

SUSSEX COUNTY WATER QUALITY MANAGEMENT

POLICY ADVISORY COMMITTEE

MINUTES

FEBRUARY 5, 2015

The meeting was opened at 7:35 p.m. by Chairman Baker. The meeting was held in compliance with the Open Public Meetings Act, N.J.S.A. 10:4-1 of 1975, as amended, and notice has been forwarded to the newspapers and posted on the bulletin board maintained at the Sussex County Administrative Center for public announcement.

ROLL CALL:

MEMBERS PRESENT: James Landrith, Andover Borough
Dave Hansen, Hampton Township
Carrine Kaufer, Hardyston Township
Howard Baker, Hopatcong Borough, Chairman
David Muscalo, Lafayette Township
Joseph Carr, Town of Newton
Eric Powell, Sparta Township
Denise Webb, Wantage Township, Vice Chair
Richard Gottemoller, At-Large
Ernie Hofer, At-Large
Gary Larson, At-Large
John Nugent, At-Large

EXCUSED MEMBERS: Lisa Chammings, Stillwater Township
Michael Furrey, Vernon Township
Daniel Flynn, At-Large
Eleanor Mensonides, At-Large

STAFF MEMBERS: Alice Brees, Principal Planner
Dennis R. McConnell, Esq., County Counsel
Antoinette Wasiewicz, Recording Secretary

ALSO PRESENT: Richard Vohden, Freeholder Liaison
Thomas Varro, SCMUA
Nathaniel Sajdak, Wallkill River Watershed
Kristine Rogers, Ameri Corps Watershed Ambassador
John Maione

PRESENTATION:

A. SCMUA WMP AMENDMENT FOR CONVEYANCE OF LANDFILL LEACHATE:

Tom Varro said he is the Chief Engineer for the Sussex County Municipal Utilities Authority. He is here this evening to seek a Site-Specific Amendment to the Water Quality Management Plan to convey landfill leachate to their upper Wallkill Regional Treatment Facilities in Hardyston Township. Mr. Varro said he has been working with the Solid Waste Advisory Council and NJ Dept. of Environmental Protection (DEP) recently approved an amendment to the Solid Waste Management Plan which allows and provides for a six-stage expansion of the landfill. The expansion is projected to extend the life of the landfill to 2062. Currently, landfill leachate is handled through a NJPDES Significant Industrial User (SIU) permit from DEP. The leachate is trucked six miles from the landfill in Lafayette to the Hardyston plant. They are looking to add the SCMUA landfill property in Lafayette as part of the sewer service area to their facility in Hardyston. Mr. Varro said John Scheri, from Hatch Mott MacDonald is here to make a presentation to PAC.

John Scheri said in his presentation he will cover the proposed amendments, present site maps and provide the status of the endorsing resolutions that are being considered by the affected municipalities. Public Law 2013, Chapter 188 provides for a Site-Specific Amendment procedure which permits an activity with a wastewater planning flow of less than 50,000 gallons per day (gpd) or a sewer service area less than 100 acres. SCMUA's solid waste facility in Lafayette is a 54.5-acre site and the leachate that is generated on site is stored in a tank and then hauled six miles to the upper Wallkill Water Pollution Control facility for ultimate treatment and disposal. The disposal of the 35,000 gpd is permitted by the NJDEP and is identified in the County's current Water Quality Management Plan. The permit already provides for this leachate to be treated at the facility; it's just not shown in the sewer service area. The proposed amendment puts planning in place to allow for the future construction of a pumping station and a pipeline (force main) to pump the leachate directly to the upper Wallkill facility rather than trucking it. Mr. Scheri said the proposed amendment is limited to the property owned and operated by SCMUA at the Solid Waste Facility in Lafayette.

Mr. Scheri said the mapping change is going to include the landfill properties as a future wastewater service area for the SCMUA Upper Wallkill plant. He has also included the entire property because there is an existing on-site septic system or individual sub-surface disposal system which generates less than 2,000 gpd from the Administration building and some of the other buildings on the site. They want those included in case it needs to be connected at some point in the future; however, there are no immediate plans to do that. The amendment is limited to a change in the conveyance method; the permits already exist. The pumping operation will reduce the

risks associated with hauling the leachate on Route 94. It also would reduce operating costs over the anticipated useful life of the landfill and improve sustainability of SCMUA's operations.

