

Holland Township Environmental Commission Minutes

July 1, 2020 7 PM Meeting

Chairman Keady called the meeting to order. I call to order the July 1, 2020 Regular Meeting of the Holland Township Environmental Commission. Adequate notice of this meeting was given pursuant to the Open Public Meeting Act Law by the Environmental Commission Secretary by:

1. Posting such notice on the bulletin board at the Municipal Building.
2. Publishing the notice in the December 12, 2019 edition of the Hunterdon County Democrat
3. And faxing to the Express-Times for informational purposes only.

HOLLAND TOWNSHIP ENVIRONMENTAL COMMISSION PUBLIC NOTICE TOWNSHIP OF HOLLAND

NOTICE OF CHANGE OF FORMAT OF REGULAR TOWNSHIP ENVIRONMENTAL COMMISSION MEETING AND PUBLIC PARTICIPATION FOR THE MEETING SCHEDULED FOR 7:00 PM WEDNESDAY JULY 1, 2020

PLEASE TAKE NOTICE.

THE MEETING FORMAT HAS BEEN CHANGED FROM IN-PERSON ATTENDANCE AT THE MUNICIPAL BUILDING, 61 CHURCH ROAD, TO TELECONFERENCE DUE TO COVID-19 OUTBREAK AND THE STATE OF EMERGENCY DECLARED BY GOVERNOR MURPHY.

IN LIEU OF IN-PERSON ATTENDANCE, THE PUBLIC MAY ATTEND THIS MEETING VIA TELECONFERENCING AND COMMENT DURING THE DESIGNATED PUBLIC COMMENT PORTION IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT.

OFFICIAL ACTION TO BE TAKEN

TO JOIN THE MEETING FROM A:

Computer:

<https://zoom.us/j/93675147413?pwd=MjZsR0lnTjVqMUMxOVQya095M2JTUT09>

Phone:

1 646 558 8656

Meeting ID: 936 7514 7413

Password: 902083

All stood for the pledge of allegiance. All were reminded to turn off their cell phones or put them in silent mode.

Members Present: Jerry Bowers, David Harrison, Mike Keady, Susan Meacham, Ray Note, Dwight Pederson, and Secretary Maria Elena Jennette Kozak.

Absent: Ted Harwick, and Township Committee Liaison: Robert Thurgarland

Let the record show we have a quorum.

Minutes: A motion was made by David Harrison and seconded by Susan Meacham to approve the minutes of March 5, 2020 as presented. All present were in favor of the motion. Motion carried.

Chairman Keady welcomed everyone after our hiatus due to the COVID 19 Pandemic. Chairman Keady asked for a moment of silence in memory of Volunteer Consultant: Henry Gore who passed Monday March 9, 2020. Mr. Gore will be missed by all.

PennEast Pipeline update: Susan Meacham and Mike Keady – Susan Meacham stated that there was big action Monday with the Supreme Court and that the tolling order is no longer being used.

Secretary Kozak googled an article for insight and found the following from Bloomberg Law:

High Court Wants White House View on PennEast Pipeline Case (2)

June 29, 2020, 9:45 AM; Updated: June 29, 2020, 11:46 AM

Listen

- PennEast, New Jersey disagree over state land seizure
- Industry alleges broad disruptions from lower court ruling

The U.S. Supreme Court wants the Trump administration's views on a major energy case that could decide the fate of the proposed PennEast pipeline.

At issue is whether developers can seize state-owned land in New Jersey to build the \$1 billion natural gas project, which is backed by Enbridge Inc., Southern Co., and other companies.

The justices on Monday [asked](#) the solicitor general to file a brief expressing the U.S. views on the question—a sign of interest in the case. The move comes as pipeline opponents increasingly ask judges to halt development, and industry lawyers look to the high court to intercede.

The justices did just that two weeks ago when they resolved a separate pipeline dispute, siding with the natural gas industry and the Trump administration in a case involving the Atlantic Coast project.

