

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
MEETING MINUTES OF SEPTEMBER 17, 2015

**PRESENT**

JIM RILEE	)	CHAIRMAN
KURT ALSTED	)	COUNCIL MEMBERS
TRACY CARLUCCIO	)	
MICHAEL R. DRESSLER	)	
TIMOTHY P. DOUGHERTY	)	
MICHAEL FRANCIS	)	
CARL RICHKO	)	
MICHAEL SEBETICH	)	
JAMES VISIOLI	)	
RICHARD VOHDEN	)	

**VIA-TELECONFERENCE**

MICHAEL TFANK	)
ROBERT G. WALTON	)

**ABSENT**

ROBERT HOLTAWAY	)
BRUCE JAMES	)

**CALL TO ORDER** 142<sup>ND</sup> meeting of the New Jersey Highlands Water Protection and Planning Council to order at 4:55pm.

**ROLL CALL**

Roll call was taken. Council Members Alstede, Holtaway and James were absent. Members Walton and Tfank were present via teleconference. All other Council Members were present. *The following staff members were present: Margaret Nordstrom, Chris Danis, Kim Ball Kaiser, Corey Piasecki, Maryjude Haddock-Weiler, Carole Ann Diction, and Tom Tagliareni. Also present were Lisa LeBoeuf, Assistant Counsel, Governor's Authorities Unit, and Matthew Kelly, Deputy Attorney General.*

**OPEN PUBLIC MEETINGS ACT**

Ms. Tagliareni announced that the meeting is being held in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6. The Highlands Council sent written notice of the time, date, and location of this meeting to pertinent newspapers of circulation throughout the State and posted notice on the Highlands Council website.

**PLEDGE OF ALLEGIANCE** was then recited.

**APPROVAL OF HIGHLANDS COUNCIL MINUTES OF JULY 16, 2015**

Chairman Rilee asked for a motion on the Minutes of July 16, 2015.

*Mr. Richko introduced a motion to approve the Minutes of July 16, 2015. Mr. Vohden seconded it.*

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
MEETING MINUTES OF SEPTEMBER 17, 2015

*A roll call vote was taken. The Minutes of July 16, 2015 were APPROVED 11-0.*

**APPROVAL OF THE HIGHLANDS DEVELOPMENT CREDIT (HDC) BANK  
MINUTES OF AUGUST 6, 2015**

Chairman Rilee asked for a motion on the HDC Bank Minutes of August 6, 2015.

*Mr. Richko introduced a motion to approve the HDC Bank Minutes of August 6, 2015. Mr. Visioli seconded it.*

*A roll call vote was taken. The HDC Bank Minutes of August 6, 2015 were APPROVED 11-0.*

**CHAIRMAN'S REPORT**

Chairman Rilee thanked everyone for participating in the earlier discussions regarding the proposed Rule for the Open Space Partnership Funding Program and Highlands Development Credit Purchase Program.

**COUNCIL MEMBER REPORTS**

There were no Council Member reports.

**EXECUTIVE DIRECTOR'S REPORT**

Plan Conformance update: Ms. Nordstrom announced that in Plan Conformance Implementation: Franklin Township (Warren County) adopted its Checklist Ordinance and Exemption Determination Authorization; and Jefferson Township (Morris County) adopted its Highlands Environmental Resource Inventory, Master Plan Highlands Element, and Checklist Ordinance was deemed consistent.

HDC Allocations:

Ms. Nordstrom reported that three HDC determinations were made in:

- Harmony Township – 2 HDCs
- Bethlehem Township – 20 HDCs
- Lebanon Township – 7 HDCs

Municipal Issued Exemptions:

Preservation Area

- Califon Borough, Hunterdon County: Exemption 5 – 4 issued.
- High Bridge, Hunterdon County: Exemption 4 – 1 issued.
- Ringwood, Passaic County: Exemption 4 – 1 issued; Exemption 2 – 1 issued.
- Vernon Township, Sussex County: Exemption 4 – 1 issued.
- Washington Township, Morris County: Exemption 5 – 37 issued.

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
MEETING MINUTES OF SEPTEMBER 17, 2015

Ms. Nordstrom reported that the candidate selected for the Regional Planner position has withdrawn so we will begin the process of advertising again for this position.

*Member Alstede was present at 5:00pm.*

**RMP Update Committee**

Fiscal Impact Assessment: Vice-Chair and Committee Chair Alstede reported that Steve Gunnells (PlaceWorks) is back to good health and has been working with the Committee and Highlands staff to finalize the presentation for the Phase 2 Real Estate and Demographic Analysis. We anticipate having Mr. Gunnells here to present his findings at our next Council meeting.

Monitoring Program Recommendation Report (MPRR): Invitations for the Technical Advisory Committees were sent out in early August. To date, 127 of the 218 invitees provided their resumes for consideration. We anticipate the meetings for the TACS to be held on four separate dates in late October/early November.

Public Comment: Comments have been compiled and sorted based on topic area. Responses to comments are currently being prepared by technical staff and will be released to the public in the coming months once the Committee and Council have had the opportunity to review. There are approximately 461 comments.

