

## **Environmental Commission Meeting Minutes**

October 3, 2012

Present: M. Gossett, D. Happer, , J.Huran, K. Sheikh and M. Vyff

Public Comment: None

Meeting Minutes: Minutes from June and August were approved with amendments.

### **Sustainable New Jersey**

Marnie reported that we won a \$2000.00 grant for Movie Nights. Movie Nights count towards the Silver Award. Ideas for movies include 'solid waste, well head protection and/or volunteerism. Location for the movies will be determined.

### **Well Head Protection and Meeting with the Passaic River Coalition**

John reported that it would be impractical to amend the "Prime Aquifer Area" section of the existing ordinances. Not only is it difficult to simply add properties to the current ordinance, we would also need NJDEP approval and that creates an administrative nightmare and probable rejection.

The benefit of the WHP ordinance is that it provides us the opportunity to oversee future development to commercial properties (especially those around the route 46 wellhead, our main well). The impact on our residents is next to nothing (it only becomes an issue if they ever have to improve an underground tank and even then would still be subject to NJDEP so there is really no downside). Lastly, Parsippany and Denville have the same ordinance.

It was reported that Denville's Well Head Protection Ordinance will cover our wells located on the Rockaway Valley Country Club.

Parsippany's Utility Superintendent, Kevin Ryan reported the cost of enforcement since 2005 has been zero. The only enforcement activity involved removal of road salt storage by an apartment complex once they were notified of the violation. He also said the ordinance has not increased the workload for the planning board and or the health commission. Khizar questioned what the cost would have been if the apartment complex did not comply to remove the salt.

Margaret reported that the Passaic River Coalition worked with NJDEP to develop a "template" ordinance that has been successfully adopted in towns such as Parsippany, Milburn, Livingston, Roseland, Washington Township, Hanover and Chatham Borough. Currently, Denville and Montville are working towards implementation of this ordinance. The template ordinance ensures adequate protection of drinking water and consistency of land use regulations across the state to promote industrial compliance and regional cooperation.

Councilman Happer said he thought our current zoning ordinances restricted development in the Well Head Areas and also wondered if a Well Head Protection Ordinance would result in over-regulation. Based on research of the current ordinances by Khizar, he found that the well head areas are not protected from development or

activities that could result in contamination of the water supply. If we adopt an ordinance, the rules would apply only to future activities and not existing uses.

The Passaic River Coalition said they were willing to help us make presentations to our Planning Board and to Council.

Next steps: Prepare presentation for Planning Board.

### **Planning Board**

The next planning board meeting is the end of October.

### **Contaminated Sites – no report**

#### **Solid Waste**

Open bid period is still open. There was a minor clarification needed to the RFP and the period was extended by 2 weeks to Oct 17th.

Council is planning to talk about further input from the committee (either charging them with more work or calling it to end with the contract signing). It will be a discussion item in the next council meeting.

#### **Website**

Dan said approved minutes should be sent to the website committee to be posted on the town website in addition to posting on the new website.

### **Committee Reports**

Shade Tree Commission members are conducting walks to determine if trees need to come down or if they are going to be pruned.

### **JPC&L**

Marnie discussed the JCP&L tree cutting issue first with the Shade Tree Commission. Evidently there have been issues throughout with them cutting different amounts and different places than what was agreed on. They also agree that Bob Tovo is the person to work with.

Marnie met with Bob Tovo to discuss it. He said the JCP&L representative is in Boonton and we have a good relationship with him. Marnie reiterated the STC's issue that the man with the chainsaw really decides how much to cut and not JCP&L. Tovo responded that therefore we need to keep a close eye on their actions and report to him if there is something that doesn't look like it is following a proper plan. The company they are presently using is Nelson Tree Service. JCP&L has been known to also use Asplund.

The present cutting JCP&L is doing is mostly on Route 46, and Tovo spot checks them regularly. Tovo is letting them cut more there because if one of those lines go down, most of the town is out of power. When they come into the town, 20 feet is the limit and we need to keep notice as we walk or drive by the service company.

For sightings that may be an issue please email Tovo at: [RTovo@mtnLakes.org](mailto:RTovo@mtnLakes.org) or 973-334-3131.

Meeting adjourned 8:55.

Respectfully submitted by Margaret Gossett