PennEast supporters say the industry will face severe disruptions—giving states a new tool to block projects—if the Supreme Court leaves a lower court's decision in place.

The project is slated to move natural gas 116 miles across Pennsylvania and New Jersey, and is part of a broader buildout of gas infrastructure across the East Coast.

'Incrementally Negative'

PennEast pipeline spokeswoman Patricia Kornick said the project backers are pleased the Supreme Court requested the administration's views on the case.

"PennEast remains hopeful that the U.S. Supreme Court will grant the petition," she said in an email.

The Interstate Natural Gas Association of America likewise said it welcomed the development.

"We remain optimistic that the Court will ultimately grant the petition in the fall and hear it next Term," Joan Dreskin, general counsel for the industry group, said in a statement.

But the justices' decision to get the federal government's views before deciding whether to review the case draws out the project's timeline, ClearView Energy Partners analyst Christine Tezak wrote Monday.

"We view this as incrementally negative from a timing perspective for PennEast because a decision on whether the Supreme Court will consider the case looks likely to be delayed for months," she said in a client note.

The Federal Energy Regulatory Commission, an independent agency, has already weighed in on PennEast's flap with New Jersey, [backing](#) the pipeline company in January.

The office of New Jersey Attorney General Gurbir S. Grewal (D) didn't immediately respond to a request for comment.

Maya van Rossum, head of the Delaware Riverkeeper Network, an environmental group aligned with New Jersey in the case, called the Supreme Court's move disappointing. She said in a statement that her group is "still hopeful for an outcome that will uphold the right of New Jersey to protect its property rights, and the safety and sanctity of the state and its environment."

'Veto Power'

At issue is PennEast Pipeline Co. LLC's attempt to seize state-owned land and conservation easements in New Jersey for the project's route.

Interstate pipeline builders that have secured a permit from the Federal Energy Regulatory Commission routinely use eminent domain authority delegated under the Natural Gas Act to take property.

But the U.S. Court of Appeals for the Third Circuit last year ruled that companies can't use that authority for state-owned lands. Eminent domain is carried out through federal courts, and New Jersey's sovereign immunity blocks PennEast from starting such proceedings against the state, the Third Circuit said.

PennEast asked the Supreme Court to step in, saying the ruling disrupts longstanding legal precedent allowing state land takings, and gives states improper "veto power" over pipelines.

Other developers and allies from across the energy industry lodged support for PennEast's petition, arguing that the Third Circuit's decision could stymie critical infrastructure development because most interstate pipelines cross some type of state-managed land.

Lawyers for New Jersey countered that the appeals court's decision doesn't establish state veto power because pipeline companies have other options to legally access state lands, including through voluntary agreements or a federal government seizure of property.

The case is [PennEast Pipeline Co. v. New Jersey](#), U.S., No. 19-1039, 6/29/20.

Phoenix Energy – Western Land Services continues to approach homeowners regarding easement availability to join power lines. This is the same company that PennEast used.

NJ Tree Recovery Campaign May 2020 – Due to the COVID 19 Pandemic Holland Township was unable to participate in the originally scheduled tree distribution project and canceled the tree distribution scheduled for Saturday May 2, 2020.

Sub-Committees:

Trails – Ted Harwick, Jerry Bowers and Ray Note. Nothing to really report other than the ongoing discussion to turn the trail project to the Parks & Recreation Committee. A meeting with the PR Chairman should be established to discuss elements of the transition. Chairman Keady reminded everyone that Parks & Recreation is also limited in volunteers

Community Forestry Plan – Ray Note, David Harrison, Ted Harwick, Henry Gore and Secretary Kozak

Community Forestry Plan Grant - The Holland Township Community Forestry Plan 2020-2024 was approved. Please submit your volunteer hour sheets. Secretary Kozak will let everyone know of the status update.