**Roxbury Water Quality Committee**

Member Dressler reported that meetings were held over the summer with NJDEP, Roxbury Township officials, and the Raritan Headwaters Association. The next meeting will be an information gathering session with residents of Roxbury. Member Dressler stated that any residents who have certified data should provide it to the Executive Director. Invitations will then be sent to those who have data to share. The committee is looking for good, certified information/data. Member Dressler emphasized that this is not a gripe session.

Member Carluccio asked if it is invitation only. Member Dressler responded that it will be invitation only as per the other meetings.

**Personnel Committee**

Chairman Rilee announced that the Personnel Committee met with three candidates and the committee has chosen John A. Maher for the role of Chief Counsel. An Executive Session is on the agenda if need be to discuss this personnel matter. Members Dougherty and Richko requested that the Council go into Executive Session.

Chairman Rilee requested a motion to enter into closed session.

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
MEETING MINUTES OF SEPTEMBER 17, 2015

*Mr. Richko made a motion and Ms. Carluccio seconded it.*

**Resolution – Executive Session**

Chairman Rilee announced that Council would enter into an executive session. Chairman Rilee asked DAG Kelly to read into the record the resolution. Mr. Kelly read the following resolution into the record:

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., permits the holding of closed sessions by public bodies in certain circumstances, and the Council is of the opinion that those circumstances presently exist; and

WHEREAS, the Council will discuss personnel matters concerning a prospective employee within the meaning of N.J.S.A. 10:4-12(b)(8);

NOW, THEREFORE, BE IT RESOLVED, that the Council may enter into closed session at its public meeting of September 17, 2015, for that purpose. It is anticipated at this time that the nature of the closed session will be made public upon completion or resolution of the issues to be discussed, except any matter protected by the attorney-client privilege will not be disclosed.

*A roll call vote was taken. The Resolution was approved 11-1.*

*Public portion of the meeting was temporarily dismissed at 5:09pm.*

*[EXECUTIVE SESSION]*

*Chairman Rilee resumed the New Jersey Highlands Water Protection and Planning Council meeting at 5:31pm.*

**Resolution – Appointment of Chief Council**

Chairman Rilee asked for a motion on the resolution.

*Mr. Richko made a motion on the Resolution. Mr. Dougherty seconded it.*

**Public Comment**

**Deborah Post, property owner in Chester Township** – Ms. Post commented that Council should have announced the name of the candidate prior to this meeting.

**David Shope, Lebanon Township, NJ** – Mr. Shope commented that this is a repeat of the process when Council hired the last Chief Counsel.

**Council Comment**

Ms. Carluccio commented that she is voting “no” because she feels we are getting fine support from the state.

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
MEETING MINUTES OF SEPTEMBER 17, 2015

*All members present voted on the Resolution. The Resolution was APPROVED 11-1.*

**John A. Maher** – Mr. Maher commented that he looks forward to meeting all members of the Council, Highlands staff, and the public and looks forward to this opportunity.

Ms. Nordstrom welcomed Mr. Maher and thanked Matt Kelly for his services. Ms. Nordstrom added that Highlands Staff and Council appreciate what he has done.

*Member Walton left the meeting at 5:36pm.*

*Chairman Rilee opened the meeting to general public comments.*

**Public Comment**

**Deborah Post, property owner in Chester Township** – Ms. Post commented on a letter she received from SADC stating that she cannot have agricultural tourism on preserved farmlands. Ms. Post urged Council to demand SADC to allow agricultural tourism on preserved lands.

**Hank Klumpp, Tewksbury, NJ** – Mr. Klumpp asked the new Chief Counsel to look into the comments Mr. Moffitt submitted to the Council regarding nitrate levels.

**Wilma Frey, New Jersey Conservation Foundation** – Ms. Frey continued her comment from the public hearing on open space funding with regards to the Land and Water Conservation Fund, which is expiring after 50 years at the end of September. Ms. Frey urges the Council to pass a resolution or send a letter to re-authorize the use of these funds.

*Mr. Tfank left the meeting at 5:44pm.*

**David Shope, Lebanon Township, NJ** – Mr. Shope commented on soil types. Mr. Shope also commented on the Technical Advisory Committees (TACs), his preferences in order (Land Use, Implementation of RMP, Water Utilities, and Natural Resources). Mr. Shope stated that he was chosen to be an expert on the Agricultural TAC. Mr. Shope asked to be put on one of his four preferences.

*Member Dressler made a motion to adjourn the meeting. All were in favor. The meeting was adjourned at 5:45pm.*

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
MEETING MINUTES OF SEPTEMBER 17, 2015

**CERTIFICATION**

I hereby certify that the foregoing is a true copy of the minutes of the meeting of the Highlands Water Protection and Planning Council.

Date: 12/3/15

Name: Annette Tagliareni  
Annette Tagliareni, Executive Assistant

**Vote on the Approval of  
Minutes**

	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede			✓			
Councilmember Carluccio			✓			
Councilmember Dougherty						✓
Councilmember Dressler			✓			
Councilmember Francis	✓		✓			
Councilmember Holtaway					✓	
Councilmember James					✓	
Councilmember Richko		✓	✓			
Councilmember Sebetich			✓			
Councilmember Tfrank						✓
Councilmember Visioli			✓			
Councilmember Vohden			✓			
Councilmember Walton			✓			
Chairman Rilee			✓			