

Established 1948



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 Tina Bologna, 15 Jones Drive, 267-1976
 Paul /Marla Moster, 70 Burnham Parkway,
 292-3026

Meg Walters, newsletter layout artist, logo design

CALENDAR OF UPCOMING MEETINGS

All Morris Township meetings are held at Township Hall, 50 Woodland Ave., Morris Township and begin at 7:30 pm or 8pm unless otherwise indicated. Check www.morristownship.org for agendas, details

Township Planning Board, 7:30pm: November 6, December 4
Township Committee, 8pm: November 8, Dec. 6, 20
Township Environmental Commission, 7:30: Nov. 14

Township Open Space Committee, 7pm: Nov. 30
Township Bd. of Adjustment, 7:30pm: Nov. 27, Dec. 11
BPA Meeting: Call Mary Ann Gazal or Fred Mayer for details

Editor's Note: *As always, we welcome feedback on any topics covered here. We also happily encourage participation in our monthly meetings and input to future Newsletter issues.*

NEWSFLASH: "One in a Villion,"

... reads the Star Ledger headline of Oct. 25, explaining how neighbor and BPA board member Ed Villhauer, a research scientist with Novartis, is "the only person listed on the patent for Galvus, one of the first of a new class of diabetes treatments." That is rare, the article explains, "but rarer still is the honor given him by Novartis: the first three letters of the generic name assigned to the drug – vildagliptin – are a salute to his last name." The drug compound is "on the verge of gaining government approval to go to market" and he will then have achieved "a kind of scientific immortality." Ever modest, Ed has helped our neighborhood many times...from collecting debris and garbage in Jones Woods to bringing his family to plant trees at Arbor Day. Congratulations and BRAVO to Ed for his wonderful achievement.

Hospital Hut gets First Aid

Our thanks to Jeff Hartke, Director of Public Works/Town Engineer for the Town of Morristown who oversaw the repair of the damaged roof on the Burnham Park "cabin" which is actually an historic reproduction of a Revolutionary War Hospital Hut, of which there were many in the Morristown area during the Revolution. With the help of the excellent Local History department of the Morristown/Morris Township Free Library, BPA was able to provide historical information on the hut which ultimately led to its roof restoration. Our thanks to all involved in saving this special piece of BP history.



The Benches are coming, the Benches are coming....

BPA and neighbor Phyllis Gottlieb supplied funding for purchase of two new benches to enable parents to sit while watching their children play in the new playground area. The benches have been ordered and received by the Town and, at last word, will be installed shortly. We thank Linda Politowski, Head of the Morristown Recreation Dept. and Jen Carcich, Mom and Tots Chair, for their help in shepherding through this project. Thanks also to Phyllis Gottlieb for her generous donation in memory of her husband and son and for assistance from Bill Claxton, BPA Treasurer, for his help with obtaining dedication plaques once the benches are installed.



Moms and Tots continue to grow

September flew by! Some new faces joined the Moms' dinner at Seasons this month.

In October, the Moms and Tots will continue to offer

Monday playdates at 9:30am at Burnham Park Playground

Infant playdates at various homes on Wednesdays at 10:30am.

Working parents? We have a playdate for you too: Thursday evenings at 5:30pm we meet at Burnham Park (we can make it a "picnic dinner" if we get a regular crowd showing up).

Some of our October activities: **Moms' Night** was Friday, October 20 at Pamir on Washington St. **Dads had Poker Night** this month and, on October 14, some Moms and their dogs ran in the "Hounds & Harriers Run" in Morris Township, to raise funds for St. Hubert's Animal Shelter.

Coming soon:

November 18: CPR Training for parents, grandparents & caregivers... and for those of you who did not get certified in June. CPR certification is only valid for 2 years, so it might be time for you to take the course again. The tentative date is Saturday, November 18, from 9:00-12:00 at the Carcich home. (Babysitting will not be offered as Jen needs to be re-certified as well.) The class is \$40 per person and fills on a first come first serve basis. (We can take no more than 10 people.) Call Jen Carcich if interested. (973)451-9090. For more details on this an Moms and Tots activities, contact Jen Carcich or go to the Moms and Tots website: www.momstots.carcich.net Enjoy your families!

