
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Special Meeting
Date of Meeting: August 31, 2022
Time of Meeting: 5:30 p.m.
Minute Page No: Page 1 of 3

The Special Meeting of the Governing Body was called to order by Mayor Dale at 5:30 p.m.

Adequate Notice Statement

Mayor Dale read the following statement:

Pursuant to the provisions of the Open Public Meetings Act (N.J.S.A. 10:4-8) adequate notice of this Special Meeting was noticed to the Herald News on August 29, 2022 and posted on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

Please also make note of all fire and emergency exits – located to the left, right and rear of this room – for use in case of an emergency. Thank you.

Agenda No. I

Pledge of Allegiance

Mayor Michele Dale led all in attendance in a salute to the flag.

Agenda No. II

Roll Call

Present: Councilmembers Ada Erik, Michael Chazukow, Kevin Goodsir, Warren Gross (arrived a minute late), David Marsden
Absent: Marilyn Lichtenberg
Also Present: Mayor Michele Dale, Township Administrator William Senande

Agenda No. III

Discussion Items / Official Communications

1.	<p>Harmful Algae Blooms (HABs) - Mayor Dale indicated that on August 29, 2022 the DEP notified the local Health Board that the Cyanobacteria and Microcystin Toxin levels were 3x the allowable limits at the bathing area at Awosting Beach. The DEP and the local Health Office have made the recommendation to close down the beach. The way our local government works is that we have set up a Health Board and the Governing Body is required to meet and look at the information and make a decision on whether or not to shut down a bathing area.</p> <p>Councilman Marsden indicated that no one has died from this though it can make you sick and animals have died from it. There are two choices to be made. One choice is to make people aware of the situation and tell them to swim at their own risk and the other choice would be to close down the beach.</p> <p>Mayor Dale indicated that there were members from the Awosting Association present and there have been no reports of anyone becoming sick. The local Health Board has received no reports of illness either. Mayor Dale indicated that the tests were taken on August 24 and we weren't informed until August 29. People have been swimming during that time and they were unaware of the levels and no one was reported sick. The swimming season is winding down and people have been making informed decisions because there have been previous advisories. Mayor Dale recommended to the Council that they vote to leave the beach open and that the Awosting Association, for their own protection, should post the advisory and also make those entering the water sign off that they were made aware of the HAB and what the readings are and they are swimming at their own risk.</p> <p>Councilman Goodsir made the point that it will be getting colder and less people will be entering the water.</p> <p>Councilman Marsden noted that the readings will also change as temperature change.</p> <p>Mayor Dale indicated that while the previous sample had been taken from the buoy a distance away this last sample was taken at the beach.</p> <p>Councilman Gross indicated that people do swim later than you think and notification should continue if there is a HAB that occurs after the regular swim season.</p>
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Agenda No. IV

Public Comments

The public portion of the meeting was opened. Dan (inaudible) had a question and received clarification from the Mayor that the posting and member signing that they are aware of the HAB was a recommendation for Awosting Association and their protection and not about the Township.

Mark Mora Chief RHS for the Township clarified that the buoy is a "live buoy" and the test results that were received on the August 24 are the same currently and the recommendation is still closure. There is signage on the DEP's website that the Awosting Lake Association may wish to utilize and they could attach the roster to the signs. He had been out to the beach in the morning but had not seen signs. Mr. Mora had been in touch with the State and per the State the distance between the buoy and the beach area was irrelevant and the readings were the same and had been consistent since August 24. Lab tests will be done some time next week. Readings may fluctuate throughout the day because HABs move around in the water so that is normal.

Jamie Dykes, 200 Long Pond Road, indicated that Awosting had notified the State because the lifeguards had spotted the HAB. No visible signs have been evident for the last three days. He disagreed with Mr. Mora because on the DEP website indicated that there was a high level of algae at the buoy and the beach but there was a green dot by the water park area saying the water was fine there and that area is much closer in proximity to the beach than the HAB buoy. Mr. Dykes requested that the tester buoy be moved as it is located in the direct path of the sailboat course that has been taking place for the last 35 years.

There being no one else wishing to be heard, Councilwoman Erik made a motion, seconded by Councilman Goodsir and carried by unanimous voice vote to close the public comment period.

Agenda No. V

Council Comments

There were no further Council comments. Questions had been addressed with various public comments.

Agenda No. VI

New Business, Introduction of Ordinances, Resolutions

Mayor Dale asked for consensus to vote on option #2 to be read and voted upon. Consensus was given. Mayor Dale read Resolution 2022-321 in it's entirety.

Agenda No. IV 1

Resolution No. 2022 – 321

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REGARDING THE CLOSURE OF AWOSTING BEACH AT GREENWOOD LAKE

WHEREAS, the County of Passaic Department of Health Services was advised by the Environmental Protection Agency and the New Jersey Department of Health that samples collected on August 25, 2022 at Greenwood Lake confirmed the presence of Cyanobacteria and Microcystin Toxin levels at three times the allowable limits at the bathing area at Awosting Beach, and has recommended closure of the beach; and

WHEREAS, it is also the recommendation of the County of Passaic Department of Health Services to also close Awosting Beach based on these reported levels of Cyanobacteria and Microcystin Toxins; and

WHEREAS, as the Mayor and Township Council wish to notify any users of Awosting Beach of these levels, but desire to leave the ultimate decision as to the use of Awosting Beach to individuals upon having adequate notice.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, in the County of Passaic, and State of New Jersey, as follows:

1. Awosting Beach at Greenwood Lake shall remain open, contrary to the recommendations of the County of Passaic Department of Health Services, but notice to the public shall be prominently marked with signage, including but not limited to the statements of "SWIM AT OWN RISK" and that "Cyanobacteria and Microcystin Toxin levels are three times the allowable limits, as taken by sample on August 25, 2022."
2. The County of Passaic Department of Health Services shall continue to monitor the situation, and advise the governing body as to all further testing and promptly communicate such test results, so a prompt determination of whether signage needs to be removed or updated.

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3. The County of Passaic Department of Health Services shall also promptly issue a recommendation as to Awosting Beach when Cyanobacteria and Microcystin Toxin levels at the beach are determined to be within a safe and acceptable range
4. The Municipal Clerk shall forward a copy of this Resolution to the County of Passaic Department of Health Services.
5. This Resolution shall take effect immediately.

Adopted: August 31, 2022

Motion to adopt Resolutions 2022-321

Moved: Erik Seconded: Chazukow
Voted Aye: Erik, Chazukow, Goodsir, Gross, Marsden
Voted Nay: None
Motion carried:

Agenda No. VII

ADJOURNMENT

The meeting adjourned at 5:49 p.m.

Moved: Erik Seconded: Chazukow
Voted Aye: Unanimous voice vote
Voted Nay: None
Motion carried:

Approved: September 7, 2022

Respectfully submitted:

DEIDRE ELLIS, KEYBOARDING CLERK II

MICHELE DALE, MAYOR

WILLIAM SENANDE, TOWNSHIP CLERK