

Batch III

Item 15 Item 15A Enn.  
15B County

Environmental Reports

5 - years

Item 15

# Memo

**To:** Mike Vizzard, Mayor Commercial Township  
**From:** John J Nardone, Commercial Township Environmental  
Commission Chairman  
**Date:** 1/22/2020  
**Re:** 2019 Annual Report

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We would like to thank the Township Committee for its support of the Environmental Commission in the past year. The following is a brief summary of our efforts and accomplishments:

In 2019 we renewed our membership in the Association of New Jersey Environmental Commissions, (ANJEC). Several Commissioners attended ANJEC seminars, workshops and webinars to become more effective in our positions and to understand some of the issues impacting neighboring townships and the state as a whole.

One of the Commission members attended the Delaware Restoration Meeting where representatives from the Littoral Society and NJ Department of Environmental Protection discussed the wrap up of the five-year project and possible future projects.

The Commission voted to install a sign at an area of Prickly Pear Cactus located in the Lake Audrey State facility. This sign will have a photo and brief description of the native cactus. This will be accomplished in 2020

Our plastic bag recycling program continues to be a great success with community wide participation. with 2,000 lbs. of plastic bags recycled this year. We report our collection to the TREX company who provides

a park bench made from plastic and wood for every 500 lbs. we collect. The bags are deposited in five collection bins provided by the County, in various locations throughout the township. This brings the total collected to over 6,500lbs. Including those collected prior to enrolling in the bench program. Bags were collected and benches earned by the Mauricetown Church, Fire company and Historical Society, the Port Norris Church, Fire company and Historical Society and a total of six benches have been delivered from the TREX company and three more are on order. Four of these benches have been installed at the new Veterans Park in Halleyville. The Mauricetown Historical Society is currently working on earning another bench for their grounds. This program is expected to continue throughout 2020 and bags will continue to be recycled even when we no longer need benches. An article about our program was printed in the Cumberland County Improvement Authority Newsletter.

Despite many hours of work by the Commission we were unable to maintain our certification in the Sustainable Jersey Program. We have developed a plan for 2020 to regain our certification and look forward to regaining our bronze status under the program.

We continue to distribute reusable bags to residents to replace plastic bags from local stores. The commission makes them available for free at local events such as Artists Day in Mauricetown. Our goal is to reduce the number of plastic bags in the Township. The state legislature is considering banning the use of plastic bags and we will be following this initiative closely.

The Commission, for the eighth straight year, supplied volunteers to work the registration tables for the Eagle festival in Mauricetown in association with ANJEC and Cumberland County. We have committed to helping again in 2020.

We reviewed and commented on several site plans distributed to us by the Land Use Board. Where necessary, we performed site visits to understand how the proposed plans would impact the environment. We provided our comments to the Land Use Board for their consideration. We have attended Land Use Board meetings to better understand the issues and problems it faces in planning issues in the township. The Commission maintains a member as liaison to the Land Use Board to promote the ideas of the Environmental Commission to that body.

The Commission continues to monitor five fishing line recycling containers in locations throughout the township; Riverfront Park in Mauricetown, the Marine Police station in Bivalve, two in Port Norris and one in Lake Audrey. The idea is to collect monofilament and dispose of it properly so as to keep it out of the water way. We monitor their use and empty them as required. After three years in place, they seem to be working in that all of the containers were used with the one in Riverfront Park being used the most. Unfortunately, the container at Lake Audrey was destroyed.

Our Facebook page continues to attract new viewers and has over 140 members including other environmental organizations. It is our attempt to keep residents informed about our meetings and general environmental news. We often repost articles from ANJEC and the State Department of Environmental Protection on a variety of topics.

It is our belief that one of the strengths of the Commission is our ability to work with other government and non-government entities for the good of Commercial Township. We have built and maintained an excellent working relationship with The Township Committee, the Land Use Board, as well as state and local governments and departments. We plan to build on this foundation and continue the spirit of cooperation that exists between all the organizations in and around Commercial Township.

We will be available to discuss our plans and goals for 2020 at the Committees' convenience.

We are proud of our accomplishments in 2019 and look forward to another year of raising awareness of the environment and the problems associated with climate change, rising sea level and increased flooding, meeting our recycling goals, working with the township, and being proactive in Environmental issues.

cc: Township Committee

Township Environmental Commission

Commercial Township Land Use Board

COMMERCIAL TOWNSHIP  
ENVIRONMENTAL COMMISSION

MINUTES OF

July 9, 2019

Meeting called to order at 7:00pm by Chairman Nardone. He announced that the meeting is being held in accordance with the Open Public Meetings Act.

Present: Ken McGill, Pat Smith, Dale Schweitzer, John Nardone, Julie Gandy and via phone Amy Wright. Absent Jim D'Ambrosio Also in attendance: Mayor Mike Vizzard.

Minutes: Motion to approve minutes of May 14, 2019 by Ken seconded by Pat. Motion approved.

NEW BUSINESS:

Carol Tutelian, AICP, P.P. Engineering Design Associates, P.A. (EDA) was present to represent Port Norris Properties LLC the owner/applicant of block 225, lots 17 & 17.01 located at 8727-8729 Berry Avenue, Port Norris. Lot 17 is 4.50+/- acres and lot 17.01 is 1.30+/- acres and is located in the Commercial/Recreational (C/R) zoning district.

The applicant is seeking a minor site plan approval to permit two (2) uses on one site: an existing marina -a permitted use and a sand loading operation which requires a conditional use variance. The commission reviewed the site plan prepared by EDA and dated 7/1/19 and the Environmental Impact Statement prepared by Ms. Tutelian dated July 2, 2019. The commission had several questions and concerns which were adequately addressed by Ms. Tutelain. Motion to recommend approval to the LUB was unanimously approved. John will send letter to Chairman Storm.

OLD BUSINESS:

ANJEC: Julie had no report.

ANJEC has been hosting press conferences in various towns to celebrate the passage of over 50 ordinances banning single use plastics.

Sustainable Jersey: Pat reported we should hear mid-July if additional information is needed by Sustainable Jersey on the application for the 165-point bronze re-certification.

Pat also reported our plastic bag program was in the CCIA newsletter. Also, corrugated cardboard is to be put at the curb with other recycling. If there is a lot then it can be taken to the CCIA and we will get credit for it. Discussion followed as to how to approach board of education to help schools reduce their plastic waste.

Bat houses: Ken reported there are six (6) indigenous species in New Jersey. They hibernate in caves or under leaf matter. They are large and small but most common are red bats that go under tree bark. Dale said they do not migrate. Therefore, it was decided that bat houses would not be practical or useful.

Cactus Sign for Lake Audrey: Dale has the design and locations. He will provide description soon. Signs will be made by Barry Fisher. He also reported that the milkweed at the ball field is substantial but is not flowering as yet. Most of the plants did not survive at Lake Audrey. John will check other locations.

NEW BUSINESS: None

Motion by Ken seconded by Pat to open the meeting to the public. Motion approved.  
Mayor Mike said three electric companies have been contacted for estimates on lighting upgrades. Cost savings may take seven (7) years to be realized.

Motion by Pat seconded by Ken to close the public. Motion approved.

CORRESPONDENCE:

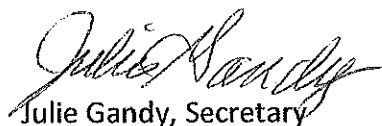
Application for renewal of Atlantic City Electric's statewide multi-permit for vegetative and structural maintenance within power line rights-of-way dated June 7, 2019.

Letter from Remington & Vernick Engineers dated June 24, 2019 RE: reconstruction of an existing storm drainage pipe on High Street.

There will be no meeting in August unless needed.

Motion by Ken seconded by Dale to adjourn. Motion approved at 7:55pm.

Respectively submitted,

  
Julie Gandy, Secretary

cc: Twp. Committee  
CTEC members

# Memo

**To:** Ron Sutton Sr., Mayor Commercial Township  
**From:** John J Nardone, Commercial Township Environmental  
Commission Chairman  
**Date:** 2/14/2018  
**Re:** 2017 Annual Report

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We would like to thank the Township Committee for its support of the Environmental Commission in the past year. The following is a brief summary of our efforts and accomplishments:

In 2017 we renewed our membership in the Association of New Jersey Environmental Commissions, (ANJEC). Several Commissioners attended ANJEC seminars, workshops and webinars to become more effective in our positions and to learn some of the issues impacting neighboring townships and the state as a whole

Our plastic bag recycling program continues to be a great success with community wide participation. with 780 lbs. of plastic bags collected this year in five collection bins in various locations throughout the township. That brings the total collected to 1,820 lbs. We check the bins periodically and deposit the bags with the Township Department of Public works who then deliver them to a company in Vineland where they are recycled. The bins were provided by Cumberland County Improvement Authority.

Commercial Township remains a certified municipality in the Sustainable Jersey Program. This program provides grants, and information to help a municipality become more energy efficient thereby saving money and

reducing environmental impacts. In addition, Sustainable Jersey provides guidance on many other environmental issues. In 2017 the Environmental Commission received a grant from Sustainable Jersey for \$2,500. This grant will be used to plant milkweed in the Spring at various locations throughout the township to provide food for Monarch Butterfly caterpillars through their summer breeding season here. This will benefit many other native pollinators, including adult Monarchs and many other butterflies; as well as to provide food for the Monarch Butterfly on their annual migration. This will have the general benefit of helping the Monarchs and other native pollinators with the additional benefit of beautifying the Township with increased numbers of these colorful insects. We estimate we can plant 500 milkweed plants in three to five locations.

We once again purchased reusable bags to hand out to residents to replace plastic bags from local stores. We purchased 250 bags and have distributed about half of them. We received donations towards the purchase from US Silica and UNIMIN. The commission makes them available for free at regional events such as Bay Day, Artists Day in Mauricetown, National Night Out, the Eco Fair and others. Our goal is to reduce the number of plastic bags in the Township.

The Commission drafted and the Township Committee adopted a resolution supporting the Paris Climate Accords.

The Commission, for the sixth straight year, supplied volunteers to work the registration tables for the Eagle festival in Mauricetown in association with ANJEC. We have already committed to volunteering again in 2018.

We reviewed and commented on several site plans distributed to us by the Land Use Board. Where necessary, we performed site visits to understand how the proposed plans would impact the environment. We provided our comments to the Land Use Board for their consideration. We have attended Land Use Board meetings to better understand the issues and problems it faces in planning issues in the township. The Commission maintains a member as liaison member of the Land Use Board to promote the ideas of the Environmental Commission to that body.



Last summer the Commission assembled and installed five fishing line recycling containers in locations throughout the township; Riverfront Park in Mauricetown, the Marine Police station in Bivalve, two in Port Norris and one in Lake Audrey. The idea is to collect monofilament and dispose of it properly so as to keep it out of the water way. We monitor their use and empty them as required. After one year in place, they seem to be working in that all of the containers were used with the one in Riverfront Park being used the most. Unfortunately, the container at Lake Audrey was destroyed.

Our Facebook page continues to attract new viewers and it is our attempt to keep the township informed about our meetings and general environmental news of interest to township residents. We often repost articles from ANJEC and the State Department of Environmental Protection on a variety of topics.

The Master Plan for Commercial Township was update in 2017. The Environmental Commission reviewed the preliminary report from the consultant and made some minor suggestions which were incorporated by the Township. A written report of the proposed changes was provided to the Township, the Land Use Board and the Township Committee. The Environmental Commission is currently working on updating the Natural Resource Inventory (NRI). The NRI is a vital part of any Master Plan and should be updated regularly. By the Environmental Commission performing the updating, the Township can save money and stay current. This update will be presented to the Township Committee in stages for review and approval as it is completed.

Our November meeting was attended by representatives from ANJEC who proposed the Environmental Commission host a workshop on climate change. There is a group from Princeton who speaks around the state about climate change. ANJEC will pick up all expenses and send out invitations to environmental commissions and municipal officials throughout the region. We have made tentative arrangements with the Mauricetown Fire Department to have the workshop there on April 26 in the evening. Invitations will be sent out by ANJEC and we will contact our Committee once the date has been confirmed.

It is our belief that one of the strengths of the Commission is our ability to work with other government and non-government entities for the good of Commercial Township. We have built and maintained an excellent working relationship with The Township Committee, the Land Use Board, as well as state and local governments and departments. We plan to build on this foundation and continue the spirit of cooperation that exists between all the organizations in and around Commercial Township.

At our February meeting, the Commission will develop a set of goals for presentation to the Township Committee. We will be available to discuss our plans and goals for 2017 at the Committees' convenience.

We are proud of our accomplishments in 2017 and look forward to another year of raising awareness of the environment and the problems associated with climate change, rising sea level and increased flooding, meeting our recycling goals, working with the township, and being proactive in Environmental issues.

cc: Township Committee

Township Environmental Commission

Commercial Township Land Use Board

COMMERCIAL TOWNSHIP  
ENVIRONMENTAL COMMISSION

MINUTES OF

MAY 8, 2018

Meeting called to order at 7:00pm by Chairman Nardone who announced this meeting is held in accordance with the Open Public Meetings Act.

Present: Pat Smith, Dale Schweitzer, Jim D'Ambrosio John Nardone, Julie Gandy and Amy Wright via phone. Absent: Ken McGill. Also, in attendance Committeeman Mike Vizzard.

Minutes: Motion to approve minutes of April 10, 2018 by Dale seconded by Pat. Minutes approved.

OLD BUSINESS:

ANJEC: No report

Sustainable Jersey: No Report

ERI: John will discuss in June

Climate Conversation with ANJEC April 26<sup>th</sup> at the Mauricetown Firehall. John reported that about 25-30 people attended a very informative "conversation".

John reported that we received a permit request for above ground storage unit for gasoline and diesel fuel in Bivalve at the Marine Police station. We had several concerns: where they will be located, leak detection system, tanks need to be placed in containment area for spill protection. Amy will get back to John with questions and or comments.

Milkweed: John, Pat & Dick picked up 500 plants. Pat will water them until they are planted in June. There are several potential locations: at the Park across from US Silica, the ditch along the municipal building, along Strawberry Road near the boardwalk, at Lake Audrey. Jim will get permission from the State. Mike suggested we plant along the entrance to the landfill. Jim recommended that we get flags to mark locations to prevent them from being mowed. John will also get trowels, gloves, top soil, fertilizer and deer repellent. Will start at the park across from sand plant at 10am on Saturday, May 12. John will make sure Pam has the invoice to pay the balance.

Correspondence: None

Motion by Pat seconded by Jim to open the meeting to the public. Committeeman Vizzard reported he sent information on our plastic bag program to his daughter in Austin, TX.

John will contact TREX re benches and Pat will contact Tony Giordano to see when he will stop taking the plastic bags.

Motion by Dale seconded by Jim to close public portion. Motion approved.

Motion by Jim seconded by Dale to adjourn. Motion approved at 7:45pm.

Respectively submitted by,

Julie Gandy, Secretary

cc: Twp. Committee  
CTEC members

COMMERCIAL TOWNSHIP  
ENVIRONMENTAL COMMISSION

MINUTES OF

June 12, 2018

Meeting called to order at 7:00pm by Chairman Nardone who announced this meeting is held in accordance with the Open Public Meetings Act.

Present: Pat Smith, Dale Schweitzer, John Nardone, Julie Gandy and Amy Wright via phone.  
Absent: Ken McGill, Jim D'Ambrosio. Also, in attendance Committeeman Mike Vizzard.

Minutes: Motion to approve minutes of May 8, 2018 by Pat seconded by Dale. Minutes approved.

OLD BUSINESS:

ANJEC: Julie reported there is a webinar on Electric Cars on June 14<sup>th</sup> from 6-7pm. No charge but must register with ANJEC. In the ANJEC REPORT information on NJ banning plastic bags and a bill to ban schools from selling food in Styrofoam containers.

Sustainable Jersey: Grant for milkweed-John reported that all plants are in and have been planted in the following locations: the Ella Morie Park; along the fence at the ball field; the park across from the township building; two (2) locations in Lake Audrey: along the hiking trail and along Buckshutem Road; and the road to the landfill. Pat will order Ten (10) "Do Not Mow" signs. The plants need to be watered until they get established. Following is a watering detail: Pat-hiking trail in Lake Audrey, Dale-township building, Mike-ball field, Ken-Buckshutem Road, John & Julie-road to landfill. Final report is due in October. John will give them an update next week.

Also, Pat reported there will be a workshop on Sustainable Jersey at the College of NJ the cost is \$35.

ERI: No report

John reported the permit request we received for above ground storage unit for gasoline and diesel fuel in Bivalve at the Marine Police station may be exempt from spill prevention. There is a copy of the plans on file with the township and the Army Corp of Engineers.

John reported that on the TREX bench for plastic bags program: the Acme on Main Road will take the plastic bags. We have six (6) months to supply 7500 bags or 500 lbs. We are to let Carrie at Acme know when we are dropping the bags off. We keep a record since it is on the honor system and let TREX know when we reach our goal. Pat and Dick Smith calculated that the large clear plastic bags we use in the containers placed around the township weigh 10lbs when completely full. They will take the first truck load this week. Amy suggested we advertise

on facebook, place a notice where the containers are located, and in the *Reminder* letting people know what we are doing and ask for more bags.

John reported he and Dale helped to turn over horseshoe crabs at Moore's Beach.

Correspondence: Letter dated 5/18/18 from Karen Young at LAN Assoc. re Bivalve Marina police station storage tanks. And a notice from the township clerk on tick season.

Motion by Pat seconded by Dale to open the meeting to the public. No comment. Motion by Dale seconded by Pat to close the public portion. Motions approved.

There will be no meeting in July or August unless needed.

Motion by Dale seconded by Pat to adjourn. Motion approved at 7:25pm.

Respectively submitted by,

Julie Gandy, Secretary

cc: Twp. Committee  
CTEC members

COMMERCIAL TOWNSHIP  
ENVIRONMENTAL COMMISSION

MINUTES OF  
JANUARY 10, 2017

Meeting called to order at 7:00pm by Secretary Gandy. She announced that the meeting is being held in accordance with the Open Public Meetings Act.

Present: Ken McGill, Pat Smith, Dale Schweitzer, John Nardone, Amy Wright and Julie Gandy.  
Absent: Jim D'Ambrosio.

Secretary Gandy called for nominations for Chairman. Ken nominated John Nardone, Dale seconded the nomination. Gandy closed the nominations. All present approved.

Chairman Nardone called for nominations for Vice Chair. Julie nominated Pat Smith who graciously declined. John nominated Ken McGill. Julie seconded the nomination. Nardone closed the nominations. All present approved.

Chairman Nardone called for nominations for Secretary. Ken nominated Julie Gandy. Pat seconded the nomination. Nardone closed the nominations. All present approved.

Ken made a motion to hold the Commission meetings on the second Tuesday of each month at 7:00PM, with the Green Team meetings to be held at 6:30PM as needed, seconded by Dale. All present approved.

Minutes: Motion to approve minutes of December 13, 2016 by Ken seconded by Pat. Minutes approved.

OLD BUSINESS:

ANJEC: Julie asked Amy to talk about the Recycling Grant announcement from DEP. Amy reported that the Christie Administration awarded \$14.3 million in state grants to help implement and further enhance recycling efforts in communities. Vineland received \$306,675 and Millville received \$100,503. (See attachment #1 for full report). John asked Pat to talk with Heather to see if and how we can apply for a grant next year. We will discuss this at our Green Team meeting next month.

Sustainable Jersey: Pat reported that the Township Clerk will have a letter for the Committee's review at their next meeting. This letter is needed for a grant to purchase milkweed plants to plant at Lake Audrey and other suitable locations. We are applying for a \$2,000 grant to purchase 500 plants. The deadline to apply is February 28, 2016. John reported the State will also write a letter of support. Dale confirmed this is not the invasive species of milkweed. Pat said this grant would come under the Creative Community Project section of Sustainable Jersey. We will need volunteers to help with the planting. Notices should be put in *The Reminder*, and

on the website. Also, contact the *Inquirer* reporter that did the story on Mauricetown's House Tour.

Plastic Bag Recycling: Pat reported the barrel at the new Community Resource and Education center is gone. She will contact Tony to see if he can provide another one.