MAJOR DEVELOPMENT: NJDEP Denies Sewers, stops CCRC

Along with over 30 regional, statewide and national environmental and historical agencies and organizations, the Burnham Park Association opposed the extensive commercial CCRC development on this environmentally and historically sensitive land. To proceed would have violated the State Plan by extending sewers into a Planning Area 5

(the most sensitive), denuded the land of 3,100 mature trees, removed 344,000 cu. yds. of soil (requiring 7 hours/day for 9 continuous months to accomplish), degraded air quality, fouled Category I (the most pristine) waters, undermined drinking water for 1.2 million people, destroyed greenways connecting federal and county parklands, eliminated habitat for multiple endangered and threatened species, intruded a commercial development into a national and state registered historic district and compromised the nation's first National Historical Park.

In its letter of denial, the NJDEP stated that extension of sewer service needed for this CCRC "would violate the objectives of the Water Quality Planning Act and the stated purpose of the Water Quality Management Planning Rules. Further, the proposed project would result in a development that is incompatible with the environmental and historical features of the site and its surroundings."

The following are highlights from the NJDEP's detailed July 26, 2006 letter that "disapproves the above referenced Wastewater Management Plan":

Re category 1 tributaries to Whippany River and exceptional value wetlands-..."access road and stormwater management design structures encroach upon the protective corridors and transition areas associated with these valuable environmental resources."

"In accordance with NJ Endangered and non-game Species Conservation Act" ..."Construction of the project as presently proposed would result in the removal of 71 acres of mature forest, which is designated by the Department's Landscape project as critical habitat for the State endangered Red Shouldered Hawk, and the State threatened Barred Owl and the State threatened Wood Turtle." In July 2005, "a summer breeding colony of the State and federally endangered Indiana Bat" was documented nearby by the US Fish and Wildlife Service. "Due to the critical nature of the habitat for all of these species, which require large contiguous forested areas, it would be inappropriate to extend sewer service that will directly and indirectly result in the fragmentation, degradation, and destruction of this habitat."

Problems with stormwater management design and water quality measures. After careful review, the NJDEP concludes: "Due to the apparent inconsistencies of the applicant's plans with the Stormwater Management rules, and the potential for failure of the basins on steep slopes, which would have a catastrophic impact on the Category One stream below, the Dept. cannot conclude that the project will adequately protect water quality as required by the Surface Water Quality Standards."

Conflict with State Plan and Negative Impact on Washington Valley Historic District and on Jockey Hollow: Citing its responsibility to coordinate water quality management with overall land use and noting the project's proximity to Jockey Hollow and Washington Valley: "In



combination, these impacts would have a measurable detrimental impact on the character of the Washington Valley Historic District and the Morristown National Historic Park." In addition, ..."the extension of sewer service within a planning Area 5 would conflict with the policies established by the State Plan."

Conclusion: After a seven page, point by point analysis, ..."the Department has determined that the proposed extension of sewer service to this site would be unacceptable for the reasons stated herein. Therefore the Dept. disapproves the proposed amendment as inconsistent with the Water Quality Planning Act and the Water Quality Planning Rules."

Current status: The investors/developers associated with the Abbey's plan have filed an appeal of the DEP decision. The case will go before an Administrative Law Court Judge. It could be months or even years before the final determination is made. Thus far, the NJDEP stands firmly behind its decision.

Those interested in senior facilities should check www.newlifestyles.com for a comprehensive list of housing options currently available throughout New Jersey. In addition, two nearby CCRCs, Fellowship Village (Basking Ridge) and Franciscan Oaks (Denville) are actively seeking residents.

There are pesticide/herbicide free alternatives for a healthy lawn!

At its September 28, 2006 meeting, BPA had the rare treat of a special guest speaker Jane Nogaki, Pesticide Program Coordinator of the NJ Environmental Federation (NJEF). Ms. Nogaki has worked with Rutgers Research Extension in training over 530 NJ school Integrated Pest Management (IPM) instructors in over 11 locations to comply with the School IPM Law to reduce and/or eliminate use of harmful pesticides around school kids. In addition, she and NJEF have:

Helped create Pesticide Free Zones-PFZ in Chatham Twp., Ocean City and Brick Twp and

Mobilized NJEF members to successfully petition Home Depot to stock environmentally friendly lawn and garden products. Since Sept. 2005, Home Depot began stocking "TerraCycle, the first ever plant food made entirely from waste (invented and manufactured in NJ)."

Below is some of the useful information Ms. Nogaki presented:

Pesticides/Herbicides can act as dangerous estrogen mimics. Why is this bad? When these chemicals act like estrogen in the human body, they have the potential to disrupt normal hormonal processes and can increase the risk of cancer, asthma, immune system and nerve disorders, infertility, birth defects, learning disabilities and behavioral problems. They can interfere with a woman's monthly cycle; diminish male characteristics (male sperm counts have decreased significantly over last 5 decades); and interfere with the immune system. Although these mimics are found in other products such as plastic packaging and food from contaminated and pesticide treated sources, we would be wise to limit our intake

where we can: namely, through minimizing or eliminating use of lawn chemicals.



