

**Cape May Court House, New Jersey
TOWNSHIP OF MIDDLE
TOWNSHIP COMMITTEE
WORKSESSION AGENDA
July 16, 2018 5:00 PM (prevailing time)**

CALL TO ORDER:

Mayor's Announcement: I hereby declare that notice has been given to the Herald Times, the Atlantic City Press and posted on the bulletin board of the Middle Township Municipal Building, stating the time and place of the following meeting, as required in P.L. 1975, Chapter 231 of the State of New Jersey. (Sunshine Law).

Notice of this meeting was properly given in Resolution No. 21-18 entitled "Establishing Work Session Meeting Nights" which was adopted by Township Committee of the Township of Middle on January 1, 2018.

Members present are Mayor Clark, Deputy Mayor DeVico, and Committeemember Donohue

Deputy Business Administrator Kimberly Krauss, Deputy Township Clerk Andrea Singley, Township Engineer Vincent Orlando & Municipal Solicitor Frank Corrado. **Business Administrator Elizabeth Terenik was absent.**

FLAG SALUTE:**SPECIAL PRESENTATIONS OR DISCUSSIONS:****ITEMS OF DISCUSSION:**

Public Hearing – Chapter 260, Dredge Soil
Application, Cape Mining and Recycling

Rocco Tedesco:

- *Explained application to transport dredge materials pursuant to Chapter 260.*

Frank Corrado:

- *Swore in witnesses.*
- *Explained notice was received July 11, 2018 and notice was also properly given to all surrounding property owners.*

Eric Rosina:

- *Provided academic background, current employment and typical job duties.*
- *Also described background and responsibilities as it pertains to dredging projects; familiar with type of proposal being considered.*

Rocco Tedesco:

- *Asked Committee to consider Mr. Rosina an expert in the field.*

Mayor Clark:

- *Accepted Mr. Tedesco's request.*

Eric Rosina:

- *Showed proposed location on map and confirmed site is fully permitted.*
- *Explained that proposal is to bring dredge material from multiple facilities for blending and future use; subject to DEP regulations.*
- *Provided overview of permits required as well as sampling and drying process.*

Rocco Tedesco:

- *Asked about requirements for environmental sampling.*

Eric Rosina:

- *Explained sampling plan needs State approval; further explained.*
- *Confirmed that soils are safe for use in residential areas; meets residential standards.*

Rocco Tedesco:

- *Questioned the quantity being proposed.*

Eric Rosina:

- *270,000 cubic yards.*
- *Explained 1 month to 3 months to de-water and be of "truckable" consistency; typically done prior to Memorial Day.*

Rocco Tedesco:

- *Asked if analysis has been done.*

Eric Rosina:

- *Estimated about 1,500 cubic yards per day and about 75 trucks per day.*
- *Described other operations that take place on site.*
- *Explained that proposed disposition is consistent with operations and various things material can be used for.*

Rocco Tedesco:

- *Asked if the uses of soils is accepted by the public.*

Eric Rosina:

- *Explained perception behind operation; becoming more and more accepted by public.*

Rocco Tedesco:

- *Stated that Township Engineer, Vince Orlando, submitted a report which included various questions.*

Eric Rosina:

- *Described the origin and type of material to be accepted.*
- *Discussed analytical testing and various standards.*

Rocco Tedesco:

- *Asked if the DEP needs to approve the location.*

Eric Rosina:

- Yes, all end use locations need to be approved; does not see any reason why DEP would not approve.
- Provided testimony for end use material.

Vincent Orlando:

- Asked if material is used as-is or blended.

Eric Rosina:

- Responded that it depends on the end use.
- Also addressed noise and visual impact

Committeeman DeVico:

- Expressed concern for truck traffic and time of year trucks will be operating.

Eric Rosina:

- Likely in the winter months; depends on size of operation.

Mayor Clark:

- Asked what time of day the trucks would be operating.

Eric Rosina:

- 7:30am-3:00pm are normal working hours.

Rocco Tedesco:

- Responded that the application indicates hours to be 7:00am-4:00pm.

Committeeman Donohue:

- Asked if permit would be specific to one job or open ended.

Eric Rosina:

- Permit would be for receipt of dredge materials; not specific.