Master Plan Review: John reported he received a copy of the proposed changes which incorporated our recommendations. Ken reported that the changes Unimin wants cannot be addressed during the Master Plan re-examination. Changes should not be based on one landowner's individual needs. He will recommend that the Master Plan include a *Green Building* section. John will talk with the Mayor about the possibility of the Commission assisting with the ERI update. We could apply to ANJEC for a grant if needed.

#### NEW BUSINESS:

Annual Report: After review a motion was made by Pat seconded by Ken to approve the report and send it to the Committee and ANJEC. Motion approved.

Grants: John recommended we discuss possible grants at the Green Team meeting.

Motion by Ken seconded by Julie to open the meeting to the public. Seeing no one the public portion was closed.

Ken recommended we request the Mayor to appoint 2 members to our Commission. Julie reminded the Commission that the Eagle Fest is Saturday, February 4<sup>th</sup>. She and John will be there from 8-10am, Jim and Pat will be there from 10-12, Ken from 12-2 and Dale will try to arrive around 2.

John reported he sent ANJEC a list of members and the bill for the annual dues to the township Clerk.

Motion by Ken seconded by Pat to adjourn. Motion approved at 7:35pm.

Respectively submitted,

Julie Gandy, Secretary

cc: Twp. Committee  
CTEC members



COMMERCIAL TOWNSHIP  
ENVIRONMENTAL COMMISSION

MINUTES OF

MARCH 14, 2017

Green Team Meeting called to order at 6:30pm by Chairman Nardone. He announced that the meeting is being held in accordance with the Open Public Meetings Act.

Present: Pat Smith, Julie Gandy, Ken McGill, Jim D'Ambrosio, Dale Schweitzer, John Nardone, and Committeeman Mike Vizzard.

Pat reported she and John submitted a grant application to Sustainable Jersey (SJ) for funds to plant milkweed. Should hear in April if we receive grant. If we don't get the grant we can try to purchase milkweed plants from local nurseries. Ken and Dale will help to determine if plants are healthy and not sprayed with harmful pesticides.

She said SJ has a new status called the Gold level starting in June. This level of certification differs from the Bronze and Silver by setting a measurable standard rather than requiring prescriptive actions. It rewards performance and innovation. It also differs from other levels in that it will not be attained in the course of one cycle or application but will be comprised of "Gold Stars" that will be granted one dimension of sustainability at a time. The first dimension to focus on is energy and waste for the entire state of New Jersey.

Comments: Jim reported that Laurel Lake Fire Company recently retrofitted every light in the fire house to LED and went from paying \$1000 per month to \$70. Committeeman Vizzard reported the township committee proposed buying back some land behind Dino's to install solar panels that will provide electricity to manage the freezers at the ballpark and the lights at the state police barracks.

Pat also reported that she was contacted by Lawrence Township, Burlington County, about our plastic bag program. In addition, Maurice River Township is thinking about starting.

The county requested we have our plastic bag tree exhibit at the Eco fair at Wheaton on Saturday, May 6<sup>th</sup>. Pat will be collecting bags for this. Ken and Pat will be there all day.

John reported we received \$400 toward the purchase of reusable bags from two sand companies, US Silica and Unimin. John thanked Jim for making the calls. It was decided that their names along with the Commissions will be printed on the bags. John will order them from Amsterdam Printing in time for the Eco Fair.

Pat said on March 29<sup>th</sup> there will be a one hour SJ webinar at 1:00pm on Coastal Communities Protection.

Seeing no other Green Team business, John adjourned this portion of the meeting and called the regular meeting to order.

Minutes: Motion to approve minutes of January 10, 2017. Since several members did not receive them this motion is postponed until the next meeting. Note: there was no meeting in February.

#### OLD BUSINESS:

ANJEC: Julie reported there will be a course "Fundamentals for Effective Environmental Commissions" on Saturday, April 1 from 9am to 1:30pm at the Atlantic County Utilities Authority in Egg Harbor Township. She will present "Conservation Easements". There is no cost to us since we are on the Workshop Plan. Mike may attend.

Sustainable Jersey: Ken was unable to locate any scouts to help with planting. Jim said he will call Vineland Scouts who help him in the past. Julie will call Pat Moore for contact info on girl scouts.

Julie reported that there is a company, Trex, that will turn 500 plastic bags into a park bench. Motion by Ken seconded by Pat to have Julie investigate.

Master Plan: John asked Committeeman Vizzard if the township was going to update ERI in conjunction with the Master Plan. He did not know but will ask. If they are going to update the ERI the Commission can assist.

#### NEW BUSINESS:

ANJEC grant ideas: John reported that old records show that a previous commission applied for an ANJEC grant to print recycling brochures. After discussion, it was determined that this brochure is outdated. Ken asked if anyone knew which areas of the township did not recycle. Pat will ask CCIA since they contract to pick it up. Currently it would be more efficient to put information on our website.

Motion by Ken seconded by Pat to open the meeting to the public. Committee Vizzard said that his daughter, Kelsey, recently moved to Austin, Texas and took our idea for the plastic bag program with her. Seeing no one else Ken made a motion to close the public portion seconded by Pat. Motion approved.

John thanked Mike for attending the meeting.

Correspondence: None

Commissioner comments: Ken question what impact the federal decisions would have on the local governing body. Julie replied that in her opinion it would take time for ramifications to filtered down to the local level but it would not hurt to be aware what is going on locally.

Motion by Jim seconded by Dale to adjourn. Motion approved at 8:10pm.

Respectively submitted,

Julie Gandy, Secretary

cc: Twp. Committee  
CTEC members

COMMERCIAL TOWNSHIP  
ENVIRONMENTAL COMMISSION

MINUTES OF  
APRIL 11, 2017

Meeting called to order at 7:00pm by Chairman Nardone. He announced that the meeting is being held in accordance with the Open Public Meetings Act.

Present: Pat Smith, Julie Gandy, Ken McGill, Dale Schweitzer, John Nardone, and Amy Wright via phone. Absent Jim D'Ambrosio. Also in attendance Mayor Ron Sutton, Committeemen Fletcher Jamison and Mike Vizzard.

Minutes: Motion to approve minutes of January 10, 2017, motion by Ken seconded by Pat to approve. Motion approved.

Motion to approve minutes of March 14, 2017 by Ken seconded by Dale. Pat made the following correction she spoke with "Lawrence Township not Florence Township". Motion approved as corrected.

SJ Gas Presentation by Representative T.J. Fontana

Mr. Fontana gave a brief slide presentation describing the cost saving energy program for residential and commercial properties. Residential customers can request an equipment upgrade or whole house upgrade. Commercial customers have one of two financing programs to choose from: the SmartStart or the Pay for Performance program. Most projects can be started with no money out of pocket. Rebates may be available. Must use a South Jersey Gas participating contractor that may be found online at [NJCleanEnergy.com](http://NJCleanEnergy.com).

OLD BUSINESS:

ANJEC: Julie reported she presented "Conservation Easements" at the course "Fundamentals for Effective Environmental Commissions" on Saturday, April 1 at the Atlantic County Utilities Authority in Egg Harbor Township. About 30 people attended and received the new *Environmental Commission Handbook*. She handed out copies of the "Table of Contents" to everyone.

On Thursday, April 27 there is a webinar from 12:30 to 1:30 "Lunch n Learn-Green Infrastructure and Stream Daylighting". To register email ANJEC or call 973.539.7547. There is no fee for us since we are on the Workshop Plan.

Sustainable Jersey: Pat reported there is a webinar April 26 from 1 to 2pm on Landscaping and Reducing Stormwater Runoff and on June 21<sup>st</sup>. There is a Sustainability Summit given by the College of New Jersey, cost is \$35. She also reminded the members of The Eco Fair at Wheaton on May 6 from 10am to 5pm and will need help with set up. Ken will help and has a tent. Also Bay Day is on June 3<sup>rd</sup>. We should hear about the grant from Sustainable Jersey by

April 30<sup>th</sup>. Triple Oaks does not use toxic pesticides on their milkweed plants. Neither does Clemson but they are more expensive. Dale recommended that we not plant at Lake Audrey as they do not like sandy soil and need to be planted in large groups. He recommended somewhere like PSE&G lands south of 553. As for volunteers to help with planting: Julie reported she is waiting for a call back from the girl scouts. Amy suggested 4-H groups, and Jim has a contact for boy scouts.

Bags for Bay Day: John reported he bought 300 bags for \$813.11, which leaves a balance of about \$150 in our budget. The bags will be royal blue with our logo on one side and "Partnered with US Silica and Unimin Corporation" on the other side".

#### NEW BUSINESS:

Received a Letter of Interpretation for block 229 lot 1. Applicant is Lemuel Robbins for wetlands delineation.

Unimin site plan for completion on application this month for Phase 3 block 190 lot 10 and block 200 lots 1 and 17 & 18. And reclamation for Phase 5, 6 & 6A block 200 lots 3,4,5,5.01 & p/o lot 6 and Block 182 lot 1.

Correspondence: None

Motion by Pat seconded by Ken to open the meeting to the public. Seeing no one Ken made a motion to close the public portion seconded by Dale. Motion approved.


Motion by Ken seconded by Dale to adjourn. Motion approved at 8:05pm.

Respectively submitted,

Julie Gandy, Secretary

cc: Twp. Committee  
CTEC members

# Memo

**To:** Ron Sutton Sr., Mayor Commercial Township  
**From:** John J Nardone, Commercial Township Environmental  
Commission Chairman   
**Date:** 1/6/2017  
**Re:** 2016 Annual Report

---

We would like to thank the Township Committee for its support of the Environmental Commission in the past year. The following is a brief summary of our efforts and accomplishments:

In 2016 we renewed our membership in the Association of New Jersey Environmental Commissions, (ANJEC). Several Commissioners attended ANJEC seminars, workshops and webinars to become more effective in our positions and to learn some of the issues impacting neighboring townships and the state as a whole. A representative of the Commission also attended the ANJEC congress in Mercer County.

Our plastic bag recycling program continues to be a great success with community wide participation. with 420 lbs. of plastic bags collected this year in five collection bins in various locations throughout the township. That brings the total collected to 1,040 lbs. We check the bins weekly and deposit the bags with the Township Department of Public works who then deliver them to a company in Vineland for processing. The bins were provided by Cumberland County Improvement Authority. Members of the Commission have met with the Maurice River Township Environmental Commission to discuss the implementation of a similar program in their township. Our program has been featured in the ANJEC Magazine and in the County recycling newsletter.

The Commission, with the cooperation of the Township Committee, has once again helped Commercial Township maintain their status as a certified municipality in the Sustainable Jersey Program. Since our certification was up, we had to reapply all over again. We submitted new certification items for those which had expired and re-documented continuing initiatives. The Commission has received a plaque to commemorate our achievement. This program provides grants, and information to help a municipality become more energy efficient thereby saving money and helping save the environment. In addition, Sustainable Jersey provides guidance on many other environmental issues.

Since the paper shredder we have provided at Bay Day in the past, was declining in popularity we decided to do something new in 2016. To complement our plastic bag recycling initiative, the Commission distributed 100 reusable bags to residents at the Bay Day celebration. We hope this will reduce the number of plastic bags in the Township. We are considering repeating this program in 2017.

The Commission, for the fifth straight year, supplied volunteers to work the registration tables for the Eagle festival in Mauricetown in association with ANJEC. We have already committed to volunteering again in 2017.

We reviewed and commented on several site plans distributed to us by the Land Use Board. Where necessary, we performed site visits to understand how the proposed plans would impact the environment. We provided our comments to the Land Use Board for their consideration. We have attended Land Use Board meetings to better understand the issues and problems it faces in planning issues in the township. We made recommendations, later adopted, by UNIMIN, regarding the types of trees planted in their reclamation projects. The changes were to include more native trees. The Commission maintains a member as liaison member of the Land Use Board to promote the ideas of the Environmental Commission to that body.

This summer the Commission has assembled and installed five fishing line recycling containers in locations throughout the township; Riverfront Park in Mauricetown, the Marine Police station in Bivalve, two in Port Norris and one in Lake Audrey. The idea is to collect monofilament and dispose of it properly so as to keep it out of the water way. We will

monitor their use and empty them as required. After one year in place, the they seem to be working in that all of the containers appear to be used with the one in Riverfront Park being used the most.

Our Facebook page continues to attract new viewers and it is our attempt to keep the township informed about our meetings and general environmental news of interest to township residents. We often repost articles from ANJEC and the State Department of Environmental Protection on a variety of topics.

The master plan for Commercial Township is due for update and revision this year. The Environmental Commission has reviewed the preliminary report from the consultant and has made several suggestions. A written report was provided to the Township, the Land Use Board and the Township Committee.

It is my belief that one of the strengths of the Commercial Township Environmental Commission is our ability to work with other government and non-government entities for the good of Commercial Township. We have built and maintained an excellent working relationship with The Township Committee, the Land Use Board, as well as state and local governments and departments. We plan to build on this foundation and continue the spirit of cooperation that exists between all the organizations in and around Commercial Township.

At our January meeting, the Commission will develop a set of goals for presentation to the Township Committee. We will be available to discuss our plans and goals for 2017 at the Committees' convenience.

We are proud of our accomplishments in 2016 and look forward to another year of raising awareness of the environment and the problems associated with climate change, rising sea level and increased flooding, meeting our recycling goals, working with the township, and being proactive in Environmental issues.

cc: Township Committee

Township Environmental Commission



COMMERCIAL TOWNSHIP  
ENVIRONMENTAL COMMISSION

MINUTES OF  
JANUARY 12, 2016

Meeting called to order at 7:00pm by Secretary Gandy. She announced that the meeting is being held in accordance with the Open Public Meetings Act.

Present: Ken McGill, Pat Smith, Amy Wright, John Nardone and Julie Gandy. Absent: Jim D'Ambrosio and Walt Birbeck.

Secretary Gandy called for nominations for Chairman. Ken nominated John Nardone, Pat seconded the nomination. Gandy closed the nominations. All present approved.

Chairman Nardone called for nominations for Vice Chair. Ken nominated Pat Smith who graciously declined. John nominated Ken McGill. Julie seconded the nomination. Nardone closed the nominations. All present approved.

Chairman Nardone called for nominations for Secretary. Ken nominated Julie Gandy. Pat seconded the nomination. Nardone closed the nominations. All present approved.

Minutes: Motion to approve minutes of December 8, 2015 by Ken seconded by Pat. Minutes approved.

OLD BUSINESS

ANJEC: Julie report that there will be a course on Fundamentals for Effective Environmental Commissions on Saturday, March 5 from 9 to 1:30 at the Riverwinds Community Center. Pat, Amy and Julie will attend. Cost is \$35.00 each. Also, according to *South Jersey Land and Water Trust*, the "Open Space Implementation" bill was passed by the Senate and is on the Governor's desk for his signature. Pat asked if we are eligible for funds under the Clean Communities program. Julie will contact ANJEC.

Sustainable Jersey: Pat reported that we are currently in the Bronze category with 150 points. We need 40 points to update to the required 150. This is mostly due to certain categories lasting only a year. She recommends we move up to the Silver category which is 350 points. She will meet with the Green Team to work on updating our requirements for the Bronze category. Also there are several programs available: "Complete Streets" at Rowen University on January 20<sup>th</sup> from 9-2; "Rutgers Environmental Stewardship" in Atlantic City.

Plastic Bag Recycling: Pat reported she had a conference call with Don Lubin from Greenwich. He is involved with the First National Lego League. Ten (10) Philadelphia students in 4<sup>th</sup> grade want to do a program on plastic bag recycling. They walked to City Hall to try to start this program but found the City is trying to ban plastic bags outright.

Status of Signs at Lake Audrey: John reported that the last sign is not yet installed. There will be a photo op on Saturday January 16<sup>th</sup> at 10:30am at Lake Audrey, weather permitting. Also, John received email from a resident that a plant is incorrectly identified. John spoke to staff at ANJEC about this. She recommended that since the grant documents are complete to send them to ANJEC as soon as possible. John estimates we spent close to the full grant amount of \$1500.

Southern Pine Beetle: John contacted the New Jersey Forest Service. They did some research and informed us that Commercial Township does not have a Southern Pine Beetle problem.

#### NEW BUSINESS:

Amy reported that we have 70 "friends" on face book. Any new information can be given to her or John for posting. She recommended we try to post our agenda and minutes before our meetings to encourage residents to attend our meetings. She also requested a new photo for the page. John will do this.

Shade Tree Commission Ordinance: Amy questioned if utility companies need to get permission to trim trees along the roads. John said they do not need permission but have to notify the township of their schedule. John restated that the Shade Tree Commission and the Environmental Commission are two separate entities but they may share a common member.

John handed out the Commission's Annual Report. After reviewing, the commission approved it and John will send it to the Township Committee and ANJEC. (Copy is attached to the official minutes).

Ken reported that he and Jim were sworn in for 2016-2019 terms.

Walt Birbeck announced his resignation from the Commission. The Commission thanks him for his service and will begin the search for a replacement.

#### Goals for 2016:

1. Ban plastic bags. Discussion items: bag tax; grant for canvas bags; corporate sponsors; logo on bags; locally made. John appointed Ken, Pat and Amy to a subcommittee to address this goal.
2. Regional Partnership. Discussion items: talk with neighboring communities; brochure on local activities available; ANJEC grants available to several commissions working together.
3. Monofilament project. Discussion items: locations to include Lake Audrey and the US Silica pond.
4. Bay Day involvement. Discussion items: No Shredder? Location and information to hand out.

U.S. Silica Application: Ken reported this application is for an extension of existing work and we, as a commission, can only address land use issues. Other concerns can be addressed to LUB during public hearing. John said the Good Neighbor Policy which is part of the application seems to address residents concerns. He will write a memo to the LUB with our comments. (See attachment)

#### CORRESPONDANCE: None

Public Comment: Motion by Ken seconded by Pat to open the public portion of the meeting. Motion approved. Tiara Campbell, NJ Watershed Ambassador thanked the commission for our assistance with the storm drain labeling. She asked if we would be interested in hosting a rain barrel or rain garden workshop in the spring. She would supply barrels and we would supply spouts, etc. We could display a completed barrel at Bay Day and have a signup sheet for those who would like to build their own barrel. John thanked her and said we would discuss this at a later meeting. John also reported that he gave the Public Works dept. the extra decals and labels. Pat made motion to close the public portion seconded by Ken. Motion approved.

Motion by Ken seconded by Pat to adjourn. Motion approved at 8:27pm.  
Respectfully submitted,

Julie Gandy, Secretary

Minutes of December 8, 2015 were approved on January 12, 2016.

cc: Twp. Committee  
CTEC members

COMMERCIAL TOWNSHIP  
ENVIRONMENTAL COMMISSION

MINUTES OF

MARCH 8, 2016

Meeting called to order at 7:00pm by Chairman Nardone.

He announced that the meeting is being held in accordance with the Open Public Meetings Act.

Present: Ken McGill, Pat Smith, Amy Wright, John Nardone and Julie Gandy. Absent: Jim D'Ambrosio.

Minutes: Minutes of January 12, 2016 will be voted on at the next meeting.

OLD BUSINESS

ANJEC: Julie reported she and Pat attended Citizens United sponsored Ameri-Corps NJ Watershed Ambassador Program at the Millville Library on February 26, 2016. Turbidity test that measures the dense current of sediments in suspension moving along the slope and bottom of a lake can only be performed in non-tidal water. Basic instructions for using NJ GeoWeb are on DEP website. NJWQ lists monitoring locations.

2016 grants up to \$1500.00 for Open Space Stewardship Projects applications are due Friday, April 1, 2016

She and Amy attended the course on Fundamentals for Effective Environmental Commissions on Saturday, March 5 from 9 to 1:30 at the Riverwinds Community Center. Several nuggets: There should be dedicated line item in township budget for grants received; review tax sales for potential open space/recreation parcels; do we have "Overlay Ordinance" for stream buffers, can be stricter than state or Pinelands requirements; does LUB have checklist for applications, yes; DEP is proposing new regulations (less restricted) for stream buffers but will not affect C-1 streams; are cemeteries addressed in Master Plan under History Element?; refer to NJ GeoWeb for soil information; information was geared more toward urban/suburban communities; Amy recommended that there be different seminars geared toward urban, suburban and rural communities; when was our ERI (Environmental Resource Inventory) last updated?; need to compare site plans and subdivision plans to ERI and Master Plan; LUB should have copies of ERI; ANJEC library has over 200 samples of ERIs; Upper Deerfield is updating their ERI; GeoWeb list funding resources. Ken reported that the LUB does not have copies of ERI and we so have wetlands buffer ordinance.

