

NEW JERSEY CLEAN WATER COUNCIL
September 13, 2005
Meeting Highlights

Location:

NJ Environmental Infrastructure Trust, Building 6, Suite 201, 3131 Princeton Pike, Lawrenceville, NJ

Attendees

Members: Ferdows Ali, Jim Cosgrove, Ella Filippone, Russ Furnari, Amy Goldsmith, Pamela Goodwin, Mary Beth Koza, Tony McCracken, Pat Pittore, James Requa, Dan Van Abs, Ray Zabihach and Ray Nichols.

Others: Ellen Gulbinsky, Helen Heinrich, Joe Mattle and Barb Rich

Meeting convened by Vice Chair Pamela Goodwin.

REORGANIZATION OF COUNCIL

Welcome newly appointed members: Vice Chair Pamela Goodwin acknowledged the presence of the newly appointed members and the stakeholders they represent: Dan Van Abs (Public), Mary Beth Koza (NJ Business and Industry Association), and Jim Cosgrove (NJ Society of Professional Engineers). She noted that, although he was not present, George Hawkins had been appointed to replace Pat Matarazzo as one of the Public's representatives. Also Ms. Goodwin has been re-appointed to represent the Public and Ray Zabihach was re-appointed and now represents the NJ Association of Counties.

The council members then discussed how best to recognize Pat for his years of service as Council chair. Pam proposed, subject to Pat's acceptance, to hold a special breakfast meeting at her office and present him with a plaque. The group agreed with that suggestion. The Council members and friends of the Council will be notified when the arrangements are finalized.

Election of Chairperson and Vice-chair: By universal acclamation, the council elected Pamela Goodwin as Chair and Russ Furnari as Vice-Chair.

APPROVAL OF JULY'S MEETING HIGHLIGHTS:

The highlights were approved as submitted.

OLD BUSINESS:

Planning For 2005 Public Hearing: The Council members reviewed the final draft copy of the brochure announcing the hearing and suggested minor changes. It was agreed that Pam and Gene Golub, as Chairs of the Clean Water Council and Water Supply Advisory Council, would jointly serve as Co-Moderators. Ray Nichols described the arrangements that had been made to provide parking for the Council members and invited panelists. The Council members agreed that, in recognition of the universality of the use of e-mail for distribution of information, there was no need to produce large quantities of paper copies of the brochure. They agreed to distribute copies electronically to their respective constituencies.

Other logistical matters: To help the panelists avoid repeating one another, and to further optimize the value of the panelists' testimony, the council members created the following planning process.

Each panelist will be asked to submit a brief statement outlining what issue or perspective s/he intends to address in their testimony. (2-3 sentences) and submit it to Ray. He will then compile them and e-mail the compilation to all the presenters, so each will have some idea about what issue the others are preparing to discuss. Then, a teleconference of the panelists will be held during which some type of logical sequence of speakers will be determined. Also, since several of the Council members want to reserve the right to ask questions of the panelists, it was agreed that they shall be asked to confine their testimony to five minutes. The panelists shall also be encouraged to provide handouts for the audience, and refrain from making PowerPoint presentations.

Dan Van Abs noted that the representatives of the NJ Chapter of the American Water Works Association would like to have three people present their perspective during the hearing. It was agreed that one of them (Neil Goldfine) would be listed on the program as a panelist, and he be the last panelist to speak. Then the other two NJAWWA representatives could speak, so as to maintain the continuity of their presentation.

Regarding other persons who wish to testify: They will be able to call Ray's office (609-292-2113) and register with Ursula Montis. She will create a list of such persons and assign them an approximate time at which they will be heard, beginning at approximately 11:00 a.m. On the day of the hearing, all attendees who wish to speak will be asked to fill out a card when they arrive, so that the moderators will be able to call them in the order they register.

NEW BUSINESS:

Discussion of Council's direction for coming year: Russ Furnari reviewed the mission of the Council as defined in the enabling legislation (N.J.S.A. 58:25-11) and asked about paragraph (d) there under, which says:

"Members of the council shall serve without compensation but shall be reimbursed for expenses actually incurred in attending meetings of the council and in the performance of their duties as members thereof."

None of the Council members could recall having ever being reimbursed for their travel expenses. But upon seeing that the law, as adopted in 1980, provided for such reimbursement, Russ asked about how they could be so reimbursed. Ray Nichols agreed to research the matter.

Ray Zabihach noted that, while the Council is charged with collecting information about the Water Pollution Control Program, studying it, and making recommendations as to how the Department might improve it, it seemed that the Council had studied numerous issues, such as phosphorus, but then never acted as a council. He suggested that, to improve the Council's effectiveness, it formalize its positions with resolutions.

Others pointed out that in order to establish the Council's direction for the coming year, or a work program for the Council, they needed to ascertain just what was meant by "Water Pollution." Mary Beth and Russ agreed to work up a definition of "Water Pollution" for the next meeting.

Dan suggested that, given the broad and diverse perspectives of the various Council members, when working together as a Council, they might better serve DEP by focusing on future years' problems, rather than the most current year's. DEP could benefit if the Council focused upon water pollution related problems that the existing regulatory programs were not addressing. For example, to take the stormwater management issue, there may be the need to look at some problems that are unique to just one geographic region within the state, or some special land uses, such as roads.

Helen added that with some issues, where there is a diversity of viewpoints among the Council members, they might decide to make a statement that acknowledged the disagreements, such as when the Supreme Court issues a majority opinion, together with the dissenting opinions.

After additional comments from various members, it was agreed to continue the discussion of how the Council might evolve at the next meeting.

ANNOUNCEMENTS:

DEP UPDATE: Ray announced that on August 17, 2005, the Department published its proposal to readopt the Surface Water Quality Standards at N.J.A.C.7:9B with amendments to the general policies, antidegradation policies, water quality criteria, and stream classifications. At the same time it published a notice in the New Jersey Register seeking public comment on possible revisions to the Surface Water Quality Standards to establish an antidegradation policy for nonpoint source discharges. He encouraged the Council members to read these documents, which are available from the Department's web site at <http://www.nj.gov/dep/rules/>.

He indicated that Debra Hammond would be willing to attend the Council's October meeting to discuss these proposals and answer any questions the members might have. The members expressed eagerness to hear her and ask questions.

Ray announced that the Office of Watershed Education, Estuaries and Monitoring had hired 19 of the 20 people needed for the coming year's Americorps Watershed Ambassador Program, which is the closest the Program has come to having a full complement of Ambassadors prior to the start of their year of service in the six years that DEP has operated this program. (p.s.: the 20th person was hired before the training started on Sept. 19.)

OPEN DISCUSSION: Members briefly discussed the desirability of holding joint meetings with the Clean Air Council and the Water Supply Advisory Council. It was decided to defer another meeting with the CAC until another subject of mutual interest was identified. The members agreed that a joint meeting with the WSAC sometime soon after the public hearing was completed would be desirable.

ADJOURNMENT

Reminder: Bring your questions for Debra Hammond to the next meeting on October 11, 2005.