

FINAL
Delaware Township Quarry Compliance Committee Meeting Notes
June 7, 2021

Attendees: Joe Chrobak, Kathy Katz, Jamie Waltman

Absent: Dave Bond

A. Finalize Minutes from May 12th Meeting

Member Katz asked Member Chrobak if he had any additions or corrections to the minutes. Member Chrobak said the minutes were fine. Member Waltman had no comments as he was not present at the May 12th meeting. Member Katz said she would get the minutes posted on the Township's website.

B. Revisions to the License Application Time Line

Member Katz said she made the following changes to the time line to include items discussed at the last meeting: added a date for referral of Reclamation Plan to the Planning Board; added a date for the Planning Board to hold hearing and for sending resolution to the Twp Clerk; and added a date for sending out the Quarry License Certificate following license hearing.

Member Katz said she had used a February 14th date for referring the Reclamation Plan to the Planning Board. Member Katz said that if the Reclamation Plan was received by the Planning Board in the beginning of March, this would allow time for the hearing to be held at the Planning Board's April meeting and the subsequent resolution adopted at the May meeting; in time for the license hearing at the Township Committee's June meeting.

Member Katz wanted to know if the other members felt a February 28th date would be more appropriate for referral of the Reclamation Plan since this is when the Applicant has to have any supplemental information submitted and the Township/Planning Board Engineer reviews the application and Reclamation Plan at the same time. Both Member Chrobak and Member Waltman agreed that a February 28th date was appropriate.

Member Chrobak then indicated that he felt that it was more appropriate to have two weeks rather than one week for the Applicant to submit any supplemental information to make the application administratively complete. Members agreed. Member Katz said she would update the time line to change February 21st to February 28th. Member also agreed that the February 28th date for the Township Clerk/Deputy Clerk to review any supplemental information should be changed to March 7th. In addition, it was agreed that the date for the Township Clerk/Deputy Clerk to send letters to the two agencies should also be changed to March 7th.

Member Katz indicated that she feels that in addition to the Planning Board sending a copy of the resolution to the Township Committee, they should also send the resolution to the Applicant and QCC. Member Katz also indicated that for the last item on the time line it should include sending the applicant a copy of the resolution from the license hearing. All members agreed. Member Katz said she would make these changes to the time line.

C. Revisions to the Renewal License Application

Members reviewed the revised application and thought that each question should be numbered for ease of review. Member Katz said she would make the changes.

Members also discussed the format of the questions and agreed that input from the Deputy Clerk, Ms. Crivelli, is needed since Ms. Crivelli will be doing the review. Member Waltman and Katz said they would meet with Ms. Crivelli next week to discuss the application and the other documents. Member Katz suggested that Ms.

Crivelli then attend the next QCC meeting in July to discuss her comments on all documents. Member Waltman said this would be good.

Members then discussed the need to clarify the language sections 11-4(i) m. and 11-4(ii)m. in the Ordinance. The current Ordinance states “license year” for submission of information regarding the number and scheduling of blasts. Members felt this language was unclear and the license is for a 10-year period. Member Chrobak indicated that it is only realistic for Trap Rock to report the anticipated number and scheduling of blasts during the upcoming year.

Members agreed that a recommendation to the Township Committee should be made to change the language in the current ordinance from “license year” to “upcoming year”. Member Katz also recommended that this same language then be added to section 11-6 so that the information is captured during the Annual Submittal Requirements form.

Member Chrobak asked what happens if Trap Rock decides after they submit the application/annual submittal requirements form to have additional blasts during the year. Mr. Chrobak said that Trap Rock wants to be transparent. Member Waltman said language could be added to the Ordinance to require submission of an updated schedule within 30 days if there will be an increase in the number of proposed blasts during the year.

Member Katz said she will start making the recommended changes to the Ordinance.

D. Revisions to the Administrative Review Procedures

Member Katz indicated that she made the following changes based on discussions at the last meeting: added a new #3 for the referral of the Reclamation Plan to the Planning Board; and added language to include the Planning Board resolution in the packets in #11. All members were okay with these changes. Member Katz said she update the procedures to ensure that the dates are consistent with those on the time line.

E. Revisions to the Administrative Completeness Review Checklist

Member Katz indicated that she added a new #3 for verifying 12 copies of the Reclamation Plan have been submitted. All members were good with this addition.

Members then discussed the required escrow fees. Specifically the requirement for why the Ordinance requires a \$2,500 escrow fee be submitted as part of the 10-year license application when there is already a \$2,500 balance in the escrow account. Member Katz said that this was added to the Ordinance because of the additional bills that will be incurred during the 10-year license review. And by requiring the extra escrow funds upfront, it would require less time that the Chief Financial Officer would have to keep requesting additional monies from the Applicant to keep the escrow balance at the required \$2,500.

Member Katz indicated that the Planning Board returns any remaining escrow after all bills have been paid. However, Member Katz was uncertain about the other escrow account. The Ordinance requires that a \$2,500 escrow balance be maintained every year, but the Ordinance is silent on what happens if there is more than this amount. Member Waltman said that during a license year, there would be a \$5,000 balance at the beginning of the year and it may be possible that the escrow is only drawn down by \$1,500. This would mean that at the end of the year there would be \$3,500 in the escrow account. Members agreed that it should be recommended to the Township Committee to add a new provision to section 11-11 of the Ordinance that indicates at the end of the calendar year, if there is more than a \$2,500 balance in the escrow account that any amount in excess of the \$2,500 be returned to the Applicant.

F. Next Items

Member Katz said she would circulate the changes to the above document by the end of this week. Members Katz and Waltman will meet with Deputy Clerk Crivelli next week to discuss the documents and ask her to review. They will ask Deputy Clerk Crivelli to attend the next QCC meeting so she can discuss her comments with all members.

Member Katz said she will also work up making revisions to the other documents in the SOP and circulate for review in the next two weeks. Once the Procedures and Checklists are done, Member Katz said she would then work on the revisions to the narrative to the SOP.

And finally Member Katz will start to work on the recommended changes to the Ordinance.

Member Katz said she will schedule the next meeting for the week of July 5th.