

**STILLWATER TOWNSHIP  
ENVIRONMENTAL COMMISSION**

**August 12, 2024**

**Regular Meeting**

**In-Person/Zoom**

**MEMBERS PRESENT:** Dr. Mattes, Mr. Szabo, Mrs. Tracey, Ms. Wills, Ms. Coriston

**MEMBERS ABSENT:** Mr. Branagan, Mrs. Emmetts, Mr. Dvorsky

Chairperson Coriston called the meeting to order at 7:10 p.m. with the statement that this meeting is in compliance with the Open Public Meetings Act. This was a regular meeting of the Stillwater Township Environmental Commission. Regular meetings are held on the second Monday of the month at 7:00 p.m., at the Stillwater Township Municipal Building located in Middletown, New Jersey unless noticed or it is a legal holiday.

The flag was saluted and roll call taken.

**Minutes**

Mr. Szabo made a **motion** to approve the minutes of June 10, 2024, seconded by Mrs. Tracey.

**Roll Call Vote:** Dr. Mattes, yes, Mr. Szabo, yes, Mrs. Tracey, yes, Ms. Wills, yes, Ms. Coriston, yes

**Bills**

Mr. Szabo made a **motion** to approve the following bill, pending availability of funds, seconded by Ms. Coriston:

Secretary: \$255.00

**Roll Call Vote:** Dr. Mattes, yes, Mr. Szabo, yes, Mrs. Tracey, yes, Ms. Wills, yes, Ms. Coriston, yes

**At this point, this portion of the meeting was opened to the public at 7:14 p.m.**

**There being no members of the public wishing to speak, this portion of the meeting was closed at 7:14 p.m.**

**Correspondence:**

-Sussex County Open Space Committee Minutes 4/25/24; 6/27/24 – *Mr. Szabo thanked Mayor Chamblings for having copies of the Open Space Committee minutes provided to the EC.*

-CFO: Budget report as of 7/2/24

-Emailed 6/30/24: Spongy Moth Infestation article (G. Dvorsky)

-Emailed 7/5/24: Residents in Historic NJ Town Start Petition to Save Forest from Housing Development (G. Dvorsky)

-NJDEP Application Notice: Block 3401, Lot 3 – 927 Stillwater Road – replacement of existing malfunctioning septic system (J. Branagan/E. Szabo) – *Mr. Szabo reported that he and Mr. Branagan walked the property. It was difficult to locate as it is situated a ¼ mile into the woods. The owner was considering tearing the existing home down. A permit is already in place for the septic system replacement. He noted historically the building was a still and a pipe remains from the brook that carried water to the still. No map was included with the NJDEP notice and no application was on file in the Municipal Clerk's office as required.*

**Old Business**

**The Paulins Kill Partnership Wild & Scenic River (WSR) Project:** Christine Dunbar, Paulins Kill Watershed Coordinator/Foodshed Alliance

Ms. Dunbar stated a resolution was provided to the EC for their review. It is a sample resolution that is typical of what the Musconetcong used to garner the support of towns and communities. She stated there are sample resolutions that are shorter and ones that are more detailed; this draft is a combination.

Ms. Dunbar asked the EC if she needed to review the basics of the program or if there were any further questions she could address. She suggested reading the resolution aloud as it may provide ideas of how to tailor it to Stillwater's needs.

In response to questioning by Ms. Coriston, Ms. Dunbar stated the next step, if the EC agreed, would be their recommendation to the Township Committee pledging EC support of the endeavor. If the Township Committee agrees, a bill to fund the study would follow to find out if the river is eligible and suitable for the designation. With the EC support, it should be noted there is no eminent domain, no funding responsibilities ever for the township, it is completely home rule, and to our benefit the program including several communities will manage and protect the entire Paulins Kill River. If a study is funded, we can answer questions such as is it of free-flowing character and should the water quality and other outstandingly remarkable values (ORVs) be protected? Are existing protection measures adequate to conserve the river's outstanding resources without the need for federal land acquisition or management and is there an existing or proposed management framework that will bring the key river interests together to work toward ongoing protection of the river? What local support exists for river protection and national designation? What would the effects of designation be on uses of the adjacent land, resources associated with the river and neighboring communities? Ms. Dunbar stated funding would allow all interested parties to work together in answering these questions.

Ms. Coriston read comments emailed to the EC by Mrs. Emmetts indicating she saw no real benefit to joining the Wild and Scenic Rivers program. It is just more money into government oversight that is not needed as the river is already protected as a C1 waterway.