Sustainable Jersey: Pat reported that we are currently in the Bronze category with 150 points. We need 40 points to update to the required 150. This is mostly due to certain categories lasting only a year. She asked the following commissioners to write a short (300 words) paragraph: Ken – LUB site plan review; Amy – Plastic bag /Green Team; Julie – recycling/shredder; Jim – Quail Project; John – Tree Ordinance.

There are several grants available during the year so we should review in the last quarter of the year to see which grants we can and should apply for. There are two (2) upcoming webinars on March 25<sup>th</sup> and June 16<sup>th</sup> on energy. Julie reported that she met an Environmental Commissioner from Monroe Township. They joined a tri county networking group for sustainable jersey help. We could attend the meetings even though we are not from Gloucester, Camden or Atlantic counties.

Plastic Bag Recycling: Pat reported we collected 120 lbs of bags which will be included in Sustainable Jersey report.

Status of Signs at Lake Audrey: John reported that there will be a photo-op on Sunday the 13<sup>th</sup> at 2pm at Lake Audrey, weather permitting. The Satellite sign is installed. The project cost \$1485 in total. The State did a great job installing the signs.

Monofilament Project: John reported he got quotes on 6" PVC pipe 10' long plus other materials needed from Lowes, in Mays Landing. Clint can provide the zip ties and we still have the labels for the five (5) locations. The goal is to have them installed by summer.

Regional Environmental Commission Project/Brochure: Ken reported the call the Downe and Maurice River environmental commission but had no response. He will contact the Mayors next.

Canvas Bags: John reported he will get quotes for bags.

CORRESPONDANCE: None

Public Comment: Motion by Ken seconded by Pat to open the public portion of the meeting. Motion approved. Dale Schweitzer. 1761 Main Street, Port Norris stated he is interested in applying for the commission and was here to watch and learn.

Ken made motion to close the public portion seconded by Pat. Motion approved.

Motion by Ken seconded by Pat to adjourn. Motion approved at 8:16pm.

Respectfully submitted,

Julie Gandy, Secretary

Minutes of January 12, 2016 and March 8 were approved on April 12, 2016. There was no meeting in February.

cc: Twp. Committee  
CTEC members

# Memo

**To:** Mayor Judson Moore  
**From:** John J Nardone Commercial Township Environmental  
Commission Chairman *JN*  
**Date:** 1/13/2016  
**Re:** 2015 Annual Report

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We would like to thank the Township Committee for its support of the Environmental Commission in the past year. The following is a brief summary of our efforts and accomplishments:

In 2015 we renewed our membership in the Association of New Jersey Environmental Commissions, (ANJEC). Several Commissioners attended ANJEC seminars and webinars to become more effective in our positions and to learn some of the issues impacting neighboring townships and the state as a whole. Members of the Commission attended ANJEC networking meetings with other environmental commissions in Southern New Jersey.

The Commission completed work on a \$1,500 grant from ANJEC to erect signs at Lake Audrey. With the help of the state Bureau of Land Management, we have installed an entrance sign, two boat launch signs, a walking trail sign, ten tree identification signs, and a satellite photo of Lake Audrey. An additional sign detailing the history of Lake Audrey is complete but not yet installed.

Our plastic bag recycling program continues to be a great success with almost 200 lbs. of plastic bags collected this year in five collection bins in various locations throughout the township. That brings the total

collected to almost 400 lbs. We check the bins weekly and deposit the bags with the Township Department of Public works who then deliver them to a company in Vineland for processing. The bins were provided by Cumberland County Improvement Authority. Members of the Commission have met with the Maurice River Township Environmental Commission to discuss the implementation of a similar program in their township.

The Commission, with the cooperation of the Township Committee, has once again helped Commercial Township maintain their status as a certified municipality in the Sustainable Jersey Program. This program provides grants, guidance and information to help a municipality become more energy efficient thereby saving money and helping the environment.

For the fourth year in a row the Commission has provided a shredder for township residents to dispose of their paper records. The event has seen participation decrease and, while we will still participate in Bay Day, we are planning something new for 2016.

The Commission was instrumental in drafting an ordinance to control the proliferation of bamboo in Commercial Township. This ordinance was approved by the Township committee in 2015 and will go a long way in limiting the unwanted spread of bamboo in the Township

The Commission, for the fourth straight year, supplied volunteers to work the registration tables for the Eagle festival in Mauricetown in association with ANJEC. We have already committed to volunteering again in 2016.

We reviewed and commented on several site plans distributed to us by the Land Use Board. Where necessary, we performed site visits to understand how the proposed plans would impact the environment. We provided our comments to the Land Use Board for their consideration. We have attended Land Use Board meetings to better understand the issues and problems it faces in planning issues in the township. The Commission maintains a member as liaison member of the Land Use Board to promote the ideas of the Environmental Commission to that body.

COMMERCIAL TOWNSHIP  
ENVIRONMENTAL COMMISSION

MINUTES OF

APRIL 12, 2016

Meeting called to order at 7:00pm by Chairman Nardone.

He announced that the meeting is being held in accordance with the Open Public Meetings Act.

Present: Ken McGill, Pat Smith, Amy Wright, John Nardone, Julie Gandy, and Jim D'Ambrosio.

Minutes: Minutes of January 12, 2016, motion by Ken seconded by Pat to approve. Motion carried.

Minutes of March 8, 2016, motion by Ken seconded by Pat to approve. Motion carried.

OLD BUSINESS

ANJEC: Julie reported Environmental Commissions: Protecting Our Resources on May 2, 4:30 to 8:00 pm at the Convention Hall B in Cape May. Also, Pinelands Regional Green Infrastructure workshop for Municipal Leaders on Tuesday May 3 6:30 to 8:30pm at the Atlantic County Utilities Authority. Julie and Pat will attend this.

Sustainable Jersey: Pat reported there are several upcoming workshops: May 4 Rutgers Gardens Transfer Fee; April 19 Webinar on Plastic Bags; June 15, 8:30 am to 4:30 pm in Ewing; May 20, 9:00 to 11:30 am in Egg Harbor Township with Dr. Bey Strauss on Climate Change, April 27, 9 am to 4:30 pm Creating Branding in Vineland.

Monofilament Project: John reported US Silica via Jim donated a 10ft x 6 inch PVC pipe and they have poles if needed. He is researching the cost of the remaining parts, estimated cost is \$300.00. Jim will research if there is a location in Laurel Lake to place one. Pat recommended we save one to display at Bay Day.

Regional Environmental Commission Project/Brochure: Ken said he had nothing to report as yet.

Canvas Bags: John reported he received cost for two different size bags that range from \$1.38 to \$2.89. We can spend \$300 to \$400. We will give bags out at Bay Day. He will get logo and color selection by next meeting.

Sustainable Jersey Application: Pat reported the application is almost completed but requested assistance from Amy with computer submission. She thanked John for all his help. So far we 195 points even though we only need 150. We will include the Quail Project and the Plastic Bag Program.

Public Comment: Motion by Ken seconded by Jim to open the public portion of the meeting. Motion approved. Seeing no one Ken made motion to close the public portion seconded by Jim. Motion approved.

CORRESPONDANCE

Application for a general permit authorization to replace a malfunctioning septic system located on block 212 lot 11, 6919 Yock Wock Road.

Letter from Tiara re Rain Barrel demonstration at the Wheaton Art Eco Fair on Saturday, May 7. Barrels cost \$25.00. Jim will attend.

Motion by Jim seconded by Pat to adjourn. Motion approved at 7:55pm.

Respectfully submitted,

Julie Gandy, Secretary

Minutes of April 12 were approved on \_\_\_\_\_

cc: Twp. Committee

CTEC members



COMMERCIAL TOWNSHIP  
ENVIRONMENTAL COMMISSION

MINUTES OF

JUNE 14, 2016

Meeting called to order at 7:00pm by Chairman Nardone.

He announced that the meeting is being held in accordance with the Open Public Meetings Act.

Present: Pat Smith, Amy Wright, John Nardone, Julie Gandy, and Jim D'Ambrosio. Absent: Ken McGill.

Minutes: Minutes of April 12, 2016, motion by Jim seconded by Pat to approve. Motion carried.

ANJEC: Julie reported Board of Trustees for The Association of Environmental Commissions authorized a lawsuit be filed with other environmental organizations to release the funds for the purchase of green acres.

Sustainable Jersey: Pat reported that our application has been submitted. There are 437 participating commissions and 193 have been certified. There are several upcoming workshops: June 21 from 1 to 3:30 in Atlantic City on Pathways to Incentives; and at the College of NJ is a summit by Dr. Strauss on Climate Control.

Monofilament Project: John reported he and Dale set up several and will install the last one at the Police Marina.

Regional Environmental Commission Project/Brochure: Amy reported the Nature Conservancy is doing the same project. We should contact them to see if we can add anything to their information.

NEW BUSINESS:

Site Plan Application:

John reported we have an application from Unimin to review. At this time Jim left the podium.

Application Information: Phase 2 & 4A Plant and Mining Sites. Block 172, Lot 1; Block 173, Lot 2; Block 174, Lots 1-6; and Block 269, Lots 1.01 and 1.02. Zoned R-R. Total Acreage: 1,283.53. Number of acres to be subdivided: 1059.8. After discussion it was the consensus of the Commission that since this is a Renewal of Mining /Extraction Permit we cannot deny this application. Motion by Pat seconded by Julie to approve as submitted. Motion approved.

Jim returned at this time.

Bay Day: John reported that it was a big success. We distributed all 300 bags and spoke with many people as they tried to guess how many plastic bags were on our "tree".

We received a complaint concerning a drainage ditch that is not draining properly and is causing flooding at 1712 Main Street in Port Norris and mosquitos are becoming a problem. Jim thought it is called Dickies Ditch and if mosquitos are problem the county be contacted.

Jim reported that South Jersey Gas Company is cleaning up three underground storage tanks containing gasoline, oil and kerosene on the US Silica property and will install ground water monitoring wells.

Public Comment: Motion by Pat seconded by Jim to open the public portion of the meeting. Motion approved.

Dale Schweitzer, 1761 Main Street, Port Norris, said the flow in the drainage ditch is too swift for mosquitos. Also the pipe for the monofilament is being used at Lake Audrey.

Pat made motion to close the public portion seconded by Jim. Motion approved.

Motion by Pat seconded by Jim to adjourn. Motion approved at 7:45pm.

Respectfully submitted,

Julie Gandy, Secretary

Minutes of June 14, 2016 were approved on \_\_\_\_\_. There was no meeting in May.

cc: Twp. Committee

CTEC members

COMMERCIAL TOWNSHIP  
ENVIRONMENTAL COMMISSION  
MINUTES OF  
SEPTEMBER 13, 2016

Meeting called to order at 7:00pm by Chairman Nardone.

He announced that the meeting is being held in accordance with the Open Public Meetings Act.

Present: Pat Smith, Amy Wright, John Nardone, Julie Gandy, Ken McGill, Dale Schwitzer. Absent: Jim D'Ambrosio.

Minutes: Minutes of June 14, 2016, motion by Ken seconded by Pat to approve with the correction under Public comment: Dale...said "the flow in the drainage ditch is too swift for mosquitos" in place of "the drainage ditch is too deep for mosquitos. Motion approved as corrected.

ANJEC: Julie reported the 43<sup>rd</sup> Annual Environmental Congress "Responding to Climate Change Locally" on Friday, September 30, 2016, 9:00am to 4:30pm at the Conference Center at Mercer County College, West Windsor. Also, "Groundwater Withdrawals are an Environmental Issue" on Thursday, September 22 from 6:00pm to 8:30pm at Pilesgrove, Municipal Building.

John reported that in the Summer 2016 issue of the ANJEC REPORT is an article "Partnering for Open Space: Lake Audrey" by Jody Carrera, ANJEC Project Director. Copies will be provided to the Township Committee.

Sustainable Jersey: Pat reported that we had to resubmit our application to include additional information by the beginning of September. Forty points had to be added. The new submission includes 160 points. It will be reviewed and we will be notified when it is approved.

Pat said that she was told that Giordano's may not be taking plastic bags soon. She has a call into the office to follow up. She calculated we recycled 1060 pounds of bags to date. Also, the new Family Success Center will soon open and she will place a plastic bag receptacle there.

John asked Pat to research what projects we can do in order to use Sustainable Jersey funds.

Monofilament Project: John reported he and Dale installed all the receptacles. He requested Dale monitor them and empty them at least once a year, maybe around Thanksgiving. John will research what to do with the fishing line. The main objective is to keep it out of the waterways.

John reported he has received several mailings from Amsterdam, the company that supplied the canvas bags. The commission thought it would be good to order more bags for Bay Day next year.

NEW BUSINESS:

Site Plan Application:

John reported we have an application from US Silica for renewal and to extend their operation on the east side of James Moore Road which is to the north east of the apartments. It encompasses several block and lots including Block 214 lots 1, 32, 34, 36. The Engineers letter states several waivers are being requested that he is inclined to recommend approval. Ken said this will be on the LUB agenda on the 28<sup>th</sup>.

Also, Unimin supplied a plan for reclamation that includes new plantings. Dale asked if other species could be included such as other species of oak, if property is wet then sweet bay and black gum. Ken recommended this be brought up at the public hearing on the 28<sup>th</sup>.

John talked briefly about the revisions to the Master Plan. Amy will make copies available to the members. We will discuss in detail at the next meeting, as well as goals for 2017.

Public Comment: Motion by Pat seconded by Dale to open the public portion of the meeting. Motion approved. Seeing no one Pat made motion to close the public portion seconded by Dale. Motion approved.

Ken reported that there will be a Bivalve Fishermen & Farmer's Market at Bayshore Discovery Project for 10 Wednesdays starting 9/21 from 3 to 7pm.

Motion by Ken seconded by Dale to adjourn. Motion approved at 8:15pm.


Respectfully submitted,

Julie Gandy, Secretary

Minutes of September 13, 2016 were approved on \_\_\_\_\_.

cc: Twp. Committee  
CTEC members

COMMERCIAL TOWNSHIP  
ENVIRONMENTAL COMMISSION  
MEMORANDUM

TO: Hannah E. Nichols, Clerk  
FROM: Julie Gandy, Secretary   
DATE: January 25, 2016  
SUBJ: Environmental Commission Minutes  
CC: Township Committee Members; EC File

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Enclosed are executed copies of the Environmental Commission's 2015 minutes October 13, 2015 for distribution to the Township Committee. I do not think I provided these before, if I did please excuse the duplication. Thank you for your assistance.

COMMERCIAL TOWNSHIP  
ENVIRONMENTAL COMMISSION

MINUTES OF

OCTOBER 13, 2015

Meeting called to order at 7:00pm by Chairman Nardone. He announced that the meeting is being held in accordance with the Open Public Meetings Act.

Present: Ken McGill, Pat Smith, Walt Birbeck, Jim D'Ambrosio, Amy Wright, John Nardone and Julie Gandy. Also Mayor Moore was in attendance.

Minutes: Motion to approve minutes of March 10, 2015 by Ken seconded by Pat. Minutes approved. Jim D'Ambrosio abstained.

Minutes: Motion to approve minutes of May 12, 2015 by Ken seconded by Jim. Minutes approved. Walt and Julie abstained.

Chairman Nardone requested we amend the agenda to hear from the NJ Watershed Ambassador, Tiara Campbell.

Ms. Campbell reported her role is to educate the public about water pollution from storm drains. There are 45 drains in Port Norris from the end of Main Street to Strawberry Road. She said stamps or stencils would be placed on the drains indicated that the water drains into the River. Ken asked if they drain into waterways or dry wells. Ms. Campbell answered that most drain into ditches alongside the roadways. Mayor Moore said new drains were recently installed in Laurel Lakes and should have the decals factory installed.

Ms. Campbell requested the Commissions assistance to find volunteers, for example, kids, scouts, firemen, and pick a date by November 21<sup>st</sup>. She hopes to have all arrangements completed November 10<sup>th</sup>. Jim will prepare plan showing all drains in Laurel Lake.

The Commission thanked her for her presentation and agreed to assist.

OLD BUSINESS

ANJEC: Julie had no report.

Sustainable Jersey: Pat reported that the website still shows Donna Moore as the contact person. She asked if John could help her change the website. He agreed.

There are several seminars this month: October 14<sup>th</sup> from 1-2pm a webinar for developers; October 24<sup>th</sup> from 11am -2pm Food Day in Cherry Hill; October 30<sup>th</sup> webinar on Soil Health.

Plastic Bag Recycling: Pat reported she sent a report to ANJEC for an article about our plastic bag program which will be in the ANJEC Report soon. Also the labels on top of the barrels are fading. She asked if John could take a photo of one and she will send it to Tony Riveria for

replacements. He said he will take all the bags we can give him. Also she has contact names in Downe and Maurice River townships to see if they are interested in starting their own program. She asked Mayor Moore if we could place a barrel at the new community center in Laurel Lakes when it is completed. He said yes.

Status of Signs at Lake Audrey: John reported the State representative said all the signs are installed. They did an excellent job. However, the Satellite photo that John recently gave them is not installed. John will call tomorrow.

#### NEW BUSINESS:

Mayor Moore reported that the township has \$90,000 for large recycling containers. However, the township will need a bond ordinance to get the rest of the money which will cost \$2500 to issue. One small step would be to use funds from Clean Communities. He said Laurel Lakes has the least recycling participation. This month the Township Committee will discuss placing 50 large containers in several areas as a pilot program.

Mayor Moore also reported the Township Committee recently received a \$3,000 matching grant that will go toward hiring a Forester to identify trees and do an inventory. There is a Shade Tree Convention this month if anyone could attend. He also requested we assist in interviewing applicants for the Foresters position that would start the end of 2016. John said we would do what we could. Mayor Moore left the meeting at this time.

ANJEC Grant Status: John reported that the grant requires a match of 80 hours. We have \$300 left in the grant that will be used for the Narrative sign. This sign should be placed adjacent to the Satellite sign. Once the project is complete we will have a photo op.

Ken reported the LUB has an application for completeness from Unimin for Phase 7 & 8 to be heard this month. The Commission requested he ask for an increase in reclamation acreage.

Jim reported the Quail Project is in Phase II: marking then clearing in November. Then seeding will take place in March 2016.

CORRESPONDANCE: Mosquito report received. Walt will review for next meeting.

Public Comment: Motion by Walt seconded by Pat to open the public portion of the meeting. Motion approved. Seeing no one Walt made motion to close the public portion seconded by Ken. Motion approved.

Motion by Ken seconded by Pat to adjourn. Motion approved at 8:00pm.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Julie Gandy".

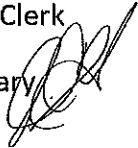
Julie Gandy, Secretary

Minutes of March 10 and May 12 approved on October 13, 2015. There were no meetings in April, June, July, August or September

cc: Twp. Committee  
CTEC members



COMMERCIAL TOWNSHIP  
ENVIRONMENTAL COMMISSION  
MEMORANDUM

TO: Hannah E. Nichols, Clerk  
FROM: Julie Gandy, Secretary   
DATE: December 8, 2015  
SUBJ: Environmental Commission Minutes  
CC: Township Committee Members; EC File

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Enclosed are executed copies of the Environmental Commission's 2015 minutes from January 13, February 10, March 10, May 12, and December 8, 2015 for distribution to the Township Committee. There were no meetings in April, June, July, or August.

Thank you for your assistance.

COMMERCIAL TOWNSHIP  
ENVIRONMENTAL COMMISSION

MINUTES OF

JANUARY 13, 2015

Meeting called to order at 7:00pm by Secretary Gandy. She announced that the meeting is being held in accordance with the Open Public Meetings Act.

Present: Ken McGill, Pat Smith, Jim D'Ambrosio, Walt Birbeck, and Julie Gandy. Absent: John Nardone and Amy Wright.

Secretary called for a motion for Chairman. Motion by Ken seconded by Walt to nominate John Nardone. Jim motioned to close the nominations. Motion to elect John as Chairman was unanimously approved.

