

**MINUTES OF MERCER COUNTY
SOIL CONSERVATION DISTRICT
BOARD OF SUPERVISORS MEETING
590 HUGHES DRIVE
HAMILTON SQUARE, NJ 08690
AUGUST 10, 2023**

MCSCD SUPERVISORS

Scott Ellis
Theodora Wang
Lucia Huebner (virtual)
Gary Mount
Daniel Pace

STAFF

Paul Schiariti, P.E.
Linda Sandusky

OTHERS

Lewis Goldshore, Esq. (virtual)
Merideth Melendez

The meeting was called to order by Chairman, S. Ellis at 12:34 pm. The Statement of Adequate Notice was read.

The minutes of the July 13, 2023 meeting were reviewed by the Board.

MOTION 1

A motion to approve the minutes was made by G. Mount seconded by T. Wang with L. Huebner abstaining, motion carried.

The Treasurer's Report was presented to the Board. The District was in the black for this period. RFA permit fees income was received for the 4th Quarter FY 2023.

MOTION 2

A motion to receive and file the Treasurer's Report pending audit was made by G. Mount, seconded by D. Pace with L. Huebner abstaining, motion carried.

The Director's Report was given.

NON-POINT SOURCE POLLUTION PROGRAM

13 - APPLICATIONS RECEIVED
1 - PREREVIEW INSPECTION
15 - REVIEWS
63 - INSPECTIONS
2 - PRE-CONSTRUCTION MEETINGS

- 11 - FINAL REPORTS OF COMPLIANCE
- 4 - CONDITIONAL REPORTS OF COMPLIANCE
- 0 - VIOLATION NOTICES
- 1 - STOP WORK ORDER
- 0 - DENIALS
- 0- CERTIFICATION DELEGATIONS
- 3 - 251 EXEMPTION DETERMINATIONS

CHAPTER 251

The district received a complaint regarding soil disturbance activities at 85 Fiddlers Creek Road in Hopewell Township. The district manager met with the individuals who initially notified the district of the activities. The homeowner of the P.I.Q. recently had a septic system disposal field (mounded system) installed in their rear yard. The Twp. Board of Health subsequently approved the system upon its completion. However, the homeowner decided to remove a significant amount of soil over the system, due to undesirable grading. This resulted in soil disturbance well in excess of the 5,000 square ft. threshold, which would warrant a plan certification from the district. The actual disturbance is estimated to be approximately 15,000 square ft.

The complaint was a result of turbidity within the runoff from the P.I.Q. onto adjacent properties, after a recent intense rainfall.

The district manager contacted the Hopewell Twp. Engineer as well as the Hopewell Twp. Board of Health regarding the issue. The Twp. engineer was not initially involved with the project and deferred the issue to the Board of Health. The Board of Health Inspector conducted a follow up inspection and was asked to leave the property.

The district was also made aware that there may be on-going litigation and that the potential for the property to remain in its current state for an extended period of time exists.

The district manager also conferred with district counsel regarding the appropriate path forward. Email correspondence from the homeowner as well as from the Twp. were forwarded to district counsel. It was determined that a Stop Construction Order was warranted. A Stop Construction Order was therefore issued for the property. The Order was sent by Certified Mail.

HUNT LAKE DAM

The district manager conducted an inspection of the Dam after several very intense rainfall events. There were no apparent adverse conditions as a result of the recent storms.

The district manager contacted French and Parello Associates regarding the status of preparation of the: Annual Inspection Report, Emergency Action Plan and Operations & Maintenance Manual. The district was informed that the work had commenced. The actual inspection was scheduled for the week of July 31st.

MOTION 3

A motion to approve the Director’s Report was made by G. Mount, seconded by D. Pace, carried unanimously.

CHAPTER 251

2023-6495-T	2023-6480-E	2023-6473-E	2023-6493-E
2023-6494-E	2023-6488-H	2023-6492-H	2023-6487-H
2023-6500-P	2023-6489-P	2020-5975-P(R)	
		NJG0322199	

MOTION 4

A motion to approve plans recommended for certification by staff was made by T. Wang, seconded by G. Mount, carried unanimously.

RC&D STATUS

Electronic Meeting Minutes from the August 1, 2023 meeting were received by the District. The Council met via email to discuss a resolution authorizing the Council to enter into a grant agreement with the New Jersey Department of Environmental Protection for the Smithville Lake Watershed Implementation Plan (dredging) located in Eastampton Township, Burlington County. Motion passed to enter into an agreement with NJ DEP for the grant funded project in the amount of \$102,426.00.

EXTENSION UPDATE

M. Melendez reported the new horticulturist, Justine Gray, started July 24, 2023. J. Gray is organizing the Master Gardens Training Class this fall with 100 people on the waiting list. She is in the process of lining up speakers for the event.

