

**DRAFT - FOR CONSIDERATION AT THE JANUARY 15, 2026
MEETING OF THE HIGHLANDS COUNCIL
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF OCTOBER 16, 2025**

PRESENT

CARL J. RICHKO)	CHAIR
KURT ALSTEDE)	VICE CHAIR
DANIEL BUSH)	COUNCIL MEMBERS
MICHAEL FRANCIS)	
WILLIAM KIBLER)	
DANIEL J. VAN ABS, PhD)	

VIA TELECONFERENCE:

TIMOTHY DOUGHERTY)
BRUCE JAMES)

ABSENT:

MICHAEL DRESSLER)
JAMES VISIOLI)

CALL TO ORDER 214TH meeting of the New Jersey Highlands Water Protection and Planning Council was called to order at 4:06pm at the Highlands Council Offices in Chester, NJ.

ROLL CALL

Roll call was taken. Members Dressler and Visioli were absent. All other Council Members were present. Members Dougherty and James were present via teleconference. *The following staff members were present: Ben Spinelli, Gabrielle Gallagher, James Humphries, Kelley Curran, Neda Hartman, Corey Piasecki, Allison Bittner, Elizabeth Ward, Ranji Persaud, Casey Ezyzke, Sarah Friend, Tom Tagliareni, Carole Dicton, Kyli Engle, Diana Swiderski and Annette Tagliareni. Others present via teleconference: Herbert August, Michael Eleneski, Associate Counsel, Governor's Authorities Unit (GAU) and Jill Denyes, Deputy Attorney General's (DAG's) office.*

OPEN PUBLIC MEETINGS ACT was recited.

PLEDGE OF ALLEGIANCE was recited.

CHAIRMAN'S REPORT

There was no Chairman's report.

EXECUTIVE DIRECTOR'S REPORT

Mr. Spinelli reported on the following items:

1. Drought continues.
2. Hard work of Council staff on today's agenda items.

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3. Welcomed the towns that have embraced conformance. Council staff look forward to working with the municipalities. Lack of Council appointments – we have 10 of 15 membership. The impact is clear – we have 8 members today and need 8 votes to take any action.
4. Highlands Council mission is non-partisan, non-political effort to protect the vital resources of the Highlands region. The most important of those resources is the supply of clean drinking water. *It is a foundational principle of good governance that ensuring a reliable adequate supply of clean drinking water is a primary responsibility of any governing administration.* The mission of the Council must endure any political change, as the future of the state is at stake. The need for clean drinking water does not begin or end with political affiliations.
5. Council continues to be hindered by being underfunded, under resourced, and understaffed. No source of open space and restoration funding.
6. Regardless of who the next governor is, the future of the state is at stake. Highlands Council mission is the epitome of good sound government practice.
7. Next Administration must:
 - a. Properly fund the Highlands Council: adequate staff levels; restore operating and grant budgets.
 - b. Provide dedicated source of open space funding
 - c. Provide funding for land management activities
 - d. Financially support municipalities of the region.
 - e. Appoint qualified Council members
 - f. Ensure resources of the region are adequately protected 1) strategic climate action program; increase/maintain forest coverage and forest health; and manage impervious coverage region-wide.
 - g. Invest in economic sustainability of the region to support agricultural economy and fund tourism/sustainable economic activity.
 - h. Understand that protection of the Highlands requires acknowledgement of importance to entire state.

At this time, Chair Richko asked if any Council members had comments or questions on the Executive Director's report.

There were no comments by members.

Chair Richko commented that the Council's focus and priority for 2026 will be Highlands Council funding (budgets, grants, etc.). Chair Richko also commented on affordable housing and how it makes no sense to force development in an area that produces 70% of the state's water.

APPROVAL OF HIGHLANDS COUNCIL MINUTES OF JULY 17, 2025

Chairman Richko asked for a motion on the Council Minutes of July 17, 2025.

Member Kibler made a motion to approve the Highlands Council Minutes of July 17, 2025. Member Bush seconded it.

A roll call vote was taken. The Highlands Council Minutes of July 17, 2025 were APPROVED 8-0.

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PLAN CONFORMANCE COMMITTEE

Due to Committee Chair Dressler's absence, Chair Richko reported that the Plan Conformance Committee met on September 8 and October 6, 2025 and Council will consider four (4) resolutions.