Secretary called for a motion for Vice Chairman. Motion by Ken seconded by Pat to nominate Walt. Jim motioned to close the nominations. Motion to elect Walt as Vice Chairman was unanimously approved.

Secretary called for a motion for Secretary. Motion by Ken seconded by Pat to nominate Julie. Jim motioned to close the nominations. Motion to elect Julie as Secretary was unanimously approved.

Minutes: Motion to approve minutes of December 9, 2014 by Ken seconded by Walt. Minutes approved.

OLD BUSINESS

ANJEC: Julie reported that our annual membership is due. Motion by Walt seconded by Ken to pay dues including the workshop fee. Motion approved. John will be reminded to contact Mayor Moore.

Sustainable Jersey: Pat reported she forgot the webinar on January 7, 2015 about Small Grants of \$200,000 that are available until February 1, 2015. The Green Team has until 2016 to complete tasks for Bronze. She believes the plastic bag recycling program will be eligible.

Plastic Bag Recycling: Pat reported she moved the container from the Bayshore Center at Bivalve to the Port Norris Post Office since there is not much activity this time of year. Information will be placed in the Township Calendar and in *The Reminder* about this program according to Mayor Moore.

Invasive Species Ordinance: Report deferred until February.

Milk Weed Planting: Walt reported that it needs to be planted in February and needs sunlight to sprout and cold weather. He found out the seeds do not need to be germinated but simply broadcasted and covered with small amount of dirt. Laurie will let us know a date and time. Jim reported he could broadcast some seeds as part of his Quail Project on Dragston Road which is in the second phase of a six (6) year project.

#### NEW BUSINESS:

Ken reported that the Menantico Preserve, a tract of land off Route 55 known as Holly Farm purchased with Green Acres funds is proposed for diversion to Millville to sell for industrial use. Other sites are available for redevelopment where runoff will not impact Menantico River. January 20, 2015 is the cut off for public comment. He recommended we write letter in support of keeping the land as Green Acres open space.

Lake Audrey Signs: Julie reported that John is working on 20 vegetation identification signs to send to Barry Fisher.

#### CORRESPONDANCE: None

Public Comment: Motion by Walt seconded by Ken to open the public portion of the meeting. Mayor Moore said he wants to thank the Commission personally for all the work we have done. He said we are hard working and dedicated. He is grateful that the Commission is still operating from 1987 when he started it. His interest is in recycling and wants to provide large containers to the residents to help them recycle even more. The containers cost \$48.00 each which translates to \$90,000 for every residence. He is working on funding ideas and likes our recommendation to try a pilot program. Franklin Township has seen a definite increase in their recycling totals. He said Brookline, MA passed an ordinance banning plastic bags.

Ken asked if the township gets either cash or credit for tonnage. Mayor Moore said the township gets credit which they report to the State who then gives us money.

Mayor Moore also said the township web site will be revamped and will have a dedicated page for the Commission.

The Commission thanked the Mayor for attending and said we will continue to provide assistance as requested.

Walt made motion to close the public portion seconded by Ken. Motion approved.

Ken reported that the Eagle Fest will be on Saturday, February 5<sup>th</sup>.

Julie reported that we will discuss our 2015 goals at **our next meeting on February 10, 2015**. Motion by Pat seconded by Jim to adjourn. Motion approved at 8:05pm.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Julie Gandy".

Julie Gandy, Secretary

Minutes of December 9, 2014 approved on January 13, 2015.

cc: Twp. Committee  
CTEC members

COMMERCIAL TOWNSHIP  
ENVIRONMENTAL COMMISSION  
MINUTES OF  
FEBRUARY 10, 2015

Meeting called to order at 7:00pm by Chairman Nardone. He announced that the meeting is being held in accordance with the Open Public Meetings Act.

Present: Ken McGill, Pat Smith, John Nardone and Julie Gandy. Absent: Jim D'Ambrosio, Walt Birbeck, and Amy Wright.

Minutes: Motion to approve minutes of January 13, 2015 by Ken seconded by Pat. Minutes approved. John Nardone abstained

OLD BUSINESS

ANJEC: Julie reported that there is a course, "How to be an Effective Environmental Commission" on Saturday, March 7 in Haddon Township.

Sustainable Jersey: Pat reported she there is a webinar on February 21, 2015 at 10am on Community Gardens.

Plastic Bag Recycling: Pat reported she is concerned the program needs additional publication. John said he will send letter to surrounding commissions about our program and will write letter to ANJEC for the *ANJEC Report*.

Bamboo Ordinance: John reported that the Mayor will let us know what the next step is.

Milk Weed Planting: Report postponed.

NEW BUSINESS:

Lake Audrey Signs: John reported he has 20 vegetation identification signs to send to Barry Fisher as the next phase of our ANJEC \$1500 grant. He used the book, *Trees of New Jersey*, published by DEP Division of Parks and Forestry, but will eliminate wetlands designation, bark and twig indicators. The signs could cost \$15-20 each. Julie made a motion to move forward with the signs seconded by Ken. Motion approved.

John reported we spent \$750 to date on the signs. We will receive the remainder of the grant when the project is complete.

Fishing Line Project: John reported that he spoke with a representative from Alloway Township at the Eagle Fest who said that 4 inch PVC pipe is big enough. Walt and Ken originally looked at using 6 inch pipe that was too expensive. Ken made a motion seconded by Pat to re-evaluate the project, and to spend no more than \$250 on materials for 4 or 5 sites. Motion approved.

Julie recommended we use, with permission, *The Septic Tank Ten Commandments* we received from the Septic System 101 Workshop she, Walt and John attended. They could be put on our website, distributed at Bay Day and at the Green Fair.

CORRESPONDANCE: None

Public Comment: Motion by Ken seconded by Pat to open the public portion of the meeting. Motion approved. Seeing no one Pat made motion to close the public portion seconded by Ken. Motion approved.

Motion by Ken seconded by Pat to adjourn. Motion approved at 7:40pm.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Julie Gandy".

Julie Gandy, Secretary

Minutes of January 13, 2015 approved on February 10, 2015.

cc: Twp. Committee  
CTEC members

*Attachment for  
Feb 10, 2015 Min*

Commercial Township Environmental Commission

178 Main Street

Port Norris, NJ 08349

New Jersey Department of Environmental Protection

Green Acres Program

501 East State Street

Station Plaza Building 5, Ground Floor

Trenton, NJ

January 15, 2015

I am writing on behalf of the Commercial Township Environmental Commission to register our objections to the proposed diversion of 81 protected acres in Millville, known as the Durand Tract, to private commercial use.

While we understand why the diversion is under consideration, we do not find any of the reasons compelling. There are existing abandoned sites in Millville that would work just as well. This would have the added benefit of reclaiming what is now vacant and unused buildings. It would destroy forever a beautiful and ecologically rich piece of nature. While recognizing that diversions of preserved lands have occurred in the past, these diversions were mostly for roads and hospitals, arguably for the public good. This transaction would benefit only private industry. While we agree the community needs jobs these jobs should not come at the expense of the birthright of future generations.

There are however extremely compelling reasons to allow the property to remain as it is. These reasons include:

Pine Snake habitat – The only area in New Jersey, outside of the Pinelands that supports a population of endangered Pine Snakes.

Location – This tract is contiguous to the larger Menantico Wildlife Management Area and acts as a buffer between that property and a developed section of Millville.

Uniqueness – The flora and fauna species within this area are diverse and include endangered plants and animals.

Integrity – The funds to acquire this tract were provided under a Green Acres Bond, the interest paid for by the taxpayers. This bond fund was created under the promise to protect and preserve land in New Jersey for future generations. This promise should not be abandoned for the sake of private investment.

In closing we ask that the Department take the long range view and keep this area preserved forever. Our open spaces are shrinking fast enough without taking land out of the preservation program. Once developed these lands can never come back. It is our duty to pass this earth on to future generations as open and clean and green as we can. Thank you.

Sincerely,

John J Nardone, Chairman



COMMERCIAL TOWNSHIP  
ENVIRONMENTAL COMMISSION

MINUTES OF

March 10, 2015

Meeting called to order at 7:00pm by Chairman Nardone. He announced that the meeting is being held in accordance with the Open Public Meetings Act.

Present: Ken McGill, Pat Smith, Walt Birbeck, Amy Wright, John Nardone and Julie Gandy.  
Absent: Jim D'Ambrosio.

Minutes: Motion to approve minutes of February 10, 2015 by Ken seconded by Pat. Minutes approved. Walt Birbeck abstained.

OLD BUSINESS

ANJEC: Julie had no report.

Sustainable Jersey: Pat reported we need to make up 40 points due 6/30/2016.

Plastic Bag Recycling: Pat reported she collected the bags from Lallie's. Walt will collect them in the future. John sent emails to Vineland, Millville, Dividing Creek, and Maurice River explaining our program. Pat reported that Tony Riviera, CCIA, will give us 400 cloth bags with flyers about plastic recycling which we will give out at Bay Day. Amy recommended we have one of the containers at Bay Day also. Pat also has a copy of the Brookline, MA ordinance banning plastic bags. (copy attached to official minutes)

Bamboo Ordinance: John reported that the township attorney has questions. John will attend the township meeting on March 16<sup>th</sup>. He contacted Mr. Weiderhold from Laurel Lakes who said he took his neighbor to court. The Judge told his neighbor he had 3 days to remove the bamboo.

It was recommended we have flyers at Bay Day on the problems with bamboo.

Milk Weed Planting: Walt reported that February was a little "frosty" but he will be spreading the seeds soon on the little peninsula where the road loops around.

He recommended that we publicize our events in the paper and on our website/facebook page.

John told the commission that Mayor Moore complimented us on our annual report.

NEW BUSINESS:

Lake Audrey Signs: John reported Barry Fisher has the information for the 18x18 inch sign. He may do a prototype of the 20 vegetative signs. The remainder of the grant will be for the narrative and lake location signs. He will ask the state to install.

Fishing Line Project: John reported this project is on hold.

Ken inquired about church sign on North Ave. Pat said it should be installed soon by the Chamber of Commerce.

CORRESPONDANCE: None

Public Comment: Motion by Walt seconded by Pat to open the public portion of the meeting. Motion approved. Seeing no one Walt made motion to close the public portion seconded by Ken. Motion approved.

Motion by Walt seconded by Pat to adjourn. Motion approved at 8:00pm.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Julie Gandy".

Julie Gandy, Secretary

Minutes of February 10, 2015 approved on March 10, 2015.

cc: Twp. Committee  
CTEC members

## May 12, 2015 Environmental Commission Meeting Minutes

Present: Jim, Ken, John, Amy, Pat Absent: Julie and Walt

John called the meeting to order.

Julie and John attended a workshop on the Cohansey Aquifer. Water is being depleted faster than being replaced. People are being advised to reduce sprinkling lawns and using water unnecessarily.

ANJEC = Julie is kept informed of all Anjec events and notices. If any questions, check with her.

Sustainable Jersey = Pat passed out a chart of all S. J. events for this month. She reported that there are no small grants available at this time.

Bamboo ordinance = The lawyer for the township reviewed the ordinance and It was suggested we identify sites where bamboo is located in the township to determine the extent of the problem. If a property has bamboo, it must be contained in a proper container. John will research what determines a proper container. If a homeowner sells a house with bamboo on the property, the owner is responsible to let the buyer know that there is an ordinance concerning this. Property that is gifted or a foreclosure or someone whose property is being infringed upon need to be aware of the possible problems involved. Unless a complaint is filed concerning bamboo, we do not have to react.

If the bamboo has to be removed the time period to do so would be changed from thirty days to 90 days. So far 2 sites with bamboo have been identified in Mauricetown, 4 in Port Norris and Laurel Lake still needs to be checked. When final changes are made, this ordinance will be resubmitted to the township. Someone will attend a work meeting to explain how much of the township is being impacted.

Fishline recycling = John has found the 6" PCB to be too expensive. He saw a place where 4" pipe was being used and it was much less expensive and very effective. Nothing was decided at this time.

Plastic bags = John sent emails to all surrounding townships about our bag project. Jodi Carrera, Anjec rep., was very interested in how we involved the schools. No decision on their part to commit to this. Pat questioned how to get people more aware of changing from plastic to reusable bags. Ken suggested a bag exchange: so many plastic bags for a reusable one. Jim offered to contact the corporate office of Dollar General to see about possibly placing a recycle barrel at their store in Laurel Lake.

Lake Audrey signage = Four signs are in place. The original format for the design designating various flora was denied by the NJ Div. of Forestry. A new design was sent to John which we all found to be satisfactory. At this time Barry has not completed the signs we ordered. Anjec grant time period is coming to an end in May. John talked with Carry Miller and she said as long as we are working on our project we will be given extra time. John gave a possible date as the end of June for completion. The original grant was for \$1500. We will have spent \$1000 when the current signs are done.

We would like to have 2 more: a narrative of the history of the lake and a satellite map . These will cost about \$700. We will be reimbursed \$500 from the grant. Amy will look into a map and Jim will get info for the narrative.

Bay Day = June 6. Will have a recycle barrel with the info and picture we used at the school presentation on plastic bags. Also the county will provide us with more reusable bags to give out. The shredder will be there again as well. Jodi said Anjec has games we can borrow.

Quail project = Jim reported that The Audabon Society has a sponsor in U. S. Silica. They offer plans for developing habitat. Phase 1 is completed which involved discing and planting seed on 20 acres. Phase 2 will involve opening another section for the future.

The public portion was opened and closed by Ken McGill.

Ken attended a work meeting where there was talk about a cell tower coming to the area No decision at this time.

Ken moved to close the meeting. Jim seconded. Agreed by all

*Prepared by  
Pat Smith*

COMMERCIAL TOWNSHIP  
ENVIRONMENTAL COMMISSION  
MINUTES OF

OCTOBER 13, 2015

Meeting called to order at 7:00pm by Chairman Nardone. He announced that the meeting is being held in accordance with the Open Public Meetings Act.

Present: Ken McGill, Pat Smith, Walt Birbeck, Jim D'Ambrosio, Amy Wright, John Nardone and Julie Gandy. Also Mayor Moore was in attendance.

Minutes: Motion to approve minutes of March 10, 2015 by Ken seconded by Pat. Minutes approved. Jim D'Ambrosio abstained.

Minutes: Motion to approve minutes of May 12, 2015 by Ken seconded by Jim. Minutes approved. Walt and Julie abstained.

Chairman Nardone requested we amend the agenda to hear from the NJ Watershed Ambassador, Tiara Campbell.

Ms. Campbell reported her role is to educate the public about water pollution from storm drains. There are 45 drains in Port Norris from the end of Main Street to Strawberry Road. She said stamps or stencils would be placed on the drains indicated that the water drains into the River. Ken asked if they drain into waterways or dry wells. Ms. Campbell answered that most drain into ditches alongside the roadways. Mayor Moore said new drains were recently installed in Laurel Lakes and should have the decals factory installed.

Ms. Campbell requested the Commissions assistance to find volunteers, for example, kids, scouts, firemen, and pick a date by November 21<sup>st</sup>. She hopes to have all arrangements completed November 10<sup>th</sup>. Jim will prepare plan showing all drains in Laurel Lake.

The Commission thanked her for her presentation and agreed to assist.

OLD BUSINESS

ANJEC: Julie had no report.

Sustainable Jersey: Pat reported that the website still shows Donna Moore as the contact person. She asked if John could help her change the website. He agreed.

There are several seminars this month: October 14<sup>th</sup> from 1-2pm a webinar for developers; October 24<sup>th</sup> from 11am -2pm Food Day in Cherry Hill; October 30<sup>th</sup> webinar on Soil Health.

Plastic Bag Recycling: Pat reported she sent a report to ANJEC for an article about our plastic bag program which will be in the ANJEC Report soon. Also the labels on top of the barrels are fading. She asked if John could take a photo of one and she will send it to Tony Riveria for

replacements. He said he will take all the bags we can give him. Also she has contact names in Downe and Maurice River townships to see if they are interested in starting their own program. She asked Mayor Moore if we could place a barrel at the new community center in Laurel Lakes when it is completed. He said yes.

Status of Signs at Lake Audrey: John reported the State representative said all the signs are installed. They did an excellent job. However, the Satellite photo that John recently gave them is not installed. John will call tomorrow.

#### NEW BUSINESS:

Mayor Moore reported that the township has \$90,000 for large recycling containers. However, the township will need a bond ordinance to get the rest of the money which will cost \$2500 to issue. One small step would be to use funds from Clean Communities. He said Laurel Lakes has the least recycling participation. This month the Township Committee will discuss placing 50 large containers in several areas as a pilot program.

Mayor Moore also reported the Township Committee recently received a \$3,000 matching grant that will go toward hiring a Forester to identify trees and do an inventory. There is a Shade Tree Convention this month if anyone could attend. He also requested we assist in interviewing applicants for the Foresters position that would start the end of 2016. John said we would do what we could. Mayor Moore left the meeting at this time.

ANJEC Grant Status: John reported that the grant requires a match of 80 hours. We have \$300 left in the grant that will be used for the Narrative sign. This sign should be placed adjacent to the Satellite sign. Once the project is complete we will have a photo op.

Ken reported the LUB has an application for completeness from Unimin for Phase 7 & 8 to be heard this month. The Commission requested he ask for an increase in reclamation acreage.

Jim reported the Quail Project is in Phase II: marking then clearing in November. Then seeding will take place in March 2016.

CORRESPONDANCE: Mosquito report received. Walt will review for next meeting.

Public Comment: Motion by Walt seconded by Pat to open the public portion of the meeting. Motion approved. Seeing no one Walt made motion to close the public portion seconded by Ken. Motion approved.

Motion by Ken seconded by Pat to adjourn. Motion approved at 8:00pm.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Julie Gandy".

Julie Gandy, Secretary

Minutes of March 10 and May 12 approved on October 13, 2015. There were no meetings in April, June, July, August or September

cc: Twp. Committee  
CTEC members

COMMERCIAL TOWNSHIP  
ENVIRONMENTAL COMMISSION

MINUTES OF

DECEMBER 8, 2015

Meeting called to order at 7:05pm by Chairman Nardone. He announced that the meeting is being held in accordance with the Open Public Meetings Act.

Present: Ken McGill, Pat Smith, Walt Birbeck, Jim D'Ambrosio, Amy Wright, John Nardone and Julie Gandy.

Minutes: Motion to approve minutes of October 13, 2015 by Ken seconded by Pat. Jim amended minutes to reflect that he was to prepare plan of drains in Laurel Lake. Minutes approved as amended.

OLD BUSINESS

ANJEC: Julie report that if everyone receives the *ANJEC News* email at the beginning of the month they should take notice of several articles: *Pressure the Governor to Release the New Water Plan; Ten Ways Climate Change Impacts NJ; and National Regulatory Commission Considers Moving Toward Allowing Four Nuclear Power Plants in Salem County*. Also tonight is the last night for *Giving Tuesday* whereby you can contribute to ANJEC. There are new grants available for Open Space Stewardship Projects up to \$1500 in 2016. Fifteen commissions will be selected.

Plastic Bag Recycling: Pat reported that the signs on top of plastic bag recycling containers are fading. She will pick them up from Tony Rivera. To date we have recycled 180 lbs of plastic bags. Pat also reported that she, John, and Julie went to Maurice River Environmental Commission meeting. They are interested in starting a similar program. Pat told them that the recycler will accept all plastic bags. She also reported that the Laurel Lake community center is not open as yet but as soon as it does she will put a recycling container there.

Sustainable Jersey: Pat reported two upcoming events: Extreme Climate Adaption Planning today and tomorrow 12/8 and 12/9 and 12/10 from 8am to 12:30pm in Newark, NJ; and Urban Water Conference to build awareness of importance of drinking water, storm water, and waste water.

Ken asked if Sustainable Jersey addresses Eco-Tourism? We could discuss with surrounding towns to promote the marketing the regions attractions such as Raptor Festival, BayDay, various trails which could be mapped and placed in strategic locations such as restaurants and hotels outside the township.

Status of Signs at Lake Audrey: John reported that will call Barry to print the narrative sign tomorrow. Jim did a great job with the story. The photo op is tentatively scheduled for 12/19 at 10:30am at Lake Audrey. He also reported that all the paper work for the grant will be sent to ANJEC soon.