Special dangers to children:

Because of their small size and increased respiration, their hand to mouth behaviors and rapid development, children are particularly vulnerable to damage from pesticide exposure, borne out by a the sizeable increase in childhood cancer and asthma rates in recent years. In addition, a recent study of preschoolers revealed 99% had one or more pesticides in their bodies.

Existing laws inadequate in current day.

Written in 1942, the law regulating pesticides concentrates solely on the economic benefit of their use vs. no use. It does not address the effects of limited or cumulative use or the impacts of the interactions of chemicals either within a given formulation or with other chemicals in the environment. Therefore, the law and evidence places the burden on you as consumer- Buyer Beware! And although disclosure regarding health effects is required for children and pregnant women, there is clearly a need for more information to increase awareness through education.

Pesticide Free Zones in Parks: Several communities, including Chatham Twp., have been in the forefront of creating "Pesticide Free Zones": That township's five parks and playgrounds are not treated with pesticides. BPA would like to follow suit in Burnham Park.

Some additional facts you should know:

The most commonly used lawn weed killer (herbicide) 2,4-D is a probable human carcinogen and has been linked to cancers in pets. In NJ, 2.5 million pounds of pesticides are applied commercially and agriculturally, while 1.6 million pounds are applied by homeowners. Between 13 and 29 pesticides, 10 at concentrations exceeding water quality standards, were found in seven NJ streams tested by USGS. To protect children, all schools in the state must now restrict pesticide use. It's up to you to protect them at home. See more information at www.pestmangement.rutgers.edu/ipm/schoolipm.

We urge you to consult references available on the Chatham Township Website:

www.chathamtownship.org/pesticide_brochure.html.

These include the following: Useful references for pesticide health risks can be found at the website for Toxics Use Reduction (TURI) program of the State of Massachusetts. See The Wellesley Project section: <http://community.turi.org/wel/PesticideGuide.html> Books and references for Wellesley's pesticide reduction project are at <http://home.comcast.net/~little.sarah/page7.html>

For federal data from the US Geological Survey on Pesticides in US waterways and groundwater, see <http://water.usgs.gov/nawqa/>

From Global (Warming) to Local: US Mayor's Climate Protection Agreement:

On September 12, the Morris Twp Environmental Commission heard presentations from Art Clarke and Ernest Sicconi, respective Chairs of the Morristown and Madison Environmental Commissions. They spoke on behalf of their municipalities in support of the US Mayors' Climate Protection Agreement, whose opening paragraph begins: "We urge the federal government and state governments to enact policies and programs to meet or beat the Kyoto Protocol target of reducing global warming pollution levels to 7% below 1990 levels by 2012." To achieve that end the agreement goes on to .."urge the US Congress to pass the bipartisan Climate Stewardship Act sponsored by Senators McCain and Lieberman and Representatives Gilchrist and Oliver."

Finally, the signatories pledge: "We will strive to meet or exceed Kyoto Protocol targets for reducing global warming pollution by taking actions in our own operations and communities such as:

1. Inventory global warming emissions in City operations and in the community, set reduction targets and create an action plan
2. Adopt and enforce land-use policies that reduce sprawl, preserve open space, and create compact, walkable urban communities
3. Promote transportation options such as bicycle trails, commute trip reduction programs, incentives for car pooling and public transit
4. Increase the use of clean, alternative energy by, for example, investing in "green tags", advocating for the development of renewable energy resources, and recovering landfill methane for energy production
5. Make energy efficiency a priority through building code improvements, retrofitting city facilities with energy efficient lighting and urging employees to conserve energy and save money
6. Purchase Energy Star equipment and appliances for city use
7. Practice and promote sustainable building practices using the US Green Building Council's LEED program or a similar system
8. Increase the average fuel efficiency of municipal fleet vehicles; reduce the number of vehicles; launch an employee education program including anti-idling of vehicles messages; convert diesel vehicles to bio-diesel
9. Evaluate opportunities to increase pump efficiency in water and wastewater systems; recover wastewater treatment methane for energy production
10. Increase recycling rates in city operations and in the community
11. Maintain healthy urban forests; promote tree planting to increase shading and to absorb CO₂
12. Help educate the public, schools, other jurisdictions, professional associations, business and industry about reducing global warming pollution."



The above are the key elements of this initiative. More than 258 cities nationwide and 25 in NJ have signed on to the agreement. *It was unanimously adopted on July 18, 2006 by the Morristown Council and Mayor.* We urge Morris Township to follow suit.