Frank Corrado:

- Referred to Township Ordinance; Committee can set time period.

Committeeman Donohue:

- Questioned what roads will be used.

Eric Rosina:

- County roads with exception of Church Street; further explained.

Frank Corrado:

- Swore in Phil Heun.

Phil Heun:

- Further elaborated on route being proposed.

Committeeman Donohue:

- Asked if all trucks will be making a left on Magnolia.

Phil Heun:

- Confirmed; that is where trucks go now.

Robert Unclear:

- Explained occupation and involvement in project.
- Presented exhibit; no adverse impacts on storm water drainage.

Committeeman Donohue:

- Asked engineers if they were involved in Stone Harbor dredging.

Engineers:

- No.

Vincent Orlando:

- Read report dated July 16th into the record.
- Stated that testimony was accurate; added comments on fee schedule associated with the same per Township ordinance as well as yearly inspection.
- Also suggested additional monies in escrow.

Committeeman Donohue:

- Asked if product can be immediately turned around.

Phil Heun:

- Required to be dewatered before use; dewatering is done off-site.

Frank Corrado:

- Reviewed Vincent Orlando's comments with regards to test results.

Vincent Orlando:

- Test results should be submitted to the Township Clerk and Engineering Design Associates.
- Asked Mr. Heun about material on-site.

Phil Heun:

- Products already on-site; importing dredge soil material as well as other materials.

Frank Corrado:

- Asked how many trucks come to the site currently and during what period of time.

Phil Heun:

- Stated that it varies; provided examples.
- October 1st – May 30th.

Frank Corrado:

- Confirmed what is exactly being requested.

Committeeman DeVico:

- Explained what happens once maximum is met.

Rocco Tedesco:

- Stated that he is ok with the conditions recommended by Vincent Orlando.

Committeeman DeVico:

- Spoke of concern with recent paving of Church Road.

Vincent Orlando:

- *Believes road can handle it.*

Frank Corrado:

- *Discussed Township's noise ordinance.*

Rocco Tedesco:

- *Stated that operation will have to comply with noise ordinance.*

Committeeman DeVico:

- *Asked about stock pile height.*

Eric Rosina:

- *Explained 35 foot above existing pile.*

Vincent Orlando:

- *Further explained.*

DEPARTMENTAL REPORTS AND PROJECT UPDATES:

Administration:

Finance:

Public Works:

Engineering:

Legal:

Tax Collection:

Tax Assessment:

Construction/Planning/Zoning:

Recreation:

Police / Animal Control/ Code Enforcement:

Buildings and Grounds:

Sewer:

Economic Development:

Personnel:

Zoning:

Township Clerk:

PUBLIC COMMENT:

Ed Dillio, Cape May Court House:

- *Inquired about cost or benefit to the Township for the proposed project.*

Committeeman DeVico:

- *Explained host community benefit much like recycling.*

Rocco Tedesco:

- *Reviewed fee schedule per ordinance.*

Committeeman DeVico:

- *Township would make around \$150,000.00 if site gets maxed out.*

Andrew Smith, Cape May Court House:

- *Asked about toxins.*

Eric Rosina:

- *Material meets residential standards.*

Andrew Smith, Cape May Court House:

- *Expressed concern for water wells and concern for contamination.*
- *Asked if permit would allow extension to back bays.*

Eric Rosina:

- *Explained permit.*

Mayor Clark:

- *Asked if permit can be limited to Cape May County.*

Frank Corrado:

- *Confirmed; explained DEP cleanliness standards and approval of facility.*
- *Any material trucked will have to meet standards.*

Art Maroney, Cape May Court House:

- *Spoke of Cape Mining being shut down in Lower Township.*
- *Asked about consistency of material.*

Eric Rosina:

- *Explained water could still be in it; further explained.*

Art Maroney, Cape May Court House:

- *Stated that OSHA says beeping on trucks can be disabled and asked committee to add that as a condition.*

Maryellen Wagner, Cape May Court House:

- *Discussed concern for noise pollution.*
- *Asked about route.*

Eric Rosina:

- *Showed audience route on map.*

Maryellen Wagner, Cape May Court House:

