roles and require maintenance by the landowner. With regard to the easements, tax incentives can be offered. Mr. Garcia commented that the intention is to have a preliminary plan by the end of the year.

**Tree Removal Ordinances** – Jim Rogers reviewed a Draft of a revised Township tree removal ordinance that he prepared during the last several months. The Commission will review the draft and discuss further at the next meeting prior to referring it to Administration and the governing body for consideration.

## **MINUTES**

The minutes from the July 11, 2022 Environmental Commission meeting were **approved**, following a correction regarding A & W, on a **motion** by Jim Rogers and a **second** by Tom Tamayne.

## **CORRESPONDENCE RECEIVED:**

The following correspondence was reviewed by the Commission:

### **Highlands Water Protection and Planning Act Correspondence**

1. Highlands General Permit #1 – Habitat Creation and Enhancement, dated July 20, 2022, issued to The Land Conservancy of New Jersey, regarding activities within the Westbrook Preserve II Restoration Project, including the removal of a breached weir to restore the onsite channel to its natural condition, bank stabilization of the restored channel, tree/shrub establishment, wildlife habitat plantings, brush management, and prescribed burns to control invasive species.

### **NJ Department of Environmental Protection Correspondence**

1. Suspected Hazardous discharge notification, dated July 19, 2022, received from the NJDEP regarding 1555 GWL Tpk. and a pole transformer that caused a non-PCB spill of approximately 21 gallons; unsure if waterways were impacted, clean-up was pending.
2. Construction permit dated July 11, 2022 from the NJDEP Div of Water Supply and Geoscience, to Veolia Water NJ – Crescent Park, for the installation of a 40 L.F. of 16” diameter ductile iron coated piping to achieve 5 min of chlorine detention time at the Sussex Drive treatment plant (TP001001) near Block 9901; Lot 8, and for the distribution of water for potable purposes from said works.

### **Miscellaneous**

1. Princeton Hydro Newsletter July 2022
2. ANJEC – Virtual Roundtable – Certified Wildlife Habitat – 08-02-22 7 pm
3. NJ Tree Foundation – Reminder to water young trees during summer heat.

**PUBLIC COMMENTS** – None.

## **ADJOURNMENT**

With no further business to come before the Environmental Commission, the August 1, 2022 regular meeting was **adjourned** at 9:10 p.m. on a **motion** by Jim Rogers Sangle and a **second** by Tom Tamayne.

Approved: September 12, 2022

Respectfully submitted by

Tonya E. Cubby, Secretary

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