In support of this initiative, called "Cool Cities" the Sierra Club has begun training sessions, such as the North Jersey Training Program, a one day seminar was held in Chatham on Oct. 21st.

Morris Township Adopts Planned Retirement Zone

On September 20, 2006, Morris Township accepted and passed on second reading the memorialization of a "Planned Retirement Zone" that would affect approximately 95 acres of the Kessler (former Good Shepherd) and Villa Walsh properties. The ordinance would "Remove from the Nursing Home/Long term Care, Assisted Living and Residential Health Care zone and incorporate into the PRC-Planned Retirement Community Zone all of Block 3103, lots 59 & 60" (the former Kessler/Good Shepherd property) as well as a portion of Villa Walsh (Block 4101, lot 1).

"The following uses.... are permitted:

- Age- restricted housing
- Assisted- living residence or facilities
- Nursing homes and long-term care facilities
- Residential health care facilities
- Single-family detached houses subject to the area, yard and bulk requirements of the PRC zone as part of an age restricted community."

Public assurances were given by Township Mayor Nace that, in the case of the Villa, this was merely "housekeeping" – finally acting upon the several years' old requirement imposed by an earlier agreement to place the nearly 15 acres abutting Western Ave. back into OS/GU zone and to instead officially re-label the same acreage near the top of the hill as a PRC Zone which now includes the recently built 44 bed nursing facility for the nuns. No satisfactory explanation was given for not simply retaining the prior zoning designation of "Nursing Home/Long term Care, Assisted Living and Residential Health Care" used for the Western Ave. parcel and one wonders why years have elapsed when this "housekeeping" was required at the time the agreement to swap those two parcels was memorialized. Both Mayor Nace and the Villa attorney Bobrow stated firmly that there were NO plans to build more facilities within that newly labeled zone on the Villa property even though its new designation allows for age restricted housing. Mr. Achison's plans for the Kahdena Rd./Good Shepherd/Kessler property do include a high end, age restricted, clustered townhouse development.

Knox Artillery Park Update:

We are assured that there is measurable progress in the effort to preserve what remains of "The Park of the Artillery": the Revolutionary War cantonment utilized by General Henry Knox and his men during 1779-80. General Knox was George Washington's Chief of Artillery, was instrumental in the founding of West Point, and served as the nation's first Secretary of War.



The site once extended for a 1/3 of a mile on either side of Mendham Road, old Route 24. We applaud the Morris County Park Commission and Mayor Robert Nace for their ongoing efforts to preserve this important part of our history.

COAH Update:

Recently Township Planner Adrian Humbert confirmed that, at present, the Township has surpassed its required quota of affordable housing by over 200 units but noted that all new housing construction in the Township adds to the required obligation. The more recent rules allow for municipalities such as Morris Township to utilize RCA's or Regional Contribution Agreements whereby the municipality can contribute to construction of affordable housing in another community rather than build such units within its own borders. Rick Watson spoke in favor of that alternative should the need arise for more COAH housing in the future.

We thought you'd like to know:

Background on upcoming PUBLIC QUESTION #2: "Constitutional amendment to expand uses of dedicated tax revenues to fund improvements and facilities on preserved open space lands."

No new taxes are involved:

This public question reallocates a surplus of existing funds from the corporate Business Tax already dedicated to the environment. Through 2015, \$15 million annually would be allocated to improving parks and natural areas throughout the state, with an increase to \$32 million annually thereafter.

This creates a dedicated source of funding to: improve our natural areas, ensure clean air and water, provide important habitat, maintain safe and accessible natural areas, as well as opportunities for recreation and education and to make much needed capita repairs,improvements and renovations at state and local parks and natural areas.

Membership/Dues Payment

I/We enclose our 2006 Burnham Park Association dues of:

\$10 Basic/Pine \$25 Sponsor/Maple \$50 Patron/Beech \$100 Benefactor/Oak \$250Thomas Paine Club

Name: _____

Address: _____

Telephone: _____

If making additional contribution, please indicate amount and purpose (e.g. plantings for Arbor Day, etc.)

Amount: _____ Purpose: _____

Fill in your name, address and telephone number on this stub. Make checks payable to the Burnham Park Association. Sent to our treasurer, Bill Claxton at 32 Dorothy Drive, Morristown, NJ 07960. Thanks to those neighbors who have supported BPA so generously.

DUES PAID IN THE THE LAST 3 MONTHS OF 2006 GET CREDITED TO CALENDAR YEAR 2007

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