- *Discussed concern for students and teachers at college with noise.*

Rocco Tedesco:

- *Stated that he is unaware of any exemption to back-up beeping per MSHA; cannot commit to condition due to need to comply with MSHA.*

Art Maroney, Cape May Court House:

- *Asked committee to research before making a decision.*

George Daly, Timothy Lane:

- *Asked Committee if they hear the beeping.*

Committeeman Donohue:

- *Stated that he lives within the area where beeping can be heard.*

George Daly, Timothy Lane:

- *Showed his home on map and spoke of noise of cement grinder at 8 o'clock in the morning.*
- *Also expressed concern for property value and noise of machine that would be used for blending.*

Eric Rosina:

- *Pointed out on map where blending facility would be.*

George Daly, Timothy Lane:

- *Continued to express concern with noise.*

Chief Leusner:

- *Spoke of health department coming out to his property a few years back and no violations were found.*

Sherry Hemmingway-Andrzejczak:

- *Asked how much material will be blended.*

Phil Heun:

- *Explained it is dependent upon the specifications.*

Sherry Hemmingway-Andrzejczak:

- *Spoke of concerns of spoils not being dry and asked who would be responsible for enduring cost of clean-up on roads.*

Eric Rosina:

- *Discussed double mud locks to prevent leaking; trucking company would address any leaking issues.*

Sherry Hemmingway-Andrzejczak:

- *Mentioned sand in backyard and swimming pool.*
- *Discussed location in Lower Township that is away from homes.*

Phil Heun:

- *Explained Lower Township location is at capacity.*

Sherry Hemmingway-Andrzejczak:

- *Asked what is considered an ecological sensitive area versus residential.*

Eric Rosina:

- *Explained differences between the two.*

Sherry Hemmingway-Andrzejczak:

- *Expressed concerns for wells and traffic.*

Robert, Cape May Court House:

- *Discussed concerns of smell.*

Eric Rosina:

- *Explained quick dissipation of smell.*

Maryellen Wagner, Cape May Court House:

- *Asked if college was notified.*

Committee:

- *Yes.*

Maryellen Wagner, Cape May Court House:

- *Stated that she likes the idea of a traffic study.*
- *Also discussed improper storage and lack of report to the State at Lower Township site.*

Vincent Orlando:

- *Reiterated there will be a yearly review between Engineering Design Associates and the Clerk's office to ensure documents are submitted.*

Frank Corrado:

- *Mentioned the DEP would monitor as well.*

Maryellen Wagner, Cape May Court House:

- *Spoke of new developments within Township; concerned with property values.*

John Lauricella, Cape May Court House:

- *Asked if Ordinance could have a bond requirement.*

Frank Corrado:

- *Explained potential violations cannot be bonded.*

George Daly:

- *Asked about width dump trucks versus width of church street.*

Vincent Orlando:

- *Explained Church street is 22 feet wide.*

Eric Rosina:

- *Dump truck is 8 feet wide.*

Andrew Smith:

- *Spoke of trucks going through cemetery and over bike path.*

Sherry Hemmingway-Andrzejczak:

- *Reiterated concerns about clean up and who would be responsible for the same.*

Committeeman Donohue:

- *Spoke of issues in neighboring municipalities and having his own concerns with the route as well.*

COMMITTEE COMMENTS:

Vincent Orlando:

- *Spoke of exploration of possible disabling of beeping.*

Frank Corrado:

- *Spoke of possible verbal resolution*

Rocco Tedesco:

- *Discussed State noise ordinance and legality of operation.*
- *Spoke of property being zoned for this use and constitutional right to continue.*

Frank Corrado:

- *Mentioned committee could take vote tonight if desired.*

Committeeman Donohue:

- *Stated that it is not on the agenda.*

Rocco Tedesco:

- *Spoke of notice requirements.*

Frank Corrado:

- *Stated that there is no need for additional notice; consider record closed.*
- *Explained the Committee will discuss the application.*

Motion to Adjourn Meeting – 6:25pm

1st: Committeeman Donohue

2nd: Committeeman DeVico

Roll Call Vote: Committeeman DeVico, Committeeman Donohue, Mayor Clark

Kimberly D. Krauss, Township Clerk