

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF JULY 20, 2017

PRESENT

JIM RILEE)	CHAIRMAN
KURT ALSTED)	VICE CHAIR
TRACY CARLUCCIO)	COUNCIL MEMBERS
TIMOTHY P. DOUGHERTY)	
ROBERT HOLTAWAY)	
CARL RICHKO)	
MICHAEL SEBETICH)	
JAMES VISIOLI)	
RICHARD VOHDEN)	
ROBERT G. WALTON)	

VIA-TELECONFERENCE

MICHAEL R. DRESSLER)
BRUCE JAMES)
MICHAEL TFANK)

ABSENT

MICHAEL FRANCIS)
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CALL TO ORDER 155TH meeting of the New Jersey Highlands Water Protection and Planning Council to order at 4:04pm.

ROLL CALL

Roll call was taken. Members Dressler, James, and Tfank were present via tele-conference. Member Francis was absent. All other Council Members were present. *The following staff members were present: Margaret Nordstrom, John Maher, James Humphries, Corey Piasecki, Kim Ball Kaiser, Carole Ann Dicton, Maryjude Haddock-Weiler, Herbert August, Ranji Persaud, and Tom Tagliareni. Also present were Lisa LeBoeuf, Assistant Counsel, Governor's Authorities Unit, and Daren Eppley, 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 et seq. 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.

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Chairman Rilee held a moment of silence for a member of the Highlands Council Staff who passed away last week.

James Humphries, Director of Planning and Science, had some words to say about Chris Ross:

“Chris worked here since 2006. She was a principal and part in writing the RMP. She was devoted to the Highlands Council and she was a good friend and great staff member. She was very important in writing the Comprehensive Mitigation Plan for the PSE&G project which ultimately lead to our Open Space program and HDC Purchase Program and she will be sorely missed as a friend and a staff member.”

APPROVAL OF HIGHLANDS COUNCIL MINUTES OF JUNE 15, 2017

Chairman Rilee asked for a motion on the Minutes of June 15, 2017.

Member Holtaway made a motion to approve the Minutes of June 15, 2017. Member Visioli seconded it.

A roll call vote was taken. The Minutes of June 15, 2017 were APPROVED 12-0, with one abstention by Member James.

CHAIRMAN’S REPORT

As part of the Chairman’s report, Chairman Rilee introduced New Jersey Department of Environmental Protection (NJDEP) representatives Dan Kennedy, Assistant Commissioner, and Jeff Hoffman, New Jersey State Geologist. Mr. Hoffman provided a presentation to Council on the draft New Jersey Statewide Water Supply Plan (Plan). A copy of this presentation can be found on the NJDEP website along with the draft Plan: www.nj.gov/dep/watersupply/wsp.html. Council received in their packets last month and again this month a memorandum to the NJDEP with staff’s draft comments to the Plan.

After the presentation, various questions/comments were made by Council regarding the draft Plan. After much discussion, the Council agreed to include additional comments in staff’s memorandum before formally submitting the comments to the NJDEP.

- The Draft NJSWSP provides limited detail on water quality issues and climate change. There may be a surplus of water available for use, but if water quality is impaired, this water is not necessarily available for use. Also, there is little mention of climate change and associated potential impacts to water supply in the plan.
- Improvements to and funding for water infrastructure should be prioritized towards the Highlands Region, where the protection of water resources is required in areas of limited water availability. *[Suggested by Member Alstede – see further below]*
- The Highlands Council is aware of the ongoing contamination concerns regarding the Ringwood Mine site and the Wanaque Reservoir. Given the significant potential for disruption of northern New Jersey water supply should the reservoir become contaminated, the NJDEP, EPA and North Jersey District Water Supply Authority should continue to monitor the situation and prepare potential contingency plans to protect the reservoir.

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- When the Highlands Act was passed in 2004, the State Legislature recognized that implementation of the strict land use controls imposed by the Highlands Act would inevitably have an impact on landowner expectations regarding future land use potential and recognized the need to provide just compensation to the owners of lands affected by the Highlands Act. The Highlands Council recommends that the NJSWSP include support for efforts to enact a water user fee imposed on water purveyors who derive water from Highlands Region sources and to dedicate funds raised by such fee to assist in compensating landowners in the Highlands Region whose future land use expectations have been impacted by the Highlands Act.