Mr. Scheri's Power Point Presentation showed a map of a portion of the County's existing sewer service area mapping. He pointed out the landfill and the upper Wallkill facility and showed the plan for the landfill expansion. Mr. Scheri said they carved out a small portion of a future phase for the threatened and endangered species protected habitat. They identified where the pipeline would be constructed which follows the alignment of Route 94, and an alternate alignment which is an abandoned railroad bed that is owned by the County. This alternate alignment may be suitable to install the pipeline but it has not been explored from a technical standpoint.

Resolutions and information packets have been provided to three municipalities: Lafayette, Sparta and Hardyston. Both Lafayette and Sparta Townships have provided endorsement Resolutions. Mr. Scheri said he has been following up with Hardyston Township and that their Resolution is expected shortly.

David Muscalo asked why the leachate isn't treated on-site. Mr. Scheri said the leachate receives treatment at the Upper Wallkill plant and there is an efficiency in doing it all in one place. It could be treated at SCMUA but then they would have to administer two different permits from NJDEP, run multiple tests and have additional staff at the landfill site. Mr. Varro said SCMUA has allocation at the Upper Wallkill facility for 35,000 gpd, so SCMUA's contribution is already covered in the design and sizing of that plant.

Howard Baker asked if there are things in the leachate that the treatment plant is not capable of managing. Mr. Scheri said it is a higher strength wastewater and the upper Wallkill Plant is presently treating it. Mr. Varro said the pipeline would make it easier for the plant to accommodate this loading because it will be fed over a 24-hour period. It will be an equalized flow rather than what happens now. Mr. Baker pointed out two regulatory references in the application, neither of which was checked off. Mr. Scheri said they reference the Treatment Works Approval flow projection criteria which are driven toward residential and commercial development. Those same regulations say when you have an industrial use; you use appropriate data from other facilities.

David Muscalo said, as a Lafayette Township resident, he is concerned about odor control at the landfill. Mr. Scheri said he does not know if the odor source is from the leachate itself, but the technical design for the pumping station and the pipeline will consider the need for odor control along the pipeline. Mr. Varro said with regard to overall odor control, most of the odors offsite are due to the migration of landfill gas. They've just completed temporary capping of over 10 acres of the landfill and this should help with odor. SCMUA has taking a lot of proactive steps to control the odor and they will continue to do so.

Ernie Hofer asked what provision will be made for leakage monitoring of the pipeline. Mr. Scheri said they typically employ pressure monitors on the pump discharge. If the pressure changes or is outside an expected range, you would know there's a problem

right away. There will be alarms and it will be enunciated to the operators at both the landfill and at the upper Wallkill plant.

Mr. Muscalo asked what the composition of the line will be. Mr. Scheri said the line will probably be non-metallic, high-density polyethylene with a very thick wall. This is typically what you use to convey leachate.

Alice Brees asked about the pros and cons of the two alignments. Mr. Scheri said they haven't determined that yet. One benefit of following the railroad alignment would be to avoid construction along Route 94 for about half of the six miles. Ms. Brees asked about possible future connections of the properties along the force main. Mr. Scheri said the authority cannot anticipate that right now. These facilities would be sized for and built for SCMUA's operations only. Mr. Varro said because it is a force main, you will not get a single family residence or one business asking to be hooked in. That would involve another pump station. It would have to be a fairly substantial proposal that would come to PAC. He said one potential would be Sussex Vo-Tech because they have a groundwater discharge treatment plant and at some point in the future, they may want to abandon that plant.

Carrine Kaufer asked if the plan was to put the pipe in the State highway right-of-way or would they have to get easements for individual properties. Mr. Scheri said the intention would be to stay within existing public right-of-ways, either the County or the State.

MINUTES CORRECTION/APPROVAL:

A motion was made by John Nugent to approve the Minutes of November 13, 2014. The motion was seconded by Richard Gottemoller. All were in favor, with abstentions from Dave Hansen, Carrine Kaufer, David Muscalo, Joseph Carr, Eric Powell, Richard Gottemoller, Gary Larson and John Nugent. Motion carried.

A correction will be made to Page 4, second paragraph, fourth line of the Minutes of December 11, 2014, "... the average weekly flow..." will be changed to, "... the average weekly low flow... ." A motion was made by John Nugent to approve the Minutes as corrected. The motion was seconded by Ernie Hofer. All were in favor, with abstentions from Dave Hansen, Joseph Carr and Gary Larson. Motion carried.

CORRESPONDENCE:

Alice Brees reviewed the correspondence listed on the attached sheet and answered questions on Correspondence Numbers Two and Ten.