Tree Inventory – Progress has been made. David Harrison, Jerry Bowers and Ron Farr met to continue with the inventory program. Ray Note entered the data collected. Dwight Pederson continues to work with David Harrison on tweaking the data that is entered into the Excel spreadsheets which will be merged into iTree. The focus is on compatibility between the two programs. Areas of concern remaining include Spring Garden Road, Phillips Road and the Riegel Ridge area.

Jerry Bowers talked about the treatment of his White Ash trees and how 10 out of 16 were worth saving. The Arborist injected a solution into the trees. Mr. Bowers thought we should look into seeing if a grant is available for the protection of the Ash Trees along public roads that we have identified.

All talked about the Hazardous Tree Mitigation Plan Grant and asked if anyone has looked at the State website to see if grants are available yet.

A conversation regarding i-iTree took place in comparing it to an Excel worksheet. While Excel is a simple way to track our tree project and can produce reports that are needed for Holland Township, iTree is a larger approach to reporting and can identify species, DBH value and many

other important aspects of the tree inventory. It is also what we choose to use when we asked for funding with the grant.

David Harrison suggested that we also look at revising our plan in regards to the goals outlined for this year. What can we really do by the end of this year?

Highlands Conformance – Jerry Bowers, Mike Keady and Dwight Pederson. – The Holland Township Highlands Council subcommittee has been busy.

The Planning Board should be hosting public hearings in July, August and September for the Re-examination Report, The Stormwater Management and Mitigation Plan, the Water Use and Conservation Plan and the Fair Share Housing Plan. All report will be available to the public and Secretary Kozak will have them online for each specific Public Hearing. All are welcome to comment during the public portion of the public hearing.

Highlands Council Environmental and Economic Sustainability Grant Awards Program update:

Secretary Kozak continues to work with Maser and the Highlands Council but distribution of funds is on hold. The Retention/Detention basin inventory is still an important project. Shifting of monies from previously approved tasks is being considered but the council is thinking that everything is on hold per the Governor.

Stormwater Education – Mike Keady, Jerry Bowers, Susan Meacham and Maria Elena Jennette Kozak as Secretary – Secretary Kozak supplied Maser Consulting with the yearly report which Maser incorporates in the yearly report submitted to the State regarding our existing permit.

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TO: Township Engineer Richard Roseberry
CC: The 2020 Environmental Commission
FROM: Maria Elena Jennette Kozak
Environmental Commission Secretary
DATE: April 20, 2020
RE: 2019 Tier B Municipal Stormwater General Permit Points
New Point System for Public Education Outreach - - need 12 points and include activities from 3 of the 5 categories. Total Points 23 for 2019

Category 1 – General Outreach (subtotal 1 point)

- Web postings – 1 point
 - Please look at the web site. <http://www.hollandtownshipnj.gov/>
 - Some information is available on the home page of the web site as suggested by the past township engineer. Our web administrator has it under advisories.
 - Exhibit 1 – screen shot

Category 2 – Targets Audience Activities (subtotal 13 points)

- Stormwater Display – 1 point
 - Community Day - September 7, 2019 – the Stormwater education discussions took place The “Don’t Pollute Stream” water bottles, bracelet and stress balls were used as the promo for the kids who participated.
 - Exhibit 2 – pictures showing the event – “pictures from 2018-problem with 2019 pic – each one of the EC members thought someone else took a picture!
 - Display at Municipal Building –
 - Exhibit 3 - pictures
 - Posters obtained by State (like TIP cards)
 - Mounted in Black frames
 - Displayed on the lower level of the building and in our hallway
- Promotional Item – 2 points
 - Stormwater message on Individual Life Savers “Pep-O-Mint” distribution to all participating at Community Day
 - cost comes out of grant money!
 - Did a Life Saver with “Don’t Pollute Streams” on it.
 - Exhibit 4 – Picture and requisitions
- Mass mailing – 2 points
 - The stormwater information sheet will be mailed with the 2019 recycling /dumpster cards package distributed to residents in December.
 - Exhibit 5 – the “Solutions to Stormwater Pollution” flyer and envelop
- Stormwater Management Training – 4 points – Max 4 points
 - Township Engineer – Maser Consulting- did training of DPW Supervisor and workers
 - July 30, 2019
 - Exhibit 6 - certificate Adam T. Wisniewski and Maser Invoice for training
- Municipal Training - 4 Points - Max 6 points
 - www.njstormwater.org/training
 - PB/BOA/Environmental Commission Secretary
 - Also ANJEC Training Webinar
 - Exhibit 7 – last page of slide show with signature of person completing the training and ANJEC certificates : Bowers, Harrison, Thurgarland, Pierce, Grossmueller, Kanakaris, Krov