Storm Drain Labeling: Ken and John did this on Saturday, 11/21. There were three crews. Ken also reported that the Unimin application for phase 7 & 8 was approved by the Land Use Board. They will be submitting another application that will be next to the ball fields sometime in 2016.

NEW BUSINESS:



John handed out post cards referring to the At-Home Prescription Drug Disposal Program at the State Police Barracks. Amy recommended we put this information on our facebook page, in the post offices and the senior center. Jim will post it in the Laurel Lakes firehouse. All agreed. (SEE ATTACHED)

Tree City USA/Shade Tree Commission (STC): John spoke with ANJEC staff who said the STC has authority over trees in the public ROW and public lands. Tax maps will show the ROW vs. cartway. The mayor appoints the STC of 5-7 members and 2 alternates whose terms, when first organized are staggered 1-5 years, thereafter they are 5 years. There is no need to have an arborist but should have access to a consultant who would be paid from a budget line item. John reported that RFPs have been published. Millville has a STC and is a Tree City USA. STC also has a budget to purchase trees and perform needed maintenance. Arbor Society also gives away trees as part of Arbor Day celebrations.

John reminded the members that January is reorganization. If anyone wants to serve as chairman or secretary call him.

#### CORRESPONDANCE:

Notices received from utility company that they will be trimming trees and from Adams, Rehmann and Heggan for a septic system.

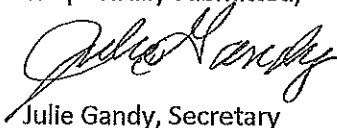
Walt will ask his friend who is an entomologist if we have a Southern Pine beetle problem and John will contact the State Forestry Service.

Jim reported that US Silica was recognized by DEP for their Quail Project. They raised 150 chicks in brooders and will know in the spring how many survived.

Public Comment: Motion by Walt seconded by Ken to open the public portion of the meeting. Motion approved. Seeing no one Walt made motion to close the public portion seconded by Ken. Motion approved.

Motion by Walt seconded by Ken to adjourn. Motion approved at 8:44pm.

Respectfully submitted,



Julie Gandy, Secretary

Minutes of October 13, 2015 were approved on December 8. There was no meeting in November.

cc: Twp. Committee  
CTEC members



2014 Open Space Stewardship Project  
GRANT AWARD OFFER/NOTIFICATION

file ✓

Association of NJ Environmental Commissions (ANJEC)  
PO Box 157, Mendham, NJ 07945 973-539-7547 www.anjec.org

To: Judson Moore, Commercial Twp. Environmental Commission (Cumberland Co.)  
From: Kerry Miller, Assistant Director [kmiller@anjec.org](mailto:kmiller@anjec.org)  
Re: Lake Audrey Signage Project

4/25/14

Congratulations! ANJEC has selected your project for a grant of \$1500.

If your Environmental Commission accepts this grant and commits to providing all of the inputs, tasks, terms and deliverables contained in the proposal you submitted to our office, including any changes/additions agreed to by email (April 2014), please sign, scan and return this form to [kmiller@anjec.org](mailto:kmiller@anjec.org) (or fax to 973-539-7713).

This document and your grant application will serve as the grant agreement. This is a 1-year grant that runs from May 2014 through May 2015. Two thirds of ANJEC's contribution will be mailed to you at the municipal address when we receive this signed agreement from you. The balance will be paid when all inputs, tasks and deliverables are complete and documented to ANJEC. You must complete your project by May 2015. Be sure to maintain records of project expenditures, volunteer and in-kind labor, outreach materials and activities; you will need them to obtain your final payment.

Please note that brief progress reports are mandatory and due at ANJEC via e-mail on **September 8, 2014** and **January 7, 2015** to [kmiller@anjec.org](mailto:kmiller@anjec.org). ANJEC will provide a format for the reports. We ask that you invite ANJEC to all public events related to the project so that we can send a staff member to attend if one is available.

Direct outreach to inform and engage residents about your project and raise the profile of the environmental commission in the community is a required element of this grant. Please remember to take photographs as the project progresses. Each project must submit at least 5 photographs and copies of outreach materials (postings, press/newsletter articles, flyers, brochures, etc.) that ANJEC can post on [www.anjec.org](http://www.anjec.org) in an online "Scrapbook" of Open Space Stewardship Grant Projects.

*We the undersigned members of the Environmental Commission accept this grant under the terms described above, and will insure that the tasks, inputs and deliverables are completed by May 2015, quarterly reports are submitted, and final documentation is submitted to ANJEC by June 15, 2015.*

\_\_\_\_\_  
Environmental Commission Chairperson - name

\_\_\_\_\_  
e-mail address

\_\_\_\_\_  
Signature

\_\_\_\_\_  
day phone or cell

\_\_\_\_\_  
Environmental Commission Member - name

\_\_\_\_\_  
e-mail address

\_\_\_\_\_  
Signature

\_\_\_\_\_  
day phone or cell

### Hours and time of signage project

Design hours by members:	4 members @ four-two hour meetings	32
Installation hours:	four days working with 8 volunteers @ six hour days	192

\*Should we be awarded \$1,500, this project will be conducted phases during a two year period.

Year One	\$1,500
Contributions	\$ 250
Commission funds	\$ 500
Total	\$2,250

Year Two	\$1,500
Contributions	\$ 250
Commission funds	\$ 500
Total	\$2,250

\*Environmental Commission funding will be derived from commission members participating in the local Clean Communities funding program collecting litter along roadsides. Township offers \$500 per group per cleanup day.

All funds will go toward the purchase of signs and posts. Township will provide T-shirts and lunch for volunteers.

\*\*A LETTER FROM THE STATE OF NEW JERSEY APPROVING THIS PROJECT IS BEING SENT TO THE TOWNSHIP. THE LOCAL STATE OFFICE HAS VERBALLY APPROVED THIS PROJECT.

The budget will include all funds going to signage. A proposal indicates ten different types of signs with various sizes for information needed to be printed on each sign. Forty four (44) signs are needed to carry out this project to cover all areas of the park. Our objective is to promote open space throughout this park and lake area for years to come.

There is a letter being prepared by State officials from the Fish and Wildlife office indicating their support of this project offering permission of our environmental commission to take on this project. Because this lake was originally a sand mining operation, commission members are seeking funds from local sand mining companies to off-set any funds that ANJEC cannot provide toward this project. Regardless, funds will be sought from the local sand mining companies to provide additional financial assistance.

There will be a statement on each sign stating that this project was provided by the Commercial Township Environmental Commission in conjunction with funding provided by ANJEC. Press releases will be distributed to local newspapers to announce the grant award and final project results. Coverage will also be covered by the State of New Jersey because of their ownership within their State publications. Recognition will be held at the local Township Committee meeting for Commission members to raise its long-term visibility.

It is always the desire of our Commission members to involve the community with environmental awareness. Press releases will be distributed asking for volunteers to help this project. Several signage days will be held for volunteers to partake with this project. The Township will provide T-shirts and refreshments for signage day in promoting environmental awareness to this most valuable project. Having a State park and lake area with virtually no signage, to have a park area with proper directional signs, an attractive large entrance sign will enhance this lake area tremendously in promoting the public to take part in walking trails, boating, fishing, picnics, kite flying, dog hiking and much more. Improved signage where there currently is no signage will create a positive impact on local open space to welcome the public to a beautiful State facility for open space activities.

Our environmental commission will be applying annually for ANJEC grants and has a successful past with grant funding and projects. Obtaining grant funding for on-going projects will be an annual goal of the commission. This signage project is an example of providing an ongoing use for visitors encouraged to visit the State park and lake. It is an outstanding way of promoting the lake area and providing direction to areas where visitors can participate with open space activities.

## **Budget**

Revenue:

ANJEC grant	\$1,500
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Disbursements:

Signs with posts	\$1,500
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Township contribution for lunch and T-shirts	\$325
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\* \* \* Communication Result Report ( May. 6. 2014 2:11PM ) \* \* \*

1)  
2)

Date/Time: May. 6. 2014 2:09PM

File No.	Mode	Destination	Pg(s)	Result	Page Not Sent
2438	Memory TX	9735397713	P. 1	OK	

## Reason for error

E. 1) Hang up or line fail

E. 3) No answer

E. 5) Exceeded max. E-mail size

E. 2) Busy

E. 4) No facsimile connection

E. 6) Destination does not support IP-Fax

2014 Open Space Stewardship Project  
GRANT AWARD OFFER/NOTIFICATIONAssociation of NJ Environmental Commissions (ANJEC)  
PO Box 157, Mendham, NJ 07945 973-539-7547 www.anjec.orgTo: Judson Moore, Commercial Twp. Environmental Commission (Cumberland Co.)  
From: Kerry Miller, Assistant Director [kmiller@anjec.org](mailto:kmiller@anjec.org)  
Re: Lake Audrey Stignaga Project

4/25/14

Congratulations! ANJEC has selected your project for a grant of \$1500.

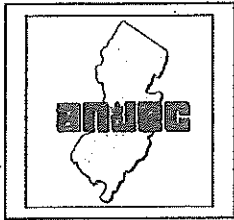
If your Environmental Commission accepts this grant and commits to providing all of the inputs, tasks, terms and deliverables contained in the proposal you submitted to our office, including any changes/additions agreed to by email (April 2014), please sign, scan and return this form to [kmiller@anjec.org](mailto:kmiller@anjec.org) (or fax to 973-539-7713).

This document and your grant application will serve as the grant agreement. This is a 1-year grant that runs from May 2014 through May 2015. Two thirds of ANJEC's contribution will be mailed to you at the municipal address which you receive this signed agreement from you. The balance will be paid when all inputs, tasks and deliverables are complete and documented to ANJEC. You must complete your project by May 2015. Be sure to maintain records of project expenditures, volunteer and in-kind labor, outreach materials and activities; you will need them to obtain your final payment.

Please note that brief progress reports are mandatory and due at ANJEC via e-mail on September 8, 2014 and January 7, 2015 to [kmiller@anjec.org](mailto:kmiller@anjec.org). ANJEC will provide a format for the reports. We ask that you invite ANJEC to all public events related to the project so that we can send a staff member to attend if one is available.Direct outreach to inform and engage residents about your project and raise the profile of the environmental commission in the community is a required element of this grant. Please remember to take photographs as the project progresses. Each project must submit at least 5 photographs and copies of outreach materials (postings, press/newsletter articles, flyers, brochures, etc.) that ANJEC can post on [www.anjec.org](http://www.anjec.org) in an online "Scrapbook" of Open Space Stewardship Grant Projects.

We the undersigned members of the Environmental Commission accept this grant under the terms described above, and will insure that the tasks, inputs and deliverables are completed by May 2015, quarterly reports are submitted, and final documentation is submitted to ANJEC by June 15, 2015.

John J. Nardone	<a href="mailto:johnj.nardone@yahoo.com">johnj.nardone@yahoo.com</a>
Environmental Commission Chairperson - name	e-mail address
<i>John J. Nardone</i>	609-351-3987
Signature	day phone or cell
Julia C. Gandy	<a href="mailto:juliegandy1200@yahoo.com">juliegandy1200@yahoo.com</a>
Environmental Commission Member - name	e-mail address
<i>Julia C. Gandy</i>	609-760-8246
Signature	day phone or cell



**2014 Open Space Stewardship Project  
GRANT AWARD OFFER/NOTIFICATION**

**Association of NJ Environmental Commissions (ANJEC)**  
PO Box 157, Mendham, NJ 07945 973-539-7547 [www.anjec.org](http://www.anjec.org)

To: Judson Moore, Commercial Twp. Environmental Commission (Cumberland Co.)  
From: Kerry Miller, Assistant Director [kmiller@anjec.org](mailto:kmiller@anjec.org)  
Re: *Lake Audrey Signage Project*

4/25/14

Congratulations! ANJEC has selected your project for a grant of \$1500.

If your Environmental Commission accepts this grant and commits to providing all of the inputs, tasks, terms and deliverables contained in the proposal you submitted to our office, including any changes/additions agreed to by email (April 2014), please sign, scan and return this form to [kmiller@anjec.org](mailto:kmiller@anjec.org) (or fax to 973-539-7713).

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Direct outreach to inform and engage residents about your project and raise the profile of the environmental commission in the community is a required element of this grant. Please remember to take photographs as the project progresses. Each project must submit at least 5 photographs and copies of outreach materials (postings, press/newsletter articles, flyers, brochures, etc.) that ANJEC can post on [www.anjec.org](http://www.anjec.org) in an online "Scrapbook" of Open Space Stewardship Grant Projects.

*We the undersigned members of the Environmental Commission accept this grant under the terms described above, and will insure that the tasks, inputs and deliverables are completed by May 2015, quarterly reports are submitted, and final documentation is submitted to ANJEC by June 15, 2015.*

John J. NARDONE  
Environmental Commission Chairperson - name

*John J. Nardone*  
Signature

johnj.nardone@yahoo.com  
e-mail address

609-351-3987  
day phone or cell

JULIA C. GANDY  
Environmental Commission Member - name

*Julia C. Gandy*  
Signature

juliegandy1200@yahoo.com  
e-mail address

609-760-8946  
day phone or cell

Item 15

5- Years Environmental Comm. Reports

5- years of Ord & Regulation Changes  
of County Bd Health Effects Residents

**CUMBERLAND COUNTY BOARD OF HEALTH  
RESOLUTION NO. 09/2017-01**

**ADOPTION OF PROPOSED REVISIONS TO ORDINANCE 13**

WHEREAS, the Cumberland County Board of Health by Resolution on February 26, 2014 adopted Ordinance 13; and

WHEREAS, from time to time Ordinances and other regulations should be reviewed and revised in the interest of good government and for the benefit of all citizens; and

WHEREAS, after discussion among Board Members and staff it is desirable that changes be made to Ordinance 13; and

WHEREAS, a first reading of the proposed changes to Ordinance 13 is required and was held on August 30, 2017; and

WHEREAS, notice of a public hearing to be held on September 27, 2017 was published in the paper of record and the ordinance and proposed changes were posted and made available according to N.J.S.A. 40:49-2 et al.; and

WHEREAS, a public hearing was held on September 27, 2017 at 5:30 p.m. at 309 Buck Street, Millville, New Jersey; and

WHEREAS, immediately following the public hearing at the same place, date and time at a duly advertised regular meeting of the Cumberland County Board of Health the members did discuss and consider certain amendments and changes to Ordinance 13; and

NOW, THEREFORE, BE IT RESOLVED BY THE CUMBERLAND COUNTY BOARD OF HEALTH, following a first reading, public hearing and second reading of the revisions to Ordinance 13 the Cumberland County Board of Health ratifies certain



amendments as they appear in the attached document which is incorporated in its entirety in to this resolution.

CERTIFICATION

Passed and adopted at the meeting of the Cumberland County Board of Health  
held on September 27, 2017 at 5:30 p.m.

  
CHARLOTTA BIRDSALL, Chairperson

  
STEVEN ERRICKSON, Secretary

CUMBERLAND COUNTY BOARD OF HEALTH

ORDINANCE NO. 13

**AN ORDINANCE OF THE CUMBERLAND COUNTY BOARD OF HEALTH REGULATING THE  
LOCATION, CONSTRUCTION, ALTERATION, INSPECTION, TESTING, MAINTENANCE, AND USE  
OF SUBSURFACE SEWAGE DISPOSAL SYSTEMS WITHIN THE JURISDICTION OF THE  
CUMBERLAND COUNTY BOARD OF HEALTH**

WHEREAS, the Cumberland County Board of Health deems it absolutely necessary to protect the public health and to prevent the pollution and contamination of water resources; and

WHEREAS, N.J.S.A. 26:3A2-5(c) provides that a County Board of Health shall exercise within the area of its jurisdiction all of the powers granted to a local board of health; and

WHEREAS, in N.J.S.A. 26:3A2-22, the Legislature has declared it the policy of the State to provide for the administration of environmental health services by County Departments of Health throughout the State, which services shall include the enactment, monitoring and enforcement of environmental health ordinances on a countywide basis; and

WHEREAS, N.J.S.A. 26:3A2-27 further empowers the Cumberland County Board of Health to adopt and enforce environmental health ordinances for the territory in the County of Cumberland under the jurisdiction of the Cumberland County Board of Health, including ordinances controlling water pollution; and

WHEREAS, the State Legislature has provided in N.J.S.A. 26:3A2-27 that a County Board of Health may adopt standards for the construction and certification of individual subsurface sewage disposal systems which are more stringent than existing State Standards provided that the State Standard allows for the adoption of more stringent ordinances; and

WHEREAS, the Cumberland County Board of Health believes it is in the best interest of the residents of Cumberland County to regulate the location, construction, inspection, alteration, testing, maintenance and use of individual subsurface sewage disposal systems; and

WHEREAS, N.J.A.C. 7:9A-3.1 and N.J.S.A. 26:3-69 to 69.6 empower the Cumberland County Board of Health, as the Administrative Authority, to adopt N.J.A.C. 7:9A, The STANDARDS FOR INDIVIDUAL SUBSURFACE SEWAGE DISPOSAL SYSTEMS, by reference and to

also include additional, requirements, if needed within the jurisdiction of the Cumberland County Board of Health, through the adoption of a "special ordinance";

NOW THEREFORE, BE IT ORDAINED BY THE CUMBERLAND COUNTY BOARD OF HEALTH OF THE COUNTY OF CUMBERLAND AND STATE OF NEW JERSEY FOLLOWS:

Section 1. Short Title:

This Ordinance shall be known as the "Cumberland County Board of Health and Cumberland County Health Department Individual Subsurface Sewage Disposal System Special Ordinance"

Section 2. Adoption of Standards by Reference:

- A. The regulations promulgated by the State Commissioner of the Department of Environmental Protection pursuant to the Realty Improvement Sewerage and Facilities Act (1954) and subsequent amendments thereto also known as N.J.A.C. 7:9A "Standards for Individual Subsurface Sewage Disposal Systems", last amended March 7, 2012, and all subsequent amendments thereto, which provide standards for the proper location, design, construction, installation, alteration, operation and maintenance of individual subsurface sewage disposal systems are hereby adopted and are of full force and effect in the County of Cumberland, except for the regulations and higher standards prescribed by this Ordinance.
- B. Three copies of said Standards for Individual Subsurface Sewage Disposal Systems (2012) have been placed on file in the office of the Secretary of this Board of Health upon the introduction of this Ordinance and will remain in said office for the use and examination of the public.

### Section 3. Definitions:

This Ordinance incorporates the definitions contained in the Definition Subchapter of the New Jersey Administrative Code 7:9A as if specifically set forth herein. In addition to the definitions contained in N.J.A.C. 7:9A, the following additional definitions are adopted as part of this ordinance:

**Existing Use Determination** — A decision by the Cumberland County Health Department, following review of related reports and information, to allow or disallow the use of an existing subsurface sewage disposal system when a sale, change of use, expansion or alteration of an existing realty improvement served by a subsurface sewage disposal system is proposed.

**Owners Agent** — Any individual, business, or other entity who performs a service in relationship to this Ordinance, regardless of whether there is a charge associated with the service, for, or on the behalf of, a property owner or their designee.

**Real Property** - property that includes land and buildings, and anything affixed to the land. Real property would include, but not be limited to, residential homes, barns, garages, warehouses, factories, offices, and other buildings permanently affixed to the land.

**Septic Hauler** — An individual or business licensed by the New Jersey Department of Environmental Protection to pump sewage disposal systems and to haul the waste to a licensed disposal facility.

**Septic Inspection** — As used in this Ordinance, an inspection performed on an existing system and done in accordance with the New Jersey Department of Environmental Protection, Technical Guidance for the Inspections of Onsite Wastewater Treatment and Disposal Systems

**Septic Inspector** — Inspection personnel conducting inspections of existing subsurface sewage disposal systems in accordance with the New Jersey Department of Environmental Protection, Technical Guidance for the Inspections of Onsite Wastewater Treatment and Disposal Systems and as required by this Ordinance.