September 9, 2023 the Master Gardeners are having their Insect Festival at the Mercer Educational Gardens. Hands-on activities for the children will be offered for this free festival.

M. Melendez is planning the educational sessions for the Atlantic City Convention with a deadline of August 15th to get all the titles and speakers lined up. Pesticide credits will be offered at the relative sessions. M. Melendez is involved in the organic session and the food safety session.

Next week is the Hydroponic Webinar, (food safety and hydroponics). 80 People have signed up for this webinar.

C. Kleinguenther, Bureau Chief of Inspections for NJDA is dealing with FISMA Inspections and Third-Party Audits. FISMA will be doing record reviews on farms that are technically qualified as exempt from FISMA.

SSCC UPDATE/NJACD UPDATE

The State Board extended the application period for the Secretary of Agriculture position until September 1, 2023.

The NJACD is working on the annual meeting in November and needs feedback from Districts on participation. Currently, the Association is looking at Liberty Science Center as the host location. However, several Districts have indicated that the cost of attendance (\$250.00) may be excessive.

Districts should be initiating their annual audits.

The next SSCC meeting is in September.

SSCC Staff is working on guidance for Districts on the new NJ DEP Inland Flood Rules.

CORRESPONDENCE

The District Manager received an article from L. Goldshore and L. Huebner concerning a New Jersey County wanting to drain a 203-year-old lake amid ownership questions and pricey fixes. The Ewan Lake Dam sits on the border between Harrison and Elk Townships in Gloucester County. The ownership and responsibility for maintaining the dam to the specifications of the State Department of Environmental Protection, is in question.

NEW BUSINESS

Next Meeting: September 14, 2023 at 3:00 pm.

The Supervisors discussed what they will be contributing for the picnic on 9/14/23.

G. Mount suggested the District Manager put together a slide show of photographs from the District through the years to show at the picnic.

The meeting adjourned at 1:39 pm.

Respectfully submitted,

Paul Schiariti, P.E.
Secretary to the Board

**MINUTES OF MERCER COUNTY
SOIL CONSERVATION DISTRICT
BOARD OF SUPERVISORS MEETING
590 HUGHES DRIVE
HAMILTON SQUARE, NJ 08690
JULY 13, 2023**

MCSCD SUPERVISORS

Scott Ellis
Theodora Wang
Lucia Huebner
Gary Mount
Dan Pace (virtual)

STAFF

Paul Schiariti, P.E.
Linda Sandusky

OTHERS

Lewis Goldshore, Esq.
Meredith Melendez

The meeting was called to order by Chairman, S. Ellis at 12:37 pm. The Statement of Adequate Notice was read.

The minutes of the June 8, 2023 meeting were reviewed by the Board.

MOTION 1

A motion to approve the minutes was made by G. Mount seconded by T. Wang, D. Pace abstained, motion carried.

The Treasurer's Report was presented to the Board. The District was in the red for this period. The Fiscal Year 2023 ended June 30, 2023 with the District in the black for the year.

MOTION 2

A motion to receive and file the Treasurer's Report pending audit was made by L. Huebner, seconded by G. Mount, carried unanimously.

The Director's Report was given.

NON-POINT SOURCE POLLUTION PROGRAM

15 - APPLICATIONS RECEIVED
1 - PREREVIEW INSPECTION
27 - REVIEWS
130 - INSPECTIONS
2 - PRE-CONSTRUCTION MEETINGS
46 - FINAL REPORTS OF COMPLIANCE
6 - CONDITIONAL REPORTS OF COMPLIANCE
1 - VIOLATION NOTICE

- 0 - STOP WORK ORDERS
- 1 - DENIAL
- 0 - CERTIFICATION DELEGATIONS
- 6 - 251 EXEMPTION DETERMINATIONS

CHAPTER 251

A Violation Notice was issued for the Raajipo, LLC project in Robbinsville Twp. Several site related issues including past due Conditional Reports of Compliance; an unprotected storm drainage inlet; site stabilization; and desilting the wet pond were included in the Violation Notice. The wet pond was pumped down to the point where the inlet discharges were visible. Some sediment was noted, but relative to the size of the pond, it did not warrant removal from the pond.

The district received an OPRA request for Violation Notices issued for the Raajipo, LLC project. The Office Administrator responded and provided the requested documents. The district also received several complaint emails from the President of the HOA, discussing their concerns and the history of the project. The email outlined fines and violations from NJDEP. The district was also informed that the Municipality officially issued a Stop Construction Order for the project.

HUNT LAKE DAM

The district received an invoice for the mowing of the embankments for the last three (3) months. The district manager conducted an inspection to verify the last mowing. The mowing was obviously just completed. The office administrator paid the Invoices.