PLANNER'S REPORT:

Ms. Brees reported that Sussex Borough and Wantage Township are revising their inter-local service agreement for Wantage Plaza to be served by SCMUA via the force main owned by Sussex Borough. After this is done, the amendment can go to the Freeholders for final approval and then to DEP.

The maps for the County Wastewater Plan are progressing slower than anticipated. Ms. Brees said she is working with the GIS Consultant on the final details. All other work this month relate to items on the Agenda.

UNFINISHED BUSINESS:

A. COUNTY WMP DRAFT: CHANGES FOR MUNICIPAL CHAPTERS:

Ms. Brees said the County is trying to accommodate some minor changes for current information into the County Wastewater Plan. She said Mr. Scheri had some slides relating to Newton's build-out analysis and asked him to address this topic.

Regarding Newton's build-out analysis, Mr. Scheri said the methodology for the future flow analysis was to look at vacant properties within the town. They looked at lots that are on septic systems. Under-developed lots and redevelopment areas were also evaluated. This was done with GIS mapping. The existing infrastructure within the Town of Newton is a wastewater treatment facility permitted for 1.4 Million Gallons per Day (MGD). The average flow in 2013 was about 1 MGD; in 2011 it was about 1.3 MGD. It serves the majority of the town and discharges to surface water. There are five pumping stations within the town. They removed constrained areas: critical habitat, wetlands and Natural Heritage Priority Sites.

Mr. Scheri said he worked closely with the town's Planner in looking at the redevelopment and under-developed areas. Initially there were 47 vacant lots analyzed but it was reduced to 44 lots based on additional information provided by the Planner. The unsewered lots were identified by looking at the water bills and determining which ones did not get charged for sewer service. They applied the DEP flow criteria to those residences. For under-developed properties, they looked at what the zoning provided for to see if there could be additional intensity of development. They looked at 73 lots and reduced that to 58 lots based on comments from the Planner. There are properties in town that have specific redevelopment proposals. The two largest pieces of land that have development potential in the Town of Newton are the Sussex County Community College site and the Newton Hospital/ Medical Center. They formally requested feedback from them about their master plans, but nothing has been received. They made their projections based upon what's allowed by zoning.

Mr. Scheri said they also considered a draft Transfer of Development Rights Feasibility Study that was prepared for the town by the town Planner. He showed a map which was created with satellite imagery. The map showed the different types of land uses and tables which represent the analysis. The overall existing flow is about 1 Million Gallons per Day. Based on current zoning, build-out is a little over 200,000 gallons per day (GPD) which could come from vacant land; about 423,000 GPD from under-developed land; about 16,000 from unsewered properties; and about 157,000 GPD from redevelopment. Mr. Scheri said if you add all those numbers up, it shows a future flow projection of about 1.8 Million Gallons per Day. Newton's permits are for 1.4, so they will need more capacity at some point in the future. If you look at the under-developed land, and take out the hospital and the college, it is about 1.5 Million Gallons per Day. To be consistent with the County's build-out analysis formatting,

they attributed the different calculations to residential, commercial and infiltration inflow. He said he will be providing a short memo with the supporting documentation to the Planning Department for their consideration.

B. UPDATED FACILITIES TABLES AND SEWER AREA FOR MAIONE PROPERTY, RT. 23, WANTAGE TOWNSHIP (FOR INFORMAL DISCUSSION, REQUIRES TWP. RESOLUTION):

Ms. Brees said this property was shown on the 2013 Future Sewer Service Area Map approved by DEP, but things have changed since that approval. She said she asked Mr. Maione for some updated information to make sure the Plan reflects what is most current, what areas are being served by septic and sewer and the number of treatment plants.

John Maione said he is a developer in Sussex County, currently developing in Wantage Township. He said he built about 60 apartments and four commercial buildings on Boulder Hills Boulevard in the Wantage Town Center. He also built a solar farm on property that was in the sewer service area. A map of the area was displayed. He advised Ms. Brees that Lot 1.06, which has the solar panels, can be removed from the sewer service area. There is a lot on Route 23 (Block 4 Lot 1.05) that potentially will have a Duncan Donuts and an 80-room hotel (Marriot did a feasibility study for a hotel on that site.) This lot is also in the sewer service area. Mr. Maione said he has a NJPDES permit for groundwater discharge for a 20-unit apartment house. Currently, DEP wants a sewer treatment plant built for developed lots without other properties tying in. He is proposing to build four 20-unit buildings and that property will have a 25,000 gallons per day sewer treatment facility. When asked, Mr. Maione said that he did have soil testing done to ensure that the property can handle the volume of discharge. Ms. Brees said she has a map that shows some wetlands on that lot. Mr. Maione said he received a general permit from DEP to fill in the wetlands. He said the wetlands were man-made from a soil mining operation. Gary Larson asked about the cost of the system. Mr. Maione said it was about \$150,000.00.