**System** — as used in this ordinance, the sewage disposal system serving, or proposed to serve, a realty improvement

#### Section 4. Inspection Required for existing systems

- A. Existing systems will require an inspection for the following reasons:
  - 1. The system is not operating properly (i.e., overflow, back-up into the house, need of frequent pumping)
  - 2. A sale of the real property if required by the purchaser at the time of a real estate transaction. If the purchaser chooses not to have an inspection done they shall come to the Cumberland County Board of Health to obtain a waiver which can be presented to the Township in conjunction with obtaining a Certificate of Occupancy
  - 3. An expansion, alteration or change of use of the real property served by the system is proposed
- B. Any inspection performed as required by Section 4 – A of this Ordinance shall be performed in compliance with the New Jersey Department of Environmental Protection, Technical Guidance for the Inspections of Onsite Wastewater Treatment and Disposal Systems and documented on the forms provided in Appendix A of N.J.A.C. 7:9A for such purpose; or shall comply with N.J.A.C. 7:9A-3.3(b), (c), or (d).
- C. All inspection reports shall be reviewed by the Cumberland County Health Department for an Existing Use Determination.
- D. Inspection report forms shall be submitted to the Cumberland County Health Department in hard copy format with the appropriate fee established in Ordinance #11.
- E. It shall be a violation of this Ordinance to use a system prior to receiving a Cumberland County Health Department Final Septic Certification or obtaining compliance as required in the Cumberland County Health Department System Inspection Report Review.

Section 5. Cesspools – Restatement of 7:9A-3.16 Other sanitary sewage disposal units

(a) Cesspools, privies, outhouses, latrines, pit toilets or similar sanitary sewage disposal units are not systems. When an administrative authority discovers a privy, outhouse, latrine, pit toilet or similar sanitary sewage disposal unit, or any cesspool that serves a structure and that is in need of repair or alteration, it must order these units be abandoned and a conforming system installed except:

1. If it is not possible to bring the system into conformance with this chapter, the system shall be brought as close to conformance with the requirements of this chapter as the administrative authority determines is possible, provided the system as improved results in a discharge that is protective of human health and the environment; or

2. If the administrative authority is not able to approve a system under (a)1. above, application shall be made for approval to utilize a holding tank in accordance with N.J.A.C. 7:9A-3.12(c).

(b) Effective June 2, 2012, except as provided at (c) below, all cesspools, privies, outhouses, latrines and pit toilets that are part of a real property transfer shall be abandoned and replaced with a system in accordance with (a) above.

(c) A cesspool that is not malfunctioning may continue to serve the structure after a real property transfer only in the following circumstances:

1. A conveyance for a consideration of less than \$100.00;
2. A conveyance by or to the United States of America, the State of New Jersey, or any instrumentality, agency or subdivision thereof;
3. A conveyance encumbering realty, or providing for the modification, release or discharge of a debt, obligation or encumbrance, or the foreclosure of a mortgage or lien, or sheriff and execution sales;
4. A deed which confirms or corrects a deed previously recorded;
5. A sale for delinquent taxes or assessments and the foreclosure of same;
6. Judicial proceedings affecting interests in real estate, and documents filed in connection thereto;
7. A conveyance by a receiver, trustee in bankruptcy or liquidation, or assignee for the benefit of creditors;
8. A deed eligible to be recorded as an "ancient deed" pursuant to N.J.S.A. 46:16-7;

9. A deed or map that memorializes subdivisions of land, or which creates or affects easements or restrictions or other burdens upon title;
10. A conveyance between family members or former spouses;
11. Execution of a lease or license;
12. In specific performance of final judgment;
13. A deed releasing a right of reversion;
14. A deed by a executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's property in accordance with the provisions of the decedent's will or the intestacy laws of New Jersey, or the passage of title by intestacy or descent; or
15. A deed to effectuate a boundary line agreement.

(d) A person claiming to qualify for an exemption under (c) above shall document the exemption that applies by providing to the administrative authority applicable State of New Jersey Affidavit of Consideration of Use forms available through the New Jersey Department of Treasury and all supporting documentation.

#### Section 6. Registration of Inspection Personnel

- A. Personnel conducting septic inspections as required in Section 4 of this ordinance, shall register their name, business name and contact information annually with the Cumberland County Health Department, having completed the following requirements:
  - a. Attended a continuing education seminar presented by the Cumberland County Board of Health within the past twelve months.
  - b. Alternately provided proof of attendance at a similar seminar including a syllabus of the materials covered.
  - c. Certified that they have watched a video presentation of the most recent continuing education seminar presented by the Cumberland County Board of Health.
- B. The Cumberland County Health Department may supply a list of the registered inspection personnel upon request to any person requesting same. Acceptance and publication of a person's information on the list is not an endorsement but an acknowledgement that they have met the minimum requirements.
- C. The Cumberland County Health Department reserves the right to remove registered inspectors from the list should it be determined that the information submitted in their report is found to be fraudulent, inaccurate or deceptive in nature.

- D. Prior to removal from the registration list, the Cumberland County Health Department shall notify the registered inspector and allow for a hearing of the incidents giving rise to the proposed removal.
- E. Removal from the registration list shall be in effect for a period of one year, after which time the inspection personnel may request reinstatement to the registration list. Upon reinstatement to the list, the Cumberland County Health Department requires the witnessing of no less than 1 inspection per quarter performed by the reinstated inspector within the next year. Failure to have inspections witnessed will result in removal from the list.

#### Section 7. Tank Tightness Testing

- A. Tank Tightness Testing required by N.J.A.C. 7:9A-8.2(m) shall be performed by an individual with adequate equipment and training for the purpose of performing the test.
- B. The Tank Tightness Test shall not be performed by the homeowner or any individual having a financial or legal interest in the property.
- C. Tank Tightness Test results shall be submitted to the Cumberland County Health Department as part of the inspection forms required for the system. The test result report shall include the following information:
  - a. Property Information: owner, address, township, block and lot
  - b. Date of the test
  - c. Test method used
  - d. Name of who performed the test (Business or Individual)
  - e. Signature and Date of the person performing the test

#### Section 8. Grease Traps

- A. In accordance with N.J.A.C. 7:9A-8.1(a) Restaurants, cafeterias, institutional kitchens and other facilities discharging large quantities of grease shall use a grease trap and a high strength wastewater pretreatment component.
- B. Applications for new retail food facilities served by subsurface sewage disposal systems will have their retail food application and sewage disposal system application reviewed jointly. The determination concerning the requirement for grease trap pre-treatment will be based on menu, food preparation equipment, grease waste disposal contracts and other factors affecting the amount of grease that will be discharged through the drains and into the sewage disposal systems.
- C. Applications for existing retail food facilities with a proposed expansion, change of menu, or change of operation which are served by a subsurface sewage disposal systems may require an inspection of the existing sewage disposal system if it is determined that the proposed changes will increase the volume of sewage or the



amount of grease discharged to the system. If an inspection report is required, the inspection report and the retail food application will be reviewed jointly. The determination concerning the requirement for grease trap pre-treatment will be based on menu, food preparation equipment, grease waste disposal contracts, condition of the existing system and other factors affecting the amount of grease that will be discharged through the drains and into the sewage disposal systems.

#### Section 9. Tank Label Material and Placement

- A. In accordance with N.J.A.C. 7:9A-8.2(l)2, a permanent, non-corrosive marker a minimum of six square inches in size containing the following information shall be attached to the manhole cover or riser immediately below the cover:
  - i. The administrative authority name and permit number under which the system was installed;
  - ii. The date of installation;
  - iii. The type of system; and
  - iv. The total design criteria in gallons per day.
- B. The non-corrosive material shall consist of aluminum, tin, or other non-corrosive metal or plastic. Labels shall not be paper or paper product that will decompose over time.
- C. Labels shall be permanently affixed to the outside of the riser or manhole cover in an area which can be easily visible during homeowner or contractor inspection.

#### Section 10. Permit Expiration Date and Renewal of Expired Permits

- A. An approved application for the construction, installation, repair and/or alteration of a subsurface sewage disposal system shall be considered to be a permit.
- B. Permits shall be valid one year from the date of approval providing no Permit Extension Acts are in affect.
- C. Requirements for the renewal of a permit:
  - a. Submission of a certification form signed and sealed by the design engineer and stating compliance with N.J.A.C. 7:9A is maintained, there are no changes in site conditions that will require a change to the original design; and,
  - b. The permit renewal fee established in Ordinance 1.1 has been paid
- D. Determination that site conditions have changed will require the applicant to submit a revised application for the system.

#### Section 11. Existing Holding Tanks and Advanced Treatment Systems

- A. Whenever the CCHD has knowledge through report or direct observation of the existence of a holding tank or advanced treatment system, it shall investigate and take all steps necessary to determine whether the system is compliant.
- B. When a system has been determined to be non-compliant or unpermitted, the owner shall take immediate steps to correct the non-compliance. The owner shall apply for a permit and shall comply with Board of Health Ordinance 10 and this Ordinance as applicable. Only the CCHD or the DEP shall determine that a system is non-compliant.

#### Section 12. Severability and Preemption:

In the event that any section, sentence or clause of this Ordinance shall be deemed unconstitutional or invalid by a court of competent jurisdiction, shall be preempted or otherwise modified by State or Federal law, such declaration shall not in any matter render void or prejudice the enforcement of the remaining sections of this Ordinance.

#### Section 13. Violation and Penalties:

- A. Violation of any provision of N.J.A.C. 7:9A et seq shall be a violation of the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq., and the violator shall be subject to assessment of civil administrative penalties pursuant to the provisions of N.J.A.C. 7:14-8. The matrix of Civil Administrative Penalties begins at a minimum of one thousand dollars (\$1,000) to a maximum of fifty thousand dollars (\$50,000) in accordance with the regulations.
- B. In addition to any other liability or penalty imposed by law, any person violating any additional provision of this Special Ordinance shall be subject to a penalty of not less than Fifty (\$50.00) Dollars nor more than One Thousand (\$1000.00) Dollars for each offence.
- C. Each and every day in which a violation of any of the provisions of the Ordinance exists shall constitute a separate offense.

#### Section 14. Inconsistent Ordinances Repealed:

All Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency. Pursuant to N.J.S.A. 26:3A2-27, this Ordinance supersedes all inconsistent Municipal and Local Board of Health Ordinances regulating the same subject matter.

Section 15. Effective Date:

This ordinance and future amendments shall take effect after public hearing and 30 days after final adoption by the Cumberland County Board of Health unless disapproved by the Commissioner of the Department of Environmental Protection within said period pursuant to N.J.S.A. 26:3A2-27.

A. The Secretary of the Board is hereby directed to publish and distribute this ordinance in accordance with law.

B. Copies of this ordinance upon adoption shall be forwarded to:

1. New Jersey Department of Environmental Protection  
Bureau of Local Environmental Management
2. All Municipalities within the Jurisdiction of the CCHD


DATE OF INITIAL ADOPTION: February 26, 2014

DATE OF AMENDMENT ADOPTION: September 27, 2017

CERTIFICATION

Passed and adopted at the meeting of the Cumberland County Board of Health held on September 27, 2017 at 5:30 p.m.

  
CHARLOTTA BIRDSALL, Chairperson

  
STEVEN ERRICKSON, Secretary

H-  
EYE  
J

**CUMBERLAND COUNTY BOARD OF HEALTH  
RESOLUTION NO. 03/2014-01**

WHEREAS, the Cumberland County Board of Health determined to take action on certain Ordinances within its jurisdiction; and

WHEREAS, the Cumberland County Board of Health caused the first reading regarding action on these Ordinances to be read at its January 15, 2014 meeting; and

WHEREAS, the Cumberland County Board of Health caused the second reading regarding action on these Ordinances to be read at its February 26, 2014 meeting; and

WHEREAS, the Cumberland County Board of Health took action to adopt Ordinance Nos. 11, 12, 13 and 14 and repeal Ordinances Nos. 4, 6, 7 and 7A, 8 (Amended), 9, 1983-1, and 1983-2 at its February 26, 2014 meeting;

NOW, THEREFORE, the Cumberland County Board of Health reaffirms the first reading at its January 15, 2014 meeting and the second reading and the action taken to adopt Ordinance Nos. 11, 12, 13 and 14 and repeal Ordinances Nos. 4, 6, 7 and 7A, 8 (Amended), 9, 1983-1, and 1983-2 at its February 26, 2014 meeting;

CERTIFICATION

Passed and adopted at the Meeting of the Cumberland County Board of Health held on March 26, 2014 at 6:00 p.m.

  
\_\_\_\_\_  
PAULA RING, Chairperson

  
\_\_\_\_\_  
STEVEN ERRICKSON, Secretary

CUMBERLAND COUNTY BOARD OF HEALTH

ORDINANCE NO. 11

**AN ORDINANCE OF THE CUMBERLAND COUNTY BOARD OF HEALTH ESTABLISHING INSPECTION, RE-INSPECTION, APPLICATION AND REVIEW, AND CLINIC SERVICE FEES PAYABLE TO THE CUMBERLAND COUNTY HEALTH DEPARTMENT FOR SERVICES PROVIDED WITHIN THE JURISDICTION OF THE CUMBERLAND COUNTY BOARD OF HEALTH AND ESTABLISHING PENALTIES FOR THE VIOLATION THEREOF**

BE IT ORDAINED BY THE CUMBERLAND COUNTY BOARD OF HEALTH, COUNTY OF CUMBERLAND, STATE OF NEW JERSEY, AS FOLLOWS:

**Section 1. Short Title:**

This Ordinance shall be known as "Cumberland County Board of Health Fee Ordinance".

**Section 2. Definitions:**

This Ordinance incorporates the definitions contained in the Definition Subchapters of the New Jersey Administrative Code (N.J.A.C.) Title 7 Department of Environmental Protection and Title 8 Department of Health and Senior Services as if specifically set forth herein. In addition to the definitions contained in the New Jersey Administrative Code, Title 7 and Title 8, the following additional definitions are adopted as part of this ordinance:

**Alternate/Advanced Technology Sewage Disposal System:** a sewage disposal system which uses non-traditional, active or mechanical technology as approved for use by New Jersey Department of Environmental Protection.

**Animal:** any animal subject to rabies or other diseases of dogs.

**Facility:** means any kennel, pet shop, shelter or pound subject to N.J.S.A. 4:19-15.1 et seq. and N.J.A.C. 8:23A-1.1 et seq.

**Food:** Retail Food Establishment

**Mobile Food Establishments:** any movable restaurant, truck, van, trailer, cart, bicycle, watercraft, or other movable unit including hand carried, portable containers in or on which food or beverage is transported, stored, or prepared for retail sale or given away at temporary locations.

**Non – Potable Supply Well:** Any water supply system not used or intended to be used for a potable water supply, permanently identified as such and disconnected from the building plumbing system.

**Pool/Bathing Area:** Public Recreational Bathing Facility

**Potable Supply Well:** Any water supply system used or intended to be used for drinking, bathing, culinary, or other personal contact purposes.

**Re-Inspection:** an inspection performed by the Cumberland County Health Department because the conditions found during an initial or routine first inspection did not meet applicable standards.

**Rear Estate Septic Inspection Report Review and Determination:** a review of a septic contractor report for determination of compliance with the New Jersey Technical Guidance Document requirements for Inspections of Existing Subsurface Sewage Disposal systems and N.J.A.C 7:9A. A determination letter will be issued by the Cumberland County Health Department indicating that the existing sewage disposal system is not malfunctioning; is malfunctioning and needs additional repair or alteration work; contains non-compliant components; or more information is needed.

**Replacement Well:** a new Non-Community Water Supply System that is being installed to replace an existing Non-Community Water Supply System that is no longer functioning properly.

**Risk Type 1:** serves, heats or sells only pre-packaged, commercially processed, non-potentially hazardous foods, such as convenience stores, hot dog carts, and coffee shops.

**Risk Type 2:** prepares limited menu, cooks, and serves most products immediately with hot and cold holding of potentially hazardous foods, such as retail food store operations, schools that do not serve a highly susceptible population, and quick service operations.

**Risk Type 3:** extensive menu using raw ingredients, cooking, cooling and reheating at least three or more potentially hazardous foods, complex preparation of menu items and/or whose primary service population is a highly susceptible population such as full service restaurants, diners, commissaries, catering operations, hospitals, nursing homes, and pre-schools.

**Risk Type 4:** involves specialized processes such as smoking, curing, canning, bottling, acidification designed to control pathogen proliferation, or any reduced oxygen packaging intended for extended shelf-life where such activities may require the assistance of a trained food technologist, including establishments conducting specialized processing at retail.

**Septic Plan:** Application for an Individual Subsurface Sewage Disposal System Permit.

**Water Certification:** a certification issued by the Cumberland County Health Department indicating that the Non Community Water Supply System water sample results meet applicable standards.

**Well:** a Non-Community or Private Water Supply System.

### **Section 3. Purpose:**

The Purpose of this Ordinance is to provide for the establishment of a Fee Schedule for payment of fees for services provided by the Cumberland County Health Department.

#### Section 4. Fees:

The Cumberland County Health Department establishes the following fees for the services rendered:

<b>Service Provided</b>	<b>Current Fee</b>	<b>Effective 6/26/2014</b>
<u>Septic Program</u>		
Septic Plan Review / Permit/ Final Cert (Standard design, new or alteration)	200.00	250.00
Septic Plan Review / Permit / Final Cert ( Advanced Tech, new or alteration)	300.00	450.00
Septic Plan Revisions	100.00	100.00
Septic Repair Plan Review / Permit / Final Cert	100.00	200.00
Septic System Re-Inspection	75.00	100.00
Septic Permit Renewal	100.00	50.00
Septic System inspection for any other requested purpose (no permit)	N/A	100.00
Real Estate Septic Inspection Report Review and Determination	100.00	100.00
Review and Certification for Use of Existing Septic System /Act of God	N/A	200.00
Advanced Tech Initial License to Operate if System was TWA approval	100.00	100.00
Advanced Tech Renewal of License to Operate	75.00	75.00
<u>Food Plan / Application Review (New Establishment)*</u>		
Risk Type 1	25.00	50.00
Risk Type 2	50.00	100.00
Risk Type 3	175.00	200.00
Risk Type 4	250.00	300.00
<u>Food Plan Revisions for Denied Applications or Renovations to Existing Facility*</u>		
Risk Type 1	25.00	25.00
Risk Type 2	25.00	50.00
Risk Type 3	100.00	100.00
Risk Type 4	100.00	100.00
<u>Food Inspection Fees*</u>		
Risk Type 1	50.00	75.00
Risk Type 2	75.00	100.00
Risk Type 3	150.00	150.00
Risk Type 4	250.00	250.00

Mobile Food Establishments		
Shall apply annually for approval to operate		
<u>Food Re-Inspection Fees*</u>		
Risk Type 1	25.00	50.00
Risk Type 2	50.00	75.00
Risk Type 3	100.00	100.00
Risk Type 4	100.00	100.00
<u>Well Plan Review / Permit</u>		
Non-potable	N/A	No Charge
Potable New	125.00	125.00
Potable Replacement	100.00	100.00
<u>Well Plan Revisions</u>		
Potable New	50.00	50.00
Potable Replacement	50.00	50.00
<u>Public Recreational Bathing</u>		
Public Recreational Bathing Plan Review (new & alteration)	100.00	250.00
Public Recreational Bathing Annual Permit to Operate (1 <sup>st</sup> inspection of yr)	N/A	100.00
Public Recreational Bathing Operational Inspection (2 <sup>nd</sup> inspection of yr)	100.00	100.00
Public Recreational Bathing Re-inspection	N/A	75.00
<u>Animal Facility Operations (kennels, pet shops, shelters, etc.)</u>		
Animal Facility Operation Plan Review	50.00	125.00
Animal Facility Operation Plan Revision	50.00	75.00
Animal Facility Operation Inspection	N/A	100.00
Animal Facility Operation Re-inspection	N/A	50.00
Water Test Certification	50.00	50.00
<u>Body Art Facilities</u>		
New Facility Plan Review and Permit (includes initial plan review, pre and operational inspection)	300.00	300.00
Temporary (Festival) Plan Review and Permit (per vendor)	300.00	300.00
Plan Revision	300.00	150.00
Permit Revision (required when change in staff/owner/facility)	75.00	50.00
Artist Portfolio Review and Classification	75.00	75.00
Annual Inspection and Permit Renewal	100.00	100.00
Re-Inspection	75.00	75.00



<u>Campgrounds</u>	N/A	150.00
Campground Plan Review	N/A	50.00
Campground Plan Revision	N/A	75.00 per 10 sites
Campground Inspection	N/A	50.00 per 10 sites
Campground Re-inspection		
<u>Clinic Service Fees</u>		
Rabies Vaccinations (for individuals living outside of our service area)	N/A	\$10.00
Flu Vaccinations	N/A	
TB Testing	N/A	
<u>Late Fee (surcharge for fees received later than 30 days of due date)</u>	N/A	\$5.00/day
*Food establishments with dual-functions will be inspected based on highest risk factor		

#### **Section 5. Exemptions:**

Government agencies, religious organizations and non-profit organizations are exempt from fees upon production of their appropriate New Jersey Division of Taxation, exempt classification number.