Council comments submitted to NJDEP may be found on Council's website:
www.nj.gov/njhighlands/about/calend/2017_meetings/jul20/njwsp_hcomments.pdf

EXECUTIVE DIRECTOR'S (ED) REPORT

Ms. Nordstrom reported on some staff activities:

HDC Bank Credit Allocation

- Allocation Determinations
 - Bethlehem Township, Hunterdon County, Block 46 Lot 2
 - Determination: 7.50 HDCs.
 - Hampton Borough, Hunterdon County, Block 11 Lots 1 and 2.2
 - Determination 8.75 HDCs
 - Hampton Borough, Hunterdon County, Block 11 Lot 2
 - Determination 8.25 HDCs
 - Glen Gardner Borough, Hunterdon County, Block 1 Lot 1.01
 - Determination 21.25 HDCs
 - Glen Gardner Borough, Hunterdon County, Block 5 Lot 2 and Hampton Borough Block 8 Lot 2
 - Determination 21.25 HDCs
 - Glen Gardner Borough, Hunterdon County, Block 2 Lot 7 and Hampton Borough Block 7 Lot 2
 - Determination 21.25 HDCs
 - Glen Gardner Borough, Hunterdon County, Block 2 Lot 6
 - Determination: ineligible
 - Bethlehem Township, Hunterdon County, Block 32 Lot 33
 - Determination: 18.75 HDCs
 - Bethlehem Township, Hunterdon County, Block 47 Lots 4 and 4.16
 - Determination: 31.75 HDCs
 - Union Township, Hunterdon County, Block 28 Lot 24
 - Determination: 16.50 HDCs
 - Mansfield Township, Warren County, Block 101.01 Lot 1
 - Determination: Pending
 - Independence Township, Warren County, Block 14 Lot 12
 - Determination: Pending
 - Independence Township, Warren County, Block 14 Lot 14

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- Determination: Pending

Mr. Nordstrom reported that on June 29, 2017 Council staff submitted our application for the next round of funding of the federal Highlands Conservation Act Grant Program, administered by the United States Fish and Wildlife Service (USFWS). Council applied for the maximum request of \$2.4M.

Municipal-Issues Exemptions:

- Califon Borough, Hunterdon County: Exemption 5 – 1 issued.
- Harmony Township, Warren County – 1 issued.
- Hopatcong Borough, Sussex County: Exemption 5 – 1 issued.
- Montville Township, Morris County: Exemption 5 – 1 issued; Exemption 2 – 1 issued.
- Mount Olive, Morris County: Exemption 6 – 1 issued; Exemption 4 – 1 issued; Exemption 2 – 1 issued.
- West Milford Township, Passaic County: Exemption 5 – 6 issued.

Ms. Nordstrom also added that the Monitoring Program Recommendation Report (MPRR) was released for public comment on Tuesday, July 11, 2017. Council received the MPRR as part of their packets. Comments will be accepted through Sunday, September 10, 2017.

In closing, Ms. Nordstrom acknowledged the passing of Highlands Council colleague Chris Ross:

“Chris Ross, as many of you know, was a senior resource management specialist at the Highlands Council for 11 years. Her specialization was aquatic ecology and her role involved reviewing proposed projects for alignment with the natural resource protections outlined in the Regional Master Plan. She also served as a municipal liaison for several towns, working with professional planners to help ensure those protections were integrated with local planning and regulatory documents.

Originally from Monmouth County, Chris loved the Jersey Shore and for many years commuted more than an hour to lend her passion for protecting this great garden state to the New Jersey Highlands. She was a strong advocate of the Regional Master Plan and believed deeply in the mission of this agency. Staff here tell me that over the years, the more time she spent in the Highlands, the more she became part Jersey Shore Girl, part Highlands Girl, eager to explore all North Jersey has to offer.

Beyond her professional achievements, Chris was a delight to be around. Anyone who had the pleasure of working with her knows that work was made easier by her positive disposition and focus on getting things done.

Her contributions to this organization in both a professional and personal capacity were significant and she will be greatly missed.”

At this time there was a round of applause.

RMP AMENDMENT COMMITTEE UPDATE

Resolution – Authorization Highlands Council Staff To Conduct “Five Plus One” Public Hearings Before The “Procedure For Considering Proposals To Amend The Highlands Regional Master Plan” Can Be Adopted as an Addendum to the Highlands Regional Master Plan

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Chairman Rilee stated that the resolution on the agenda will be held. The resolution is anticipated to be considered by Council at its next meeting.

BUDGET AND FINANCE COMMITTEE UPDATE

Resolution – Approval to Extend the Fiscal Year Budgets 2017 at the Same Average Monthly Spending Level

Committee Chair Holtaway reported that there are three resolution for Council's consideration. Mr. Holtaway noted that as is done every year, the Council is being asked to extend the previous year's (FY2017) budgets until the next year's (FY2018) budgets are approved, which is anticipated in October.

Ms. Nordstrom reported that the monthly spending level for each budget is:

- General Operating Budget - \$205,994.80
- Grant Budget - \$25,298.65

Member Holtaway made a motion on the Resolution. Member Vohden seconded it.

Public Comment

Hank Klumpp, Tewksbury, NJ – Mr. Klumpp asked how much the rent is for Council's office building. Mr. Holtaway responded that the rent is paid out of the General Operating budget. Ms. Nordstrom responded that the rent is approx. \$20,000/month.

Council Comment

There was no Council comment.

A roll call vote was taken. The resolution was APPROVED 12-1.