Ms. Dunbar stated one of the things to be discussed when forming a management council is asking is this protection necessary. She noted there is an increase in development pressure and anything to protect against that is a good thing.

Mr. Szabo believes the EC should have a discussion among themselves to voice everything that is on their minds. The matter should be discussed as a Commission, talking it out and discussing the details. It should be discussed by the EC when a full board is present allowing for each member's input. The idea is an old idea originating with Lyndon B. Johnson to prevent dams from being built on the rivers. Mr. Szabo stated there are no dams located on the Paulins Kill River. Mrs. Tracey noted there is one dam located on Paulins Kill Lake. Mr. Szabo felt the matter needed to be debated, reaching a conclusion and voting on whether to move forward in making a recommendation to the Township Committee.

Ms. Dunbar stated in terms of Paulins Kill Lake, she has a National Park Service representative working with her and it was determined the dam and spillway are not an issue and the river is still considered free flowing.

She noted that segments of the river that were hesitant in joining the program are now asking to be added.

Ms. Dunbar provided the original 1968 bill by Lyndon B. Johnson for EC review.

She suggested reading the resolution aloud to help with ideas of what the EC may want to remove, include or change.

Ms. Coriston read the sample resolution as follows:

**Resolution No. \_\_\_\_\_**  
**Township of \_\_\_\_\_**  
**County of Sussex**  
**State of New Jersey**

Whereas, The Mayor and Township Committee recognize that the Paulins Kill and its tributaries provide outstanding and remarkable natural, cultural, recreational, and scenic resource values that are important to the positive quality of life and economic benefit of our community, and

Whereas, The Mayor and Township Committee recognize that the Partnership Wild and Scenic River Program provides a mechanism to ensure that the river and its tributaries retain their present beneficial qualities. primarily through provisions of the act that empower local communities and organizations and their local elected representatives to act through local actions, while recognizing the rights of property owners, and

Whereas, The Mayor and Township Committee recognize that the Foodshed Alliance/Paulins Kill Watershed Community, a 503C non-profit corporation, has undertaken the task to determine the potential of the Paulins Kill and its tributaries for designation as a Partnership Wild and Scenic River by seeking support of all the municipal stakeholders and interested organizations within the Paulins Kill watershed, and

Whereas, The Mayor and Township Committee recognize that support for a designation study to determine the eligibility and suitability for the Paulins Kill and its tributaries to become a Partnership Wild and Scenic River is well merited and has sufficient support throughout the watershed to proceed with the next step of the process, and

Whereas, The Mayor and Township Committee recognize there is no binding commitment or financial obligation given in support of the efforts at this stage of the process

NOW, THEREFORE, BE IT RESOLVED The Mayor and Township Committee supports the efforts to join with other municipalities and organizations to investigate the potential inclusion of the Paulins Kill and its Tributaries into the Partnership Wild and Scenic River program

Ms. Dunbar stated it is as simple as the resolution states; we support an investigation to see whether we are eligible and suited to be included.

Mr. Szabo sees no specific benefit to this community and feels there is no reason to complicate it with all the bureaucracy and money it will cost. He felt the community has done an excellent job protecting the river. Mr. Szabo reiterated that he would like to postpone a debate at this time until the full EC is present.

Ms. Dunbar asked the EC to keep the project in perspective...it is only a resolution of support to investigate if the township qualifies to be a Wild and Scenic River. Stillwater Township is so vital to this project with a great length of the river within its borders. She suggested EC members speak to Musconetcong and other communities that are a part of the program to see if they have had any problems or issues. She has not heard of one unsatisfied community that is a participant of the program since it was initiated in 1968. The program adds a layer of protection that would be hard to find elsewhere.

Ms. Coriston asked if any rivers have ever left the program, traditional or National Park Service. Ms. Dunbar stated not to her knowledge, but she will ask her representative. She noted there are five segments to the Musconetcong and not all wanted to participate but they are now coming on board as they see the benefit of it.

**At this point, Ms. Coriston made a motion, seconded by Dr. Mattes to open the meeting to the public at 7:47 p.m. on this subject only; all were in favor.**