The NJDEP informed the district that a pre-bid meeting for the lake lowering, and breach analysis was held on Tuesday June 6th at the Dam. Four (4) consultants attended the meeting.

STATE SOIL CONSERVATION COMMITTEE MEETING

The district manager and T. Wang attended (in person and virtually, respectively) the State Soil Conservation Committee meeting on June 12th, 2023. Topics of discussion included: Supervisor Reappointments; Daniel's Law and District Websites; Fee Schedule update for Somerset Union; the quarterly Engineering Report; and NJDOT Standards.

The State Soil Conservation Committee officially appointed Daniel Pace as a Supervisor. D. Pace's initial term will be for the remainder of E. DiPolvere's term – 2 years, effective July 1st, 2023. G. Mount was reappointed to a full term, and L. Huebner was reappointed for an additional year.

A Resolution recognizing E. DiPolvere's 44 years of service to the program was also presented to the State Committee. The resolution acknowledged the various positions held and contributions made by Ed over the years and acknowledged their gratitude for his service to the program. A copy of the Resolution will be sent to the Governor's office as well.

CHAPTER 251 ASSISTANCE

The Freehold District inspectors began inspecting the requested projects that the district identified within Mercer County. A Google Drop Box was established to allow access to the data tracking system for both districts. As inspections are performed, the Excel files are updated by the Freehold employees, and are accessible by the Mercer district for updating.

POSTER CONTEST

The district received the results of the statewide judging for this year's poster contest. A Mercer district contestant placed second in the 10th to 12th grade category. Posters were returned to the district upon request. The office administrator purchased frames for several of the outstanding posters, to be hung in the district office.

MOTION 3

A motion to approve the Director's Report was made by G. Mount, seconded by T. Wang, carried unanimously.

CHAPTER 251

2023-6390-EW	2023-6490-P	2022-6339-E	2023-6479-E
2023-6474-H	2023-6478-H	2023-6475-HB	2023-6472-HT
2023-6467-HT	2023-6476-HT	2023-6462-HT	2023-6471-L
2020-6849-L(R)	2022-6234-P(R)	2023-6477-P	2023-6486-P
2020-5831-R(R)	NJG0333921	2021-6128-R(R)	2019-5808-R(R)
NJG0305006	2023-6484-WW	NJG0338371	NJG0304107

MOTION 4

A motion to approve plans recommended for certification by staff was made by L. Huebner, seconded by T. Wang, carried unanimously.

CHAPTER 251 DENIAL

2018-5615-E

MOTION 5

A motion for plan denial recommended by staff for no response to Engineers review letter from 2018 was made by G. Mount, seconded by L. Huebner, carried unanimously.

NRCS UPDATE

The District Manager received a notice that Evan Madlinger is now the new Acting State Conservationist for New Jersey.

EXTENSION UPDATE

A new horticulturist has been hired and will start July 24, 2023.

There is also a new Family Consumer Health Sciences Agent at the Extension Office, Ricardo Kairos. He has a strong interest in farms and local foods being introduced to schools. M. Melendez visited Capital City Farm with Ricardo. Spanish is his second language which will help the communities.

Yesterday M. Melendez participated in a Wellness Webinar with a presentation on the Cottage Food Law. There are over 1,200 Cottage Food Permits issued in the State of New Jersey.

M. Melendez has another webinar in August focusing on hydroponics and produce safety. She has been receiving multiple calls about hydroponic produce. The wholesale market is taking an interest in hydroponic produce.

M. Melendez will be attending the International Association for Food Protection Meeting in Toronto, Canada. This is the largest food safety meeting in the world.

SSCC UPDATE/NJACD UPDATE

1. There is a new Acting Secretary of Agriculture, Joe Atchison
2. The Inland Flood Rules have been adopted and staff is working on guidance for Districts.
3. The New Supervisors information packets will be sent out soon.
4. The Annual Conference and Business Meeting will be held at the Liberty Science Center in Jersey City, NJ on November 20, 2023.

HUNT LAKE DAM

L. Huebner asked when the Hunt Lake Dam maintenance and District involvement will be over. The District Manager felt when the dam is decommissioned. This is still open due to the engineering study and the lake lowering by DEP, along with the actual decommissioning process. The process will likely take several years to complete.

PUBLIC COMMENT

The District Manager received a request from a Resident from Honey Lake Dam. He requested a letter from the District, stating the District no longer has easement rights along Honey Lake. He wants to put up a fence on his property. L. Goldshore suggested we receive the request in writing.

NEW BUSINESS

Next Meeting: August 10, 2023 at 12:30 pm

The District picnic will be held after the September District Meeting. Everyone was asked to think of something to contribute.

The meeting adjourned at 1:56 pm.

Respectfully submitted,

Paul Schiariti, P.E.
Secretary to the Board