John Nugent asked Mr. Maione if he considered tying in to the Wantage/Sussex Borough force main rather than building individual treatment plants. Mr. Maione said if it was available today, then he probably would have done that rather than choosing groundwater discharge. However, it looks like it may be five to ten years before that force main is capable of handling additional sewage. Ms. Brees asked if there has been a study to show the capacity of the force main. John Nugent said at the SCMUA's meeting, the need for it was discussed. Ms. Brees said that DEP rules do allow for a quicker process of Wastewater Plan Revision for discharge to groundwater of less than 8,000 gallons per day. David Muscalo asked about Mr. Maione's development timeline. Mr. Maione said the plans to start the 20-unit building this spring. As those are rented out, he will continue putting up more buildings.

C. WATERSHED UPDATES: UPPER DELAWARE, WALLKILL:

Nathaniel Sajdak introduced Kristine Rogers, the Ameri-Corps of New Jersey Watershed Ambassador assigned to the Sussex County MUA. He said that DEP

sponsors the Ameri-Corps Watershed Ambassadors Program and that they assign a Watershed Ambassador to all 20 watershed areas around the state. He added that he was in that first class of Ameri-Corps Watershed Ambassadors.

Mr. Sajdak said last week, with Grant funding from USDA/NRCS, the Nature Conservancy sponsored a free watershed conference at the Sussex County Fairgrounds called, "Farms, Rivers and Forests." He said he served on the Steering Committee for the conference and that it was extremely successful, with 150 attendees. Many people spoke very highly of the watershed restoration projects. Mr. Sajdak said there is a partnership between various conservation organizations that did not exist several years ago, and because of that collaborative effort that is now in place, more projects are getting on the ground. He said he was especially proud of the seven fourth and fifth grade students from the McKeown School in Hampton who gave a Power Point Presentation on the projects they have been involved in.

Kristine Rogers said as part of her role as a Watershed Ambassador, she is required to create a priority watershed project. She chose to do a riparian buffer tree planting initiative along the Wallkill River in Sparta. This initiative will involve Sparta High School students. The Wallkill River is on the 303(D) list of impaired waterways, as impaired for temperature. The shade produced over time from the tree canopy is going to help shade the river, which is going to lower the temperature, making it better able to support aquatic life while filtering out pollutants and stabilize the banks. The project is in the initial planning stages. They've already met with USDA/NRCS biologists and US Fish & Wildlife Service biologists who are in full support of the project. She said she has also been in discussion with Sparta High School Science teachers who are excited about getting their students in the field and involved with the planting. This project is part of a restoration corridor that will be 16+ acres along the Wallkill River in Sparta. Ms. Rogers said she graduated from Sparta High School and this project will expand on the work that Mr. Sajdak and the Wallkill River Watershed Group initiated at Station Park in 2005.

Alice Brees asked Mr. Sajdak how many other streams in the County are impaired due to temperature. He said he did not have an exact number of streams that are impaired for temperature but said there were a good number of them. He also said temperature rating is a loose interpretation and that it is important to realize that you cannot improve or reduce the impairment overnight; it is a long-term legacy project.

NEW BUSINESS:

A. WMP REVISION FOR SITE ON ROUTE 15, JEFFERSON TOWNSHIP (FOR GENERAL REVIEW AS WQMP AGENCY FOR PART OF MORRIS COUNTY):

Ms. Brees said this site is on Route 15 in Jefferson Township. It has two apartment buildings on it with 19 units in each building. With the change in the County Amendment Procedures, this is a much simpler review than it would have been in the past. She said there is a simple Resolution which she will bring to the next meeting for adoption.

Howard Baker said last evening there was a Highlands Regional Master Plan Review Meeting in the Freeholder Meeting Room which was presided over by Eric Snyder, the Planning Director. Mr. Snyder had said that the Highlands Master Plan is currently under revision and that comments on the Plan strongly encouraged. Comments can be made on the Highlands website. There is an organization outside of New Jersey that is going to be analyzing the comments.

Carrine Kaufer said she attended a Stakeholders meeting for Planning professionals and municipalities which was held prior to the public meeting. They are looking for people to be part of sub-groups on specific topics related to the Highlands. Mr. Baker said they are in desperate need of actual experts. He encouraged PAC to read through the Plan and make comments on the website.