Dr. Lippencott stated he reviewed the plan for the Musconetcong as well as other resources and the Wild and Scenic Rivers Act. He felt at this point it was up to the EC to decide how to proceed. His personal view as an environmental professional is that the reports describe the Musconetcong River including very general information with not enough data such as water quality. There is a lot of effort focused on showcasing the program. It is difficult to find the water quality data and how it compares to NJDEP standards. Ms. Dunbar stated the data collected is sent to the Water Quality Exchange at the NJDEP. Dr. Lippencott stated there is no link to that information. It is only qualitative data, and he would like to see water quality data and an updated study. He stated he found in his research a lawsuit against the National Park Service regarding designation. Ms. Dunbar explained the lawsuit was by people who completed the work, wanted the designation, and did not want to wait any longer. She noted if Dr. Lippencott is looking for specific sites of concern with respect to water quality, it could be included in the funding if that is a priority in the management plan. Dr. Lippencott stated he is looking for data as the Stillwater EC has a 40-year database of 10 sites and it could be used to coordinate and compare to NJDEP results. He could not find a connection from the WSR to the NJDEP. He stated he felt things such as this are paramount. Ms. Coriston also found data extremely hard to find. She followed links, reviewed websites, finding quantitative data is difficult. She is interested in data such as tourism numbers, fish population before and after designation, etc. She questioned how the designation benefitted the communities. What was the number of visitors compared to years past, was there an increase in kayakers, etc. She stated that during her research she watched a video showcasing three or four rivers including the Musconetcong that

indicated the shad are returning. She would like to know how many and what was the population before compared to now...she would like to see tangible benefits.

Ms. Dunbar stated her first thought on how to approach this project was to proceed up the watershed and talk to communities along the river to see if they would be interested in forming a management team/group to see how they would like their section of the river cared for. She asked for references from the Wallkill Management Group, Nature Conservancy and Ridge and Valley Conservancy and all three said absolutely, agreeing a management group should be created. After doing that, she decided to ask only for support at this time. Although Paulins Kill is a whole river that needs to sit down together and think about forming their own management council, she is asking only for support at this point.

Mr. Szabo noted one of Ms. Dunbar's concerns was future development and he asked how the designation has controlled growth in those areas, how was it implemented and was it worthwhile.

Ms. Dunbar stated a ¼ mile on both sides of the river is very protected, with any growth in that area you would not want a negative effect on the water. He asked for success stories from the past. Mr. Szabo felt hard results were necessary to show him it was successful as discussions proceed.

Ms. Coriston asked about the formation of the management council. Ms. Dunbar explained it would be formed during the study period and the National Park Service could assist with towns, related groups and other stakeholders. Ms. Coriston asked who facilitates it, how does the management council structure come together. Ms. Dunbar explained that a representative from the township would volunteer to help structure the council. Ms. Coriston stated she participates in a lot of collective actions, and she felt an outside interest should facilitate the council. She felt six years was a long time for a volunteer to participate. It could also outlast the terms of EC members who made the recommendation, as well as the Township Committee member terms. Ms. Dunbar stated it would not take six years and she would like to submit the package for the study bill to Congress early next year.

Ms. Coriston would contact someone from the Musconetcong to discuss the program and bring any information back to the EC. Ms. Coriston recommended tabling the discussion until the September EC meeting at which time hopefully a full Commission would be present. Ms. Dunbar would be on vacation in September but David deWit could attend as well as other representatives if the EC would like. Mrs. Wunder will provide an email update next week to the EC members.

**At this point, Ms. Coriston made a motion to close the meeting to the public at 8:12 p.m., seconded by Dr. Mattes. All were in favor.**

Dr. Mattes stated he admires Ms. Dunbar's passion for the program. He is also leery about government and local groups, groups or organizations in general, but on the other hand feels one good thing can outweigh the detriments. He felt the EC should discuss the matter further.

Dr. Lippencott stated the program does provide protection and sets up a way to communicate between communities along the river. He stated the WSR Act was passed to prevent the damming of rivers and to protect pristine waters. He noted the funding for the Musconetcong was \$400,000 for administrative costs.

#### **TREX Program Update:**

Ms. Coriston reported the summer collection has been good, estimating between 150-200 pounds have been collected. She will provide an update on the weight at the next EC meeting.

#### **Stream Water Study Subcommittee Update (if necessary):** Dr. Lippencott

Dr. Lippencott reported it is still a work in progress. He is planning on providing his presentation at the September EC meeting.

#### **Fishing Line Collection:**

All lines are to be cleaned of litter/leaves, hooks and lead sinkers. Lead sinkers are to be provided at the meeting for recycling.

## **New Business**

### **51<sup>st</sup> Environmental Congress:**

Program and registration information was provided in the EC monthly packet. A reminder will be emailed to the EC to see if anyone is interested in attending. There is funding available in the EC budget to do so. Early registration (reduced pricing) must be completed by September 6<sup>th</sup>. The program will be held on Friday, September 27<sup>th</sup> from 9 a.m.-4 p.m. at Rowan College, Votta Hall, Burlington Campus, Mt. Laurel, NJ.