#### **Section 6. Payment of Fees:**

All required fees established by this Ordinance shall be paid upon submission of an application or report for review by the Cumberland County Health Department or within thirty (30) days of receipt of a statement for field services provided by Cumberland County Health Department. Payments shall be delivered or mailed to the Cumberland County Health Department. Checks shall be made payable to the Cumberland County Health Department. Fee payments received 30 days after their due date shall be subject to a late fee of \$5.00 per day.

#### **Section 7. Failure to Pay Fees:**

Failure to pay the fees required by this Ordinance to the Cumberland County Health Department shall be considered a violation of this Ordinance and may result in the cancellation of any permit, approval or certification given or the withholding of any pending permit, approval or certification required by this Ordinance.

#### **Section 8. Severability:**

In the event that any section, sentence or clause of this Ordinance shall be deemed unconstitutional or invalid by a court of competent jurisdiction, such declaration shall not in any matter render void or prejudice the enforcement of the remaining sections of this Ordinance.

**Section 9. Violation and Penalties:**

In addition to any other liability or penalty imposed by law, any person violating any provision of this Ordinance shall be subject to a penalty of not less than One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars for each offence.

**Section 11. Inconsistent Ordinances Repealed:**

All Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency. Pursuant to N.J.S.A. 26:3 A2-27, this Ordinance supersedes all inconsistent Municipal and Local Board of Health Ordinances regulating the same subject matter.

**Section 12. Effective Date:**

This Ordinance shall take effect after public hearing and 90 days after final adoption by the Cumberland County Board of Health unless disapproved by the Commissioner of the Department of Environmental Protection within said period pursuant to N.J.S.A. 26:3A2-27.

- A. A public hearing on this Ordinance shall be held at the Cumberland County Board of Health Meeting on January 15, 2014 and February 26, 2014.
- B. The Secretary of the Board is hereby directed to publish and distribute this ordinance in accordance with law.
- C. Copies of this Ordinance upon adoption shall be forwarded to:
  - 1. New Jersey Department of Environmental Protection, Bureau of Local Environmental Management
  - 2. All Municipalities within the Jurisdiction of the Cumberland County Health Department

**CUMBERLAND COUNTY BOARD OF HEALTH**

**ORDINANCE NO. 12**

**AN ORDINANCE OF THE CUMBERLAND COUNTY BOARD OF HEALTH REGULATING THE LOCATION, CONSTRUCTION, ALTERATION, INSPECTION, TESTING AND USE OF NON-COMMUNITY, and PRIVATE WATER SUPPLY SYSTEMS WITHIN THE JURISDICTION OF THE CUMBERLAND COUNTY BOARD OF HEALTH**

WHEREAS, the Cumberland County Board of Health deems it absolutely necessary to protect the public health and to prevent the pollution and contamination of the water resources; and

WHEREAS, N.J.S.A. 26:3A2-5(c) provides that a County Board of Health shall exercise within the area of its jurisdiction all of the powers granted to a local board of health; and

WHEREAS, N.J.S.A. 26:3-31 (a) empowers the Cumberland County Board of Health to pass ordinances to protect the public's water supply and prevent the pollution of any stream of water or well, the water of which is used for domestic purposes and to prevent the use of or to close any well, the water of which is polluted or detrimental to the public health; and

WHEREAS, in N.J.S.A. 26:3A2-22, the Legislature has declared it the policy of the State to provide for the administration of environmental health services by County Departments of Health throughout the State, which services shall include the enactment, monitoring and enforcement of environmental health ordinances on a countywide basis; and

WHEREAS, N.J.S.A. 26:3A2-27 further empowers the Cumberland County Board of Health to adopt and enforce environmental health ordinances for the territory in the County of Cumberland under the jurisdiction of the Cumberland County Board of Health, including ordinances controlling drinking water and water pollution; and

WHEREAS, the State Legislature has provided in N.J.S.A. 26:3A2-27 that a County Board of Health may adopt standards for the construction and certification of wells which are more stringent than existing State Standards provided that the State Standard allows for the adoption of more stringent ordinances; and

WHEREAS, N.J.S.A. 58:12A-16 of the New Jersey Safe Drinking Water Act further charges a County Board of Health with the responsibility of developing voluntary procedures for the testing of individual homeowner wells; and

WHEREAS, N.J.A.C. 7:10-12.1 et seq provides a County Board of Health with discretion in testing non-public water systems to determine the acceptability of said water supply; and

WHEREAS, N.J.A.C. 7:9E et. seq. establishes water test parameters and requirements for the collection, analysis, and submittal of test results and establishes procedures and requirements for maintaining the confidentiality of any information submitted to the Department or other government agencies pursuant to the Private Well Testing Act; and

WHEREAS, the Cumberland County Board of Health believes it is in the best interest of the residents of Cumberland County to regulate the location, construction, inspection, alteration, testing and use of individual wells and individual sewage disposal systems; and

WHEREAS, the testing of individual wells will assist the County Board of Health in determining the existence and migration of pollution and hazardous substances in the surface and ground waters of the County:

**NOW THEREFORE, BE IT ORDAINED BY THE CUMBERLAND COUNTY BOARD OF HEALTH OF THE COUNTY OF CUMBERLAND AND STATE OF NEW JERSEY FOLLOWS:**

**Section 1. Short Title:**

This Ordinance shall be known as the "Cumberland County Board of Health Non-Community and Individual Water Supply System Ordinance."

**Section 2. Definitions:**

This Ordinance incorporates the definitions contained in the Definition Subchapters of the New Jersey Administrative Code Title 7 Department of Environmental Protection and Title 8 Department of Health and Senior Services as if specifically set forth herein. In addition to the definitions contained in the New Jersey Administrative Code, Title 7 and Title 8, the following additional definitions are adopted as part of this ordinance:

**Abandoned Well:** Means any well which is not in use, is not properly maintained, or no longer serves its intended use as demonstrated by the permit issued for its construction, or any well which endangers or threatens the subsurface or percolating waters by the intrusion of salt water or from any other cause, or endangers life.

**Act:** The New Jersey Safe Drinking Water Act, N.J.S.A. 58:12A-1 et seq. as amended and supplemented from time to time.

**Administrative Authority:** The administrative authority for the purpose of this Ordinance is the Cumberland County Board of Health pursuant to N.J.A.C. 7:10-1.3 and it shall be the administrative authority for the purpose of granting administrative hearings per N.J.A.C. 7:10-12.43.

**Alteration** : Shall mean changes to the well head, well casing and/or piping. Alteration shall not include the replacement of a well pump, pressure tank or like equipment that does not in any way disturb the well head, well casing or well piping from the pump to the well head.

**As is Condition**: the purchase or sale of a property in its existing condition without repairs.

**Authorized Agent**: The authorized agent for the purposes of this Ordinance is the Cumberland County Department of Health.

**Decommissioning**: The permanent closure or sealing of any well in accordance with State regulatory procedures.

**Irrigation Well**: A well permitted as such and utilized for the application of water to the land or soil, to assist in the growing of agricultural crops, maintenance of landscapes, and re-vegetation.

**Lease**: a contract by which one party conveys land, property, services, etc., to another for a specified time.

**Lot**: A designated parcel, tract, or area of land established by a plat or as otherwise permitted by law.

**Non-Potable Water Supply**: Any water not used or intended to be used for a potable water supply, with no connection to plumbing fixtures, and permanently identified as such.

**Person**: Any individual, corporation, partnership, business or property owner.

**Potable Water Supply**: Any water used or intended to be used for drinking, bathing, culinary, or other personal contact purposes.

**Replacement Well**: A new Non Community Water Supply System that is being installed to replace an existing Non Community Water Supply System that is no longer functioning properly.

**Sale**: Fee simple title as passed from one person or legal entity to another person or legal entity by deed or other means of conveyance.

**Secondary Parameter**: As used in this Ordinance, refers to pH, iron and manganese.

**Well**: As used in this Ordinance, shall refer to a Non-Community or private water supply system

### **Section 3. Permit Required: Installation of Wells:**

- A. No person shall locate, construct, or alter any potable or irrigation well within the County of Cumberland until a permit for the location, construction, and/or alteration of said well has been issued by the Cumberland County Health Department.

- B. The Cumberland County Health Department may issue a permit for the location and construction of a well subject to the following conditions:
- (1) A completed application form is submitted to the Cumberland County Health Department together with a design plan prepared in accordance with the requirements and standards set forth in N.J.A.C. 7:10-12.1 et seq. as amended and supplemented from time to time. The well design plan and application shall be prepared and submitted by a well driller licensed by the New Jersey State Well Driller Examining and Advisory Board.
  - (2) The well design plan and application shall be compared to the approved sewage disposal design plan and application for the lot to assure consistency in design plans and to confirm appropriate setback distances and permit approvals.
  - (3) The appropriate State well permit has been approved and issued.
  - (4) The appropriate fee as set forth in ordinance #11, or its amendments or supplements has been paid.
- C. Any Permit issued hereunder shall become invalid if the authorized work is not commenced and completed prior to the time of expiration date of the State Well Permit.

#### **Section 4. Denial of a Permit:**

The issuance of a permit may be denied for any of the following reasons:

- A. The application or design plan submitted for the location, construction and/or alteration of a well does not comply with the requirements and standards set forth in N.J.A.C. 7:10-12.1 et seq. as amended and supplemented from time to time.
- B. The Cumberland County Health Department has knowledge of an individual sewage disposal system within 100 feet of the proposed well that has been determined to be malfunctioning, unpermitted or has a non-compliant component which may affect the setback requirements to the well.
- C. The plans, application or other data is not in the format required by the Cumberland County Health Department.
- D. The application or design plan submitted is deemed incomplete by the Cumberland County Health Department. In the event an application or design is deemed incomplete, the Cumberland County Health Department shall advise the applicant in writing of any deficiencies.
- E. A public community water supply system is presently available to serve the property upon which a well is proposed to be located and constructed.
- F. The installation, use and/or operation of the well is prohibited by Federal, State, or Local law, regulation, or order.

#### **Section 5. Decommissioning of a Well:**

- A. Any well determined to be abandoned shall be properly decommissioned.
- B. By definition a replacement well is a new Non Community Water Supply System proposed to be installed to replace an existing Non Community Water Supply System. The existing well must be properly decommissioned by a well driller with the appropriate license.

#### **Section 6. Final Certification of Wells:**

- A. No well shall be placed into operation or use until the Cumberland County Health Department has issued a certificate indicating that the well is in compliance with the terms of the permit issued and the requirements and standards set forth and incorporated in this Ordinance and applicable State regulations.

#### **Section 7. Granting of Final Certification of a Well:**

The Cumberland County Health Department may grant final certification of a well provided the following requirements are met:

- A. The well has been located, constructed and/or altered in compliance with the approved design plan and permit issued by the Cumberland County Health Department and the requirements and standards set forth and incorporated in this Ordinance and applicable State regulation.
- B. Where the design plan for the location and construction of a well has been submitted by a well driller, licensed by the New Jersey State Well Driller Examining and Advisory Board, the well driller shall certify to the Cumberland County Health Department in writing that the well has been located, constructed, and installed in accordance with the design plan previously submitted to the Cumberland County Health Department and in accordance with all requirements and standards set forth and incorporated in this Ordinance. This document is known as the well record.
- C. A laboratory analysis of a water sample collected in accordance with, and analyzed for the parameters required in the Private Well Testing Act (PWTa) N.J.A.C. 58:12A-26 et seq., or its amendments or supplements, does not disclose the presence of any of the contaminants or substances in an amount which exceeds the maximum contaminant level (MCL) established under the PWTa, the regulations, or this Ordinance.
- D. Should the laboratory analysis in Section 7 C disclose contaminants which exceed the MCL established under the PWTa, a water treatment system shall be installed to correct for the contaminant and a laboratory analyzed sample taken after the treatment system shall yield results that do not exceed the PWTa MCL.
- E. A replacement well serving an owner occupied residential dwelling may be certified provided there are only exceedances of secondary parameters. All other parameters for the well must comply with this Ordinance.

- F. All fees due and payable to the Cumberland County Health Department, under Ordinance #11, or its amendments or supplements have been paid in full.
- G. The installation use and/or operation of the well is not otherwise prohibited by Federal, State, or Local Law regulation or order.
- H. The use or operation of the well does not otherwise pose an actual or potential health hazard to the owner of the property in question, the surrounding property owners or the public in general.

**Section 8. Sale or Transfer of Ownership of Real Property Upon which a Well is Located:**

- A. Every sale or lease of real property, not listed in C or D below, with the potable water supply provided by a private well located on the property; or any other real property with a potable water supply for which there is a well that has less than 15 service connections or that does not regularly serve an average of at least 25 individuals daily at least 60 days out of a year, shall have a water sample collected, analyzed and certified in accordance with the PWTA and Section 9 of this Ordinance.
- B. Prior to closing of title on the sale of real property the following conditions shall be met:
  - (1) The requirements of PWTA are met, and
  - (2) A Cumberland County Health Department Water Certification has been issued in accordance with Sections 7 and/or 9 of this Ordinance.
- C. Real Estate given as a gift bequest or which is devised by the Last Will and Testament of a deceased individual to any named beneficiary or given as a gift by one family member to another family member during the granters lifetime or which conveyance is made to carry out the judgment of any court having proper jurisdiction over the real estate or to carry the terms of a settlement agreement arrived at in any litigation affecting real estate or interest therein are specifically exempted from the compliance with A and B above.
- D. Property sold in "As is Condition" may transfer prior to meeting the requirements of testing and certification provided the Cumberland County Health Department is notified of the pending sale conditions. Upon such notice, the Cumberland County Health Department shall issue a Notice of Violation to the buyer/new owner immediately following the sale. The Notice of Violation is an official record stating that the property is not in compliance with the New Jersey Private Well Testing Act and this Ordinance. The new owner shall have 90 days to comply with the Notice.

**Section 9. Collection and Certification of Water Test Results for the Sale of a Property Upon Which a Well is Located:**



- A. Water samples collected for the purpose of Certification pursuant to this Ordinance shall be collected and analyzed by a laboratory certified by the New Jersey Department of Environmental Protection pursuant to N.J.A.C. 7:18-1.1 et seq.
- B. Initial water samples shall be collected by the certified laboratory in accordance with the sampling and testing requirements established by the PWTA.
- C. In the event that one or more parameters tested discloses an exceedance of standards established under the PWTA the parameters shall be retested after the appropriate treatment measures have been taken.
- D. The repeat sample shall be collected by a laboratory certified by the New Jersey Department of Environmental Protection pursuant to N.J.A.C. 7:18-1.1 et seq. The sample shall be collected from a cold water spigot used for drinking water purposes.
- E. Water sample test results shall be valid for certification under this Ordinance for six (6) months from the date of analysis for Coliform Bacteria, and one (1) year from the date of analysis for all other parameters.
- F. Health Department Drinking Water Certification will be issued when water test results show all parameters tested to be in compliance with drinking water standards established under the PWTA, the Regulations or this Ordinance and the appropriate fee as specified in Ordinance #11, or its amendments or supplements is received.
- G. The following non-potable water supply wells shall be exempt from the sampling and analysis requirements established under Section 7C of this Ordinance.
  - (1) Any non-potable well, the pumps and lines of which do not enter a building, crawlspace, or garage; or are directly connected to a sprinkler system manifold.
  - (2) Geothermal groundwater heat pump wells that are constructed and installed as totally enclosed systems and are incapable of being used as a potable water supply.
  - (3) Fire protection wells as defined in the State Uniform Construction Code, N.J.A.C. 5:23-1.1 et seq. which is incapable of being used as potable water supply.

**Section 10. Collection and Certification of Water Results for the Lease of a Property Upon which a Well is Located**

- A. The lessor of any real property, the potable water supply which is a private well for which testing of the water is not required pursuant to any other state law, shall test the water supply for the parameters set forth in the PWTA every five (5) years.
- B. Water sample results shall be submitted to the Cumberland County Health Department for Certification in accordance with section 9 of this ordinance. Upon each change of tenancy, the lessor shall provide a written copy of the most recent water test results along with the Health Department Certification to the new tenant.

**Section 11. Right of Entry:**

The Cumberland County Health Officer or designee shall have access and entry to any property upon which there is located a well or individual sewage disposal system for the purpose of inspecting and/or testing the same.

**Section 12. Order to Close:**

The Cumberland County Health Officer may order any well which is determined to be detrimental to the public health closed until and unless the water is made potable.

**Section 13. Severability:**

In the event that any section, sentence, or clause of this Ordinance shall be deemed unconstitutional or invalid by a court of competent jurisdiction, such declaration shall not in any manner render void or prejudice the enforcement of the remaining sections of this Ordinance.

**Section 14. Violation and Penalties:**

- A. In addition to any other liability or penalty imposed by law, any person violating any provision of this Ordinance shall be subject to a penalty of not less than Fifty (\$50.00) Dollars nor more than One Thousand (\$1,000) Dollars for each offence.
- B. Each and every day in which a violation of any of the provisions of this Ordinance exists shall constitute a separate offense.

**Section 15. Inconsistent Ordinance Repealed:**

Cumberland County Board of Health Ordinance #7 and #7A and all other ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency. Pursuant to N.J.S.A. 26:3 A2-27, this Ordinance supersedes all inconsistent municipal and local board of health ordinances regulating the same subject matter.

**Section 16. Effective Date:**

This ordinance shall take effect after public hearing and 30 days after final adoption by the Cumberland County Board of Health unless disapproved by the Commissioner of the Department of Environmental Protection within said period pursuant to N.J.S.A. 26:3A2-27.

A. A public hearing on this ordinance shall be held at the Cumberland County Board of Health Meeting on January 15, 2014 and February 26, 2014.

B. The Secretary of the Board is hereby directed to publish and distribute this ordinance in accordance with law.

C. Copies of this ordinance upon adoption shall be forwarded to:

1. New Jersey Department of Environmental Protection  
Bureau of Local Environmental Management
2. All Municipalities within the Jurisdiction of the CCHD

CUMBERLAND COUNTY BOARD OF HEALTH

ORDINANCE NO. 13

**~~AN ORDINANCE OF THE CUMBERLAND COUNTY BOARD OF HEALTH REGULATING THE LOCATION,~~  
CONSTRUCTION, ALTERATION, INSPECTION, TESTING, MAINTENANCE, AND USE OF SUBSURFACE  
SEWAGE DISPOSAL SYSTEMS WITHIN THE JURISDICTION OF THE CUMBERLAND COUNTY BOARD OF  
HEALTH**

WHEREAS, the Cumberland County Board of Health deems it absolutely necessary to protect the public health and to prevent the pollution and contamination of water resources; and

WHEREAS, N.J.S.A. 26:3A2-5(c) provides that a County Board of Health shall exercise within the area of its jurisdiction all of the powers granted to a local board of health; and

WHEREAS, in N.J.S.A. 26:3A2-22, the Legislature has declared it the policy of the State to provide for the administration of environmental health services by County Departments of Health throughout the State, which services shall include the enactment, monitoring and enforcement of environmental health ordinances on a countywide basis; and

WHEREAS, N.J.S.A. 26:3A2-27 further empowers the Cumberland County Board of Health to adopt and enforce environmental health ordinances for the territory in the County of Cumberland under the jurisdiction of the Cumberland County Board of Health, including ordinances controlling water pollution; and

WHEREAS, the State Legislature has provided in N.J.S.A. 26:3A2-27 that a County Board of Health may adopt standards for the construction and certification of individual subsurface sewage disposal systems which are more stringent than existing State Standards provided that the State Standard allows for the adoption of more stringent ordinances; and

WHEREAS, the Cumberland County Board of Health believes it is in the best interest of the residents of Cumberland County to regulate the location, construction, inspection, alteration, testing, maintenance and use of individual subsurface sewage disposal systems; and

WHEREAS, N.J.A.C. 7:9A-3.1 and N.J.S.A. 26:3-69 to 69.6 empower the Cumberland County Board of Health, as the Administrative Authority, to adopt N.J.A.C. 7:9A, The STANDARDS FOR INDIVIDUAL SUBSURFACE SEWAGE DISPOSAL SYSTEMS, by reference and to also include additional, requirements, if needed within the jurisdiction of the Cumberland County Board of Health, through the adoption of a "special ordinance";

NOW THEREFORE, BE IT ORDAINED BY THE CUMBERLAND COUNTY BOARD OF HEALTH OF THE COUNTY OF CUMBERLAND AND STATE OF NEW JERSEY FOLLOWS:

Section 1. Short Title:

This Ordinance shall be known as the "Cumberland County Board of Health and Cumberland County Health Department Individual Subsurface Sewage Disposal System Special Ordinance"

Section 2. Adoption of Standards by Reference:

- A. The regulations promulgated by the State Commissioner of the Department of Environmental Protection pursuant to the Realty Improvement Sewerage and Facilities Act (1954) and subsequent amendments thereto also known as N.J.A.C. 7:9A "Standards for Individual Subsurface Sewage Disposal Systems", last amended March 7, 2012, and all subsequent amendments thereto, which provide standards for the proper location, design, construction, installation, alteration, operation and maintenance of individual subsurface sewage disposal systems are hereby adopted and are of full force and effect in the County of Cumberland, except for the regulations and higher standards prescribed by this Ordinance.
- B. Three copies of said Standards for Individual Subsurface Sewage Disposal Systems (2012) have been placed on file in the office of the Secretary of this Board of Health upon the introduction of this Ordinance and will remain in said office for the use and examination of the public.