Resolution – Approval of Water Use and Conservation Management Plan and Stormwater Program Development Funding for the Township of Denville, Morris County

Ms. Nordstrom reported that the Township of Denville completed their basic Plan conformance activities, but never asked for, nor received, any grant funding for the implementation of Plan Conformance. Executive Order 114 requires that they now complete a Water Use & Conservation Management Plan and Stormwater Management Plan. The Council resolution for this grant funding is not to exceed \$85,000 for these implementation requirements. As this is a reimbursement grant, no funding is released without staff review/approval of associated deliverables.

Member Holtaway made a motion on the Resolution. Member Visioli seconded it.

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Public Comment

Julia Somers, New Jersey Highlands Coalition – Ms. Somers asked if Township of Denville is now interested in the Planning Area. Mr. Humphries responded that as part of EO 114, the Township is required to complete their Water Use and Conservation Management Plan and Stormwater Program Development.

Deborah A. Post, Chester Township – Ms. Post spoke in opposition of this grant funding for Denville Township and instead recommend Council to have all conforming towns be required to implement non-structural stormwater management strategies.

Council Comment

There was no Council comment.

A roll call vote was taken. The resolution was APPROVED 13-0.

Resolution – Approval of an Initial Assessment Grant for the Town of Boonton, Morris County

Ms. Nordstrom reported that the Town of Boonton recently adopted a resolution to petition the Council for Plan Conformance. The Town is 100% in the Planning Area, which is voluntary. The first step is for the Town to complete an Initial Assessment Grant that will indicate the work required by the Town to conform to the RMP. The resolution is for a grant not to exceed \$15,000. To date, the Highlands Council has worked with 72 Highlands municipalities on this grant. As this is a reimbursement grant, no funding is released without staff review/approval of the final report deliverable.

Member Holtaway made a motion on the Resolution. Member Visioli seconded it.

Public Comment

Julia Somers, New Jersey Highlands Coalition – Ms. Somers commented that the Coalition has been working with Mayor DiLauri and are delighted that the Town is taking the next step. Ms. Somers believes they will conform.

Council Comment

There was no Council comment.

A roll call vote was taken. The resolution was APPROVED 13-0.

Council Discussion

Member Alstede requested that Council add language to the memorandum to NJDEP regarding the draft New Jersey Statewide Water Supply Plan. Mr. Alstede suggested that Council add a comment

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to support the concept of investing in infrastructure to ensure that there is future water supply statewide and in the Highlands region. Ms. Carluccio was opposed to this comment. Members Walton and Visioli supported Mr. Alstede's suggestion. Chairman Rilee took a poll vote of Council members and Council agreed to add Member Alstede's recommendation to the memorandum to NJDEP.

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

Public Comment

Member Holtaway left the meeting and Member Visioli temporarily left the meeting at 5:39pm.

Julia Somers, New Jersey Highlands Coalition – Ms. Somers commented that the draft New Jersey Statewide Water Supply Plan currently does not speak about conservation. Ms. Somers requests that the Council include conservation and leadership in its comments regarding the Plan.

Member Visioli returned to the meeting at 5:40pm.

Deborah A. Post, Chester Township, NJ – Ms. Post alleged that the HDC Estimator Tool has disappeared from Council's website. Ms. Post also commented that her OPRA request was denied regarding a data set. Ms. Post urged Council to direct staff to respond to her OPRA request. Ms. Post requested that Council make agricultural tourism a requirement for conforming towns who must honor the RMP or lose grants.

Wilma Frey, New Jersey Conservation Foundation – Ms. Frey asked to what extent Council has consulted with the NJDEP regarding the draft New Jersey Statewide Water Supply Plan, in particular, water supply and water quality. Ms. Frey urged Council to defend its turf.

George Cassa, Califon, NJ – Mr. Cassa was in favor of Member Alstede's recommendation regarding the draft New Jersey Statewide Water Supply Plan.

Hank Klumpp, Tewksbury, NJ – Mr. Klumpp commented in opposition of the Highlands Act. Mr. Klumpp spoke of the potential application for their renewal/increase of water by The Hamilton Farm Golf Club in Gladstone. Mr. Klumpp submitted his comments for the record.

David Shope, Lebanon Township, NJ – Mr. Shope commented that trees are the biggest use of water so he suggests that the state cut down trees.

Member Richko made a motion to adjourn the meeting. Member Vobden seconded it. All were in favor. The meeting was adjourned at 5:53pm.

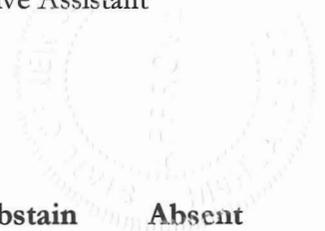
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CERTIFICATION

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: 8/18/17

Name: Annette Tagliareni
Annette Tagliareni, Executive Assistant



Vote on the Approval of These 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 Tfank	_____	_____	✓	_____	_____	_____
Councilmember Visioli	_____	_____	✓	_____	_____	_____
Councilmember Vohden	_____	_____	✓	_____	_____	_____
Councilmember Walton	✓	_____	✓	_____	_____	_____
Chairman Rilee	_____	_____	✓	_____	_____	_____