Ms. Coriston reported she had attended ANJEC's free webinar series Traveling HABs (Harmful Algae Blooms) Lab on July 29<sup>th</sup>.

### **Site Survey Applications (2):** G. Dvorsky

- 1) 935 Potters Road – Block 3501, Lot 7.11 – interior renovation (no site survey conducted)
- 2) 929 Fairview Lake Lane – Block 2501, Lot 57 – demolish/reconstruct existing three season home into year-round residence.

Ms. Coriston made a **motion** to accept the site survey for Block 2501, Lot 57, seconded by Mr. Szabo.

**Roll Call Vote:** Dr. Mattes, Mr. Szabo, yes, Mrs. Tracey, yes, Ms. Wills, yes, Ms. Coriston, yes

### **October EC Meeting Date:**

Mayor Chamings asked for the October 17<sup>th</sup> EC meeting date to be changed to October 7<sup>th</sup> so the EC and Recreation Commission can hold a joint meeting to hear a presentation by Jessical Caldwell, P.P. on the Open Space and Recreation Plan Update goals and objectives. Immediately following the presentation, the EC will hold their regular meeting.

Following a brief discussion, Ms. Coriston made a **motion** to change the October meeting date to Monday, October 7, 2024, seconded by Mr. Szabo, with adequate notice to be provided.

**Roll Call Vote:** Dr. Mattes, Mr. Szabo, yes, Mrs. Tracey, yes, Ms. Wills, yes, Ms. Coriston, yes

### **Volunteer/Member Recognition:**

- Ms. Coriston for her continued work on the TREX program and attendance at environmental webinars.
- Mr. Szabo and Mr. Branagan for conducting the site visit for the NJDEP application on Block 3401, Lot 3.
- Mr. Dvorsky for conducting the site visit for the Zoning Board application at Block 2501, Lot 57.

### **Endangered and Threatened Species:**

Mr. Szabo reported he received an email that a snakehead fish was caught in Swartswood Lake. This is bad news as it is an invasive species and they dominate very quickly. Fish and Wildlife regulations require them to be destroyed immediately.

**At this point, this portion of the meeting was opened to the public at 8:37 p.m.**

**Dr. Lippencott** commended the EC for their work.

**There being no further members of the public wishing to speak, this portion of the meeting was closed at 8:37 p.m.**

### **Planning Board (PB) Liaison Report:** Mayor Chamings

- A resolution for the Fairclough property was passed with a minor adjustment to the language for an easement.
- A resident spoke about downtown Stillwater.
- August meeting has been cancelled.

**Township Committee (TC) Liaison Report:** Mayor Chammings

- The TC holds one meeting per month during the summer and the consent agenda moves the meeting along.
- A social affair permit was approved for the Historical Society Fall Festival – October 12<sup>th</sup> – one day permit for micro-brewed beer sold in their building.
- A discussion was held on the NJDEP flood damage prevention ordinance. It had to be submitted to the NJDEP for review by July 25<sup>th</sup>.
- The township applied for a gypsy moth survey to be conducted.
- A beautiful thank you note was received from Committeeman Scott and he should be home by the end of the month.
- A meeting was held last week regarding the paving project on Mt. Benevolence Road to Hampton Road. The final phase should be completed by the end of 2025.
- The parking lots at Stillwater Park and Veterans Memorial Park will be paved and the Community Center parking lot will be milled and repaved. Funding will be appropriated from remaining road project monies.
- The Committee is hoping to overlay Middleville Road using the remaining funds as well.
- The Route 619 project that was before the Zoning Board for a driveway, barn and house has started.
- Another project is going on further down Route 619.
- Tennis court at Stillwater Park has been relined for pickle ball.
- Summer Recreation camp is commencing for the next two weeks.
- The town is moving forward on the property at 992 Fairview Lake Road. The township must provide 30 days notice to the owner in order to obtain the demolition permit.
- The court case has concluded and bill A3772 was signed by the Governor and the township can proceed with in-rem foreclosures. A meeting will be held with the attorney to make sure it is done properly.
- Energy provider cooperative letter was mailed to residents. The last time this was done in 2017, only 18% opted out. The remaining 82% saved approximately \$138,000 over that year. Due to the savings, Mayor Chammings voted in favor of allowing the co-op to come to Stillwater. Residents can still opt out if they wish to do so.

With no further business to come before the Commission, Mr. Szabo made a **motion** to adjourn the meeting at 8:52 p.m., seconded by Ms. Coriston. In a voice vote, all were in favor.

Respectfully submitted,

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Kathy Wunder, Secretary