Section 3. Definitions:

This Ordinance incorporates the definitions contained in the Definition Subchapter of the New Jersey Administrative Code 7:9A as if specifically set forth herein. In addition to the definitions contained in N.J.A.C. 7:9A, the following additional definitions are adopted as part of this ordinance:

**Existing Use Determination** – A decision by the Cumberland County Health Department, following review of related reports and information, to allow or disallow the use of an existing subsurface sewage disposal system when a sale, change of use, expansion or alteration of an existing realty improvement served by a subsurface sewage disposal system is proposed.

**Owners Agent** – Any individual, business, or other entity who performs a service in relationship to this Ordinance, regardless of whether there is a charge associated with the service, for, or on the behalf of, a property owner or their designee.

**Real Property** - property that includes land and buildings, and anything affixed to the land. Real property would include, but not be limited to, residential homes, barns, garages, warehouses, factories, offices, and other buildings permanently affixed to the land.

**Septic Hauler** – An individual or business licensed by the New Jersey Department of Environmental Protection to pump sewage disposal systems and to haul the waste to a licensed disposal facility.

**Septic Inspection** – As used in this Ordinance, an inspection performed on an existing system and done in accordance with the New Jersey Department of Environmental Protection,

Technical Guidance for the Inspections of Onsite Wastewater Treatment and Disposal Systems

**Septic Inspector** – inspection personnel conducting inspections of existing subsurface sewage disposal systems in accordance with the New Jersey Department of Environmental Protection, Technical Guidance for the Inspections of Onsite Wastewater Treatment and Disposal Systems and as required by this Ordinance.

**System** – as used in this ordinance, the sewage disposal system serving, or proposed to serve, a realty improvement

#### Section 4. Inspection Required for existing systems

- A. Existing systems will require an inspection for the following reasons:
  - a. The system is not operating properly (i.e., overflow, back-up into the house, need of frequent pumping)
  - b. A sale of the real property served by the system is proposed
  - c. An expansion, alteration or change of use of the real property served by the system is proposed
  - d. The real property served by the system has been vacant for more than 365 days and re-occupancy is proposed
- B. Any inspection performed as required by Section 4 – A of this Ordinance shall be performed in compliance with the New Jersey Department of Environmental Protection, Technical Guidance for the Inspections of Onsite Wastewater Treatment and Disposal Systems and documented on the forms provided in Appendix A of N.J.A.C. 7:9A for such purpose; or shall comply with N.J.A.C. 7:9A-3.3(b), (c), or (d).
- C. All inspection reports shall be reviewed by the Cumberland County Health Department for an Existing Use Determination.
- D. Inspection report forms shall be submitted to the Cumberland County Health Department in hard copy format with the appropriate fee established in Ordinance #11.
- E. It shall be a violation of this Ordinance to use a system prior to receiving a Cumberland County Health Department Final Septic Certification or obtaining compliance as required in the Cumberland County Health Department System Inspection Report Review.

#### Section 5. Registration of Inspection Personnel

- A. Personnel conducting septic inspections as required in Section 4 of this ordinance, shall register their name, business name, and contact information with the Cumberland County Health Department.

- B. The Cumberland County Health Department may supply a list of the registered inspection personnel upon request to any person requesting same.
- C. The Cumberland County Health Department reserves the right to remove registered inspectors from the list should it be determined that the information submitted in their report is found to be fraudulent, inaccurate or deceptive in nature.
- ~~D. Prior to removal from the registration list, the Cumberland County Health Department shall~~ notify the registered inspector and allow for a hearing of the incidents giving rise to the proposed removal.
- E. Removal from the registration list shall be in effect for a period of one year, after which time the inspection personnel may request reinstatement to the registration list. Upon reinstatement to the list, the Cumberland County Health Department requires the witnessing of no less than 1 inspection per quarter performed by the reinstated inspector within the next year. Failure to have inspections witnessed will result in removal from the list.

#### Section 6. Tank Tightness Testing

- A. Tank Tightness Testing required by N.J.A.C. 7:9A-8.2(m) shall be performed by an individual with adequate equipment and training for the purpose of performing the test.
- B. The Tank Tightness Test shall not be performed by the homeowner or any individual having a financial or legal interest in the property.
- C. Tank Tightness Test results shall be submitted to the Cumberland County Health Department as part of the inspection forms required for the system. The test result report shall include the following information:
  - a. Property Information: owner, address, township, block and lot
  - b. Date of the test
  - c. Test method used
  - d. Name of who performed the test (Business or Individual)
  - e. Signature and Date of the person performing the test

#### Section 7. Grease Traps

- A. In accordance with N.J.A.C. 7:9A-8.1(a) Restaurants, cafeterias, institutional kitchens and other facilities discharging large quantities of grease shall use a grease trap and a high strength wastewater pretreatment component.
- B. Applications for new retail food facilities served by subsurface sewage disposal systems will have their retail food application and sewage disposal system application reviewed jointly. The determination concerning the requirement for grease trap pre-treatment will be based on menu, food preparation equipment, grease waste disposal contracts and other factors affecting the amount of grease that will be discharged through the drains and into the sewage disposal systems.
- C. Applications for existing retail food facilities with a proposed expansion, change of menu, or change of operation which are served by a subsurface sewage disposal systems may require an inspection of the existing sewage disposal system if it is determined that the proposed changes will increase the volume of sewage or the amount of grease discharged to the system. If an inspection report is required, the inspection report and the retail food

application will be reviewed jointly. The determination concerning the requirement for grease trap pre-treatment will be based on menu, food preparation equipment, grease waste disposal contracts, condition of the existing system and other factors affecting the amount of grease that will be discharged through the drains and into the sewage disposal systems.

#### Section 8. Tank Label Material and Placement

- A. In accordance with N.J.A.C. 7:9A-8.2(I)2, a permanent, non-corrosive marker a minimum of six square inches in size containing the following information shall be attached to the manhole cover or riser immediately below the cover:
  - i. The administrative authority name and permit number under which the system was installed;
  - ii. The date of installation;
  - iii. The type of system; and
  - iv. The total design criteria in gallons per day.
- B. The non-corrosive material shall consist of aluminum, tin, or other non-corrosive metal or plastic. Labels shall not be paper or paper product that will decompose over time.
- C. Labels shall be permanently affixed to the outside of the riser or manhole cover in an area which can be easily visible during homeowner or contractor inspection.

#### Section 9. Permit Expiration Date and Renewal of Expired Permits

- A. An approved application for the construction, installation, repair and/or alteration of a subsurface sewage disposal system shall be considered to be a permit.
- B. Permits shall be valid one year from the date of approval providing no Permit Extension Acts are in affect.
- C. Requirements for the renewal of a permit:
  - a. Submission of a certification form signed and sealed by the design engineer and stating compliance with N.J.A.C. 7:9A is maintained, there are no changes in site conditions that will require a change to the original design; and,
  - b. The permit renewal fee established in Ordinance 11 has been paid
- D. Determination that site conditions have changed will require the applicant to submit a revised application for the system.

#### Section 10. Existing Holding Tanks and Advanced Treatment Systems

- A. Whenever the CCHD has knowledge through report or direct observation of the existence of a holding tank or advanced treatment system, it shall investigate and take all steps necessary to determine whether the system is compliant.
- B. When a system has been determined to be non-compliant or unpermitted, the owner shall take immediate steps to correct the non-compliance. The owner shall apply for a permit and shall



comply with Board of Health Ordinance 10 and this Ordinance as applicable. Only the CCHD or the DEP shall determine that a system is non-compliant.

#### Section 11. Severability:

In the event that any section, sentence or clause of this Ordinance shall be deemed unconstitutional or invalid by a court of competent jurisdiction, such declaration shall not in any matter render void or prejudice the enforcement of the remaining sections of this Ordinance.

#### Section 12. Violation and Penalties:

- A. Violation of any provision of N.J.A.C. 7:9A et seq shall be a violation of the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq., and the violator shall be subject to assessment of civil administrative penalties pursuant to the provisions of N.J.A.C. 7:14-8. The matrix of Civil Administrative Penalties begins at a minimum of one thousand dollars (\$1,000) to a maximum of fifty thousand dollars (\$50,000) in accordance with the regulations.
- B. In addition to any other liability or penalty imposed by law, any person violating any additional provision of this Special Ordinance shall be subject to a penalty of not less than Fifty (\$50.00) Dollars nor more than One Thousand (\$1000.00) Dollars for each offence.
- C. Each and every day in which a violation of any of the provisions of the Ordinance exists shall constitute a separate offense.

#### Section 13. Inconsistent Ordinances Repealed:

All Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency. Pursuant to N.J.S.A. 26:3A2-27, this Ordinance supersedes all inconsistent Municipal and Local Board of Health Ordinances regulating the same subject matter.

#### Section 14. Effective Date:

This ordinance shall take effect after public hearing and 30 days after final adoption by the Cumberland County Board of Health unless disapproved by the Commissioner of the Department of Environmental Protection within said period pursuant to N.J.S.A. 26:3A2-27.

- A. A public hearing on this ordinance shall be held at the Cumberland County Board of Health Meeting on January 15, 2014 and February 26, 2014.
- B. The Secretary of the Board is hereby directed to publish and distribute this ordinance in accordance with law.
- C. Copies of this ordinance upon adoption shall be forwarded to:

1. New Jersey Department of Environmental Protection  
Bureau of Local Environmental Management
2. All Municipalities within the Jurisdiction of the CCHD

CUMBERLAND COUNTY BOARD OF HEALTH

ORDINANCE NO. 14

**AN ORDINANCE OF THE CUMBERLAND COUNTY BOARD OF HEALTH REGULATING RECOVERY OF COSTS  
ASSOCIATED WITH HAZARDOUS MATERIALS EMERGENCY RESPONSE WITHIN THE JURISDICTION OF  
THE CUMBERLAND COUNTY BOARD OF HEALTH**

WHEREAS, the New Jersey Department of Environmental Protection (the "DEP") by order dated August 22, 2008 re-certified approval of the County Plan for air, water, noise, hazardous materials emergency response and solid waste environmental enforcement; and

WHEREAS, the Cumberland County Health Officer, as administrative officer of the Cumberland County Health Department has recommended adoption of an ordinance to establish standard procedures and provisions for the recovery from the responsible party of costs of responses to hazardous materials emergency spills and situations resulting from unpermitted discharges;

NOW THEREFORE BE IT ORDAINED, by the Cumberland County Board of Health that the Cumberland County Emergency Response Cost Recovery Ordinance is as follows:

Section 1 - Authority:

This Ordinance is enacted pursuant to and consistent with the County Environmental Health Act, N.J.S.A. 26:3A2-21 et seq. and the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq., and the rules and regulations adopted thereunder.

Section 2 - Purpose:

The unauthorized and unpermitted discharge of a hazardous substance within the jurisdictional confines of the County of Cumberland is prohibited. This Ordinance establishes procedures and protocols for emergency response and provides for the recovery of costs incurred by the Cumberland County Health Department and its agents in an emergency response action to unauthorized and

unpermitted discharges and, as such, supplements the provisions of the Cumberland County Environmental Health Work Plan as approved by the DEP.

Section 3 - Definitions:

The words and terms used in this ordinance shall have the following meaning:

**Agents of the County:** shall include, for purposes of this ordinance, a municipality, public entity, or other entity which executes a shared services agreement with the County Board of Health pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., for the purpose of providing emergency response services within the geographical boundaries of Cumberland County, provided such agreement is incorporated into the County's Work Plan pursuant to N.J.S.A. 26:3A2-33.

**County:** means the County of Cumberland.

**County Health Department:** means the Cumberland County Health Department ("CCHD"), its employees, agents, officers and officials, including the Cumberland County Board of Health ("CCBOH").

**Discharge:** means an intentional or unintentional action or omission, unless pursuant to and in compliance with the conditions of a valid and effective State or Federal permit, resulting in the releasing, spilling, pumping, pouring, emitting, emptying or dumping of a hazardous substance into the waters or onto the land of the County, or into waters outside the County, or into waters outside of the County when damage may result to the lands, waters or natural resources within the jurisdiction of the CCHD. This definition does not include any "leak."

**Emergency response action:** means any action taken by the CCHD, its employees, agents or contractors in response to a discharge or threatened discharge of a hazardous substance for the purpose of: (1) investigating its cause, source or effect; (2) conducting or overseeing a remedial action; (3) initiating any action to prevent or mitigate any risk or threat to public health, safety

or welfare arising out of a discharge; and (4) to prevent or mitigate any damage or injury to public or private property or natural resources.

**Emergency response action costs:** means all costs reasonably incurred by the CCHD, its employees, agents and contractors in connection with an emergency response action, including overtime costs for appropriately deployed emergency response personnel and expendable items. Excluded are costs to pay volunteer responders and costs associated with firefighting.

**Expendable items:** means any items used to prevent mitigate or contain any discharge or threatened discharge, which cannot be reused or replenished or replaced without cost after use or employment in an emergency response action. Expendable items shall include, but are not limited to, chemical extinguishing agents, absorbents and absorbent materials, sand, recovery drums, protective equipment and clothing, including such items as disposable chemical protective suits, gloves, boots, and goggles. Items not compensable include those items typically employed to fight fires and not to mitigate a discharge.

**Hazardous substances:** means all substances included within the definition of "hazardous substances" under N.J.A.C. 7:1E-1.7, including all amendments and supplements thereto.

**Municipality:** means any of the incorporated municipalities within the County , including their employees, officers and officials.

**Leak or leaking:** means any escape of a hazardous substance from the ordinary containers employed in the normal course of storage, transfer, processing or use into a secondary containment or diversion system or onto a surface from which it is cleaned-up and removed prior to its escape into the waters or onto the lands of the State.

**Owner or operator:** means, with respect to a vessel any person owning or operating or chartering by demise such vessel; with respect to any facility or vehicle; any person or owner

operating such facility or vehicle, whether by lease, contract or any other form of agreement; with respect to abandoned facilities or vehicles the person who owned or operated the facility or vehicle immediately prior to such abandonment; the owner or operator at the time of the discharge.

**Person:** means any entity or natural person, including without limitation, any of the following; public or private corporations, companies, associations, societies, firms, partnerships, joint stock companies, individuals, interstate subdivisions or agents, the State of New Jersey and any of its political subdivisions or agents.

**Responsible party:** means a person who is in any way responsible for discharge, including each owner and operator and any other person obligated by law to clean up and remove contaminants.

#### **Section 4 - Prohibition:**

The discharge of a hazardous substance is prohibited, except this prohibition shall not apply to discharges conducted in compliance with the conditions of valid Federal or State permit or otherwise authorized, by law.

#### **Section 5 - Notification:**

Any person who is in any way responsible for a discharge of a hazardous substance shall immediately notify the department pursuant to N.J.A.C. 7:1E-5.3.

#### **Section 6 - Liability:**

Any person who is in any way responsible for the discharge of a hazardous substance is liable strictly, jointly and severally for all emergency response action costs reasonably incurred by the CCHD, its agents, employees, and contractors, and any personal or property damage incurred by the CCHD, its agents, employees and contractors.

Section 7 - Emergency Response:

The CCHD may initiate and conduct an emergency response action in response to a discharge that has occurred, is occurring or threatens to occur within the geographical boundaries of the County, in accordance with the provisions of the DEP's Order of Certification dated August 22, 2008.

Section 8 - Cost Recovery:

A. The CCHD may recover all costs reasonably incurred by the CCHD, its employees, agents and contractors in connection with an emergency response action, including the overtime costs of appropriately deployed emergency response personnel costs incurred by the CCHD in the recovery of these costs, and the costs of expendable items.

B. Whenever the CCHD seeks to recover costs pursuant to paragraph A, above, the CCHD shall send by certified and regular mail a demand letter to the responsible party or parties, which shall contain:

1. The date and time of the discharge;
2. The basis for liability;
3. A detailed narrative description of the costs incurred by the CCHD, its employees, agents, contractors and authorized political subdivisions in responding to the discharge;
4. A calculation sheet, including hours and personnel charged, salary rates and any overhead rates;
5. An explanation of the procedures to be followed to pay the costs demanded or to appeal the demand.

Payment shall be remitted within 45 days of receipt of the demand letter.

C. Whenever the CCHD issues a demand letter to a responsible party and the responsible party fails to remit payment within 45 days as prescribed herein, the CCHD and/or the CCBOH

may bring an action in a court of competent jurisdiction to recover the costs incurred in the emergency response action, reasonable litigation costs and interest on the outstanding amount due calculated from the 46th day following the receipt of the demand letter to the date judgment is rendered at the interest rate set forth in the Rules Governing the Courts of New Jersey.

Section 9 - Inspection, Right of Entry:

Authorized representatives of the CCHD shall have the same right as an authorized representative of the DEP to enter and inspect any premises, facility, site, vessel, or building when there is an emergency condition, for the purpose of ascertaining compliance or non-compliance with the provisions of this ordinance and the provisions set forth at N.J.A.C. 7:1E-1 et seq.

Section 10 - Construction and Severability:

- A. This Ordinance is to be liberally construed to effectuate the purposes herein described. Nothing herein is to be construed as repealing or abridging the emergency powers of any agency of government except to the extent expressly set forth herein.
- B. This Ordinance shall be implemented and enforced in accordance with the terms and conditions herein set forth, the County Plan and the DEP's Order of Certification dated August 22, 2008.
- C. If any section, subsection, paragraph, sentence, clause, phrase, or word contained in this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect.
- D. This Ordinance shall be deemed to include any additions or amendments that may be required by the Commissioner of the DEP as a condition of approval.



Section 11 - Repealer:

Any ordinance or portion thereof enacted by the County, any municipality, the CCBOH, or other public entity within the County that contains any subject matter governed by this Ordinance, which is ~~inconsistent with or which stands as an obstacle to the effective implementation of this Ordinance shall~~ be superseded by this Ordinance and is hereby repealed and set aside.

Section 12 - Effective Date:

This Ordinance shall take effect after public hearing and 90 days after final adoption by the CCBOH unless disapproved by the Commissioner of the DEP within said period pursuant to N.J.S.A. 26:3A2-27.

- A. A public hearing on this ordinance shall be held at the Cumberland County Board of Health Meeting on January 15, 2014 and February 26, 2014.
- B. The Secretary of the CCBOH is hereby directed to publish and distribute this Ordinance in accordance with law.
- C. Copies of this ordinance upon adoption shall be forwarded to:
  - 1. The DEP, Bureau of Local Environmental Management
  - 2. All Municipalities within the Jurisdiction of the CCHD
  - 3. All Agents of the County