PUBLIC COMMENT:

Joe Retz said he spoke to PAC last month and that he has some comments on the Wastewater Management Plan. He said with a residential single-family development that is over 2,000 gallons per day discharge in the aggregate, you need to go to the DEP and it will fall under the nitrate dilution modeling and other DEP constraints. Ms. Brees said it is her understanding that the DEP Build-out Model for nitrate dilution showed that we meet their standard on a HUC-11 Watershed basis. That relieves an individual who is doing a subdivision from having to do that analysis. Mr. Retz said the model comes up with 4.5 to 5.3 acres to support the nitrate dilution modeling. Ms. Brees said that is not meant to be strictly interpreted as requiring those lot sizes. The modeling was done using existing zoning that is already in place. It does not require any zoning changes. She said DEP is saying new septic density requires five acres per new septic, but they are looking at a regional watershed basis. The County was able to count all of the open space and undeveloped land that is in the watershed. There is so much preserved open space and undeveloped land, that using our existing zoning, we can build-out and still meet the standard in the septic areas. The Wastewater Plan aligns with the approved County Strategic Growth Plan which is meant to support growth in centers.

Mr. Retz disagreed and said that was not what the DEP told him. He was advised to get something in writing from DEP. David Muscalo suggested that he talk to a Project Manager. The Project Manager might not send a letter directly; it will have to go through his supervisor and then probably through a Section Chief and possibly through a Bureau Chief. He told Mr. Retz that after going through all of these filters; it will give him a much better idea of what the DEP's position is.

Freeholder Liaison Richard Vohden said he usually sits in on the meetings, learns and reports back to the Freeholder Board. This evening he wants to make a few comments. He said after four years as a Freeholder, he realized that the most important thing the Freeholders do is to appoint members to committees. The members do all of the work, they learn the issues and then go to the Freeholders with recommendations. He said there is no way the Freeholders could ever learn all the issues and that the committees make important decisions. On behalf of all of the Freeholders, he expressed his appreciation of what they do as volunteers.

The Freeholders have been discussing serious problems that are specific to Sussex County. The committees are an important way of making positive changes to the County's economy. He said one of the most important issues and critical problems facing the County residents today is the high rate of foreclosures. Over 16% of the families in Sussex County are losing their homes and that number is increasing daily. Another problem is the loss of population of millionaires, retirees and millennials who are leaving the County in record numbers. This loss of population causes many economic consequences. There is also the loss of commerce, closings, and companies leaving which are all causing the loss of ratables and jobs. These problems are not the same in our neighboring counties. Their economic indicators are better than ours. School enrollment is up 1% Passaic County; in Morris County, school enrollment is down 1.5% (the State average;) in Warren County is down 8%; in Sussex County, school enrollment is down 22.5%. Foreclosure is at 6% in Morris County, Sussex County is at 16%. In April, the number of "lis pendens" pre-foreclosures in Sussex County was 7,300. Last night that number went up to 8,900.

The millennial group (20-30 year olds) is growing nationally and in every one of our surrounding counties at a rate of 15-17%. In areas like Hoboken, Jersey City and Brooklyn it is growing 39-45%. In Sussex County it is growing at a rate of .08%. This group goes away to college and they don't come back or they move near their jobs. He believes the Freeholders have an obligation to the residents of the County to define the issues and make the information on these issues available to the public.

Freeholder Vohden said the tax ratables have dropped 20% in five years. That difference is made up by everyone else paying more. He talked about the effects foreclosures have on neighboring homes. It causes the property values of the other homes to drop. He offered some statistics on the County land use: 36% of the County is permanently preserved, there is no growth there; 38% is in the Highlands region (21% preservation/17% planning) there will not be much growth there. This leaves the remaining land area at 26% of the County---which is reduced by wetlands, buffers and category one streams with 300' buffers, steep slopes, endangered species and critical habitat. He said we need the sewer service areas for this County to survive.

There was a lengthy discussion on the causes of foreclosures. Freeholder Vohden said they are attributed to the five D's: disease, death, divorce, debt and delusion. Mr. Muscalo asked why those problems are exclusive to Sussex County. Freeholder Vohden said Sussex County does not have an area for growth and there is less affordable housing and public transportation. The lack of jobs was also discussed; housing alone is not going to keep people here. Freeholder Vohden said it is very important for the County to get more sewer service areas so the County can develop.

ADJOURNMENT:

All business having been completed, a motion to adjourn the meeting was made by Eric Powell. The motion was seconded by Ernie Hofer and carried unanimously. The meeting adjourned at 9:50 p.m.