Category 3 – School/Youth Education and Activities (subtotal 3 points)

- Clean-up - .3 Points
 - Road clean ups. All approved by HT DPW Supervisor – Cleanups include: Hawks Schoolhouse. Ellis Road, Bellis Road, Dennis Road, Cyphers Road, Shire Road, Phillips Road, Church Road, Stamets Road, Javes Road, Miller Park Road, and Rummel Road
 - Exhibit 8 – Overview and requisitions attached

Category 4 – Watershed Regional Collaborations (subtotal 3 points)

- Community Activity -3 Points

- A cleanup of the River Musconetcong Watershed Association. April 14, 2019. Hunterdon: 448 volunteers, 357 bags of trash and recyclables, 33 tires, several truckloads of larger items like couches, lawn furniture and car parts...In Holland the collection was 51 trash bags, 7 bags of recyclables, 5 tires, wire fencing, plastic garbage can, 4 plastic planters, 2 plastic chairs, 15 glass salmon eggs containers, hub cap, box spring, used motor oil, mailbox and a computer
- Exhibit 9 – requisitions attached

Category 5 – Community Involvement Activities (subtotal 3 points)

- Rain Barrel Workshop – 3 points
 - Community Day – September 7, 2019
 - Stephanie Bacskai – Holland Township Teacher
 - Rain Barrel presentations and educational discussions from 3 pm till 5 pm with handouts.
 - Ms. Bacskai has also donated a Rain Barrel to the Township which was placed at one of our buildings for rain water collection.
 - Exhibit 10 – Rain Barrel pictures from 2018 as our EC members did not get 2019 pictures.

The memo outlined above and support was submitted to the EC for review. A copy is available for public viewing.

Community Education and Outreach – Jerry Bowers, Dwight Pederson, and Susan Meacham – Nothing new to report. Jerry Bowers will reach out to Bob Thurgarland about seeing if a counter can be added to the website.

The EC webpage is: <http://www.hollandtownshipnj.gov/14-ec/46-environmental-commission.html>. Please send any additions or corrections to Secretary Kozak for posting

Inventory of Fauna and Flora subcommittee - David Harrison, Dwight Pederson, Ray Note – David Harrison reported that not much has been happening but that he is working on a list of reptiles and amphibians. David Harrison is working with Dwight Pederson on incorporating the roadside tree inventory work into something that will be available on the website. It would be similar to what we have been putting on our tree webpage. The next area of interest is ferns. Susan Meacham knows someone who identifies Mushrooms and will see if he is interested in helping with our projects. More information to follow.

Arbor Day subcommittee – Dwight Pederson – Cancelled due to COVID 19 Pandemic.

The Environmental Commission’s role in reviewing site plans is important. Please be careful about opinions on applications. Everyone is to have an open mind when looking at an application. Chairman Keady is the EC liaison to the Planning Board. Chairman Keady reminded all that the Planning Board has not received an application. . Ba cautious of information received. Please have friends, associates etc. contact Secretary Kozak and avoid sharing information sent to you.

Public Comment: No one is present in the public (just family members).

Everyone agreed that the Zoom meeting went well.

At 8:45 pm Susan Meacham made a motion to adjourn.

Respectfully Submitted

Maria Elena Jennette Kozak

Maria Elena Jennette Kozak

Environmental Commission Secretary