Resolution – Highlands Redevelopment Area Designation for Township of Mount Olive, Morris County, Lots 5, 5.02, 6, 7, 8, 9, 11, 11.01; Block 8100, Lot 38; Block 8400, Lot 1

At this time, Allison Bittner, Principal Planner gave a presentation on Mount Olive Township's Highlands Redevelopment Area Designation. The presentation may be found on the Council website: www.nj.gov/njhighlands/about/calendar/2025/10_october/HC%20Meeting%20Oct%202025.pdf

Chairman Richko asked for a motion on the resolution.

Member Francis moved the resolution. Member Bush seconded it.

Council Comment

Member Kibler had several questions regarding details of the project review that were responded to by Ms. Bittner

At this time there was continued discussion and clarification regarding the litigation and history of the property.

Vice Chair Alstede asked if we ever established a policy/standards for water usage for data centers. Mr. Spinelli responded that this is the Council's next project and gave a summary of some of Council staff's strategies.

Member Bush asked why this is still before the Council and the litigation is a non-issue.

Gabrielle Gallagher, Chief Counsel, responded that as a courtesy to the litigant we gave them an opportunity to work things out.

It was noted that since the Township is the applicant it was the township's directive for Council to hear the original application. It was also noted that Council responds to the municipality's requests.

At this time, Chair Richko invited the attorney for the property to speak.

Michael Selvaggi of Lavery, Selvaggi, Abromitis & Cohen, P.C. (attorney for property Block 8300, Lot 11 & 11.01) – Mr. Selvaggi commented that one of the owners of the property has been involved since 2005 but has been involved with the Council and Mount Olive Township for the past six years. Mr. Selvaggi noted that the township's LI-zone does not allow data centers, so he does not foresee them changing it. Mr. Selvaggi added that he agrees with Council staff's report. Mr. Selvaggi noted that the project can't have an end user if we don't know what can be sold or developed there. Mr. Selvaggi concluded that the term "warehouse" is a permitted use in the LI-zone and if the Council approves the application, the use will still need to go through many site-specific inspection reviews.

Public Comment

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Dylan Medici, New Jersey Highlands Coalition – Mr. Medici spoke in opposition of this application due to speculation on its use and using contiguous properties to get to the 70 % impervious surface coverage to comply with Highlands Act.

John Kaplan, Harold Law (representing owner of L 5.01) – Mr. Kaplan commented that he has no objection to Council staff's report. Mr. Kaplan added that this was a previous area for redevelopment and urged Council to table this resolution so they can resolve this matter in litigation.

Margaret Noon, Mount Olive Township – Ms. Noon spoke in opposition of this resolution as it threatens farmland, water quality and public safety.

Eric Cross, owner of property L 11 & 11.01 – Mr. Cross gave some history of his property over many years. Mr. Cross added that the property was previously approved for two flex industrial buildings, so in his mind it is not redevelopment, it is something that just never happened because of all the circumstances.

David Smith – Mr. Smith spoke in opposition of Council staff's report due to, in his opinion, inconsistencies and ethical issues. Mr. Smith submitted his comments for the record.

Donna Smith – Ms. Smith spoke in opposition of Council staff's report. It is her opinion that the report has changed with no authorizing resolution to permit such changes.

Tracy Gordan, Raritan Headwaters Association – Ms. Gordan commented that due to the comments made today, she recommends that the Council table this resolution.

Sarah Hare, Hope, NJ - Ms. Hare commented that the property is near a highly sensitive waterway. Ms. Hare asked to explain why Council is allowing more development on preservation land.

Irene Sergonis, Mount Olive Township – Ms. Sergonis spoke in opposition of this resolution. She also read a statement provided by Amber Lang.

At this time, there was continued discussion by Council members on the application.

A roll call vote was taken. The resolution DID NOT PASS 6-2.

Resolution - Approval of Petition for Plan Conformance for the Township of Mendham, Morris County

Chairman Richko asked for a motion on the resolution.

Member Bush moved the resolution. Member Kibler seconded it.

Corey Piasecki, Principal Planner, gave a presentation on Mendham Township's Petition for Plan Conformance. The presentation may be found on Council's website:
www.nj.gov/njhighlands/about/calendar/2025/10_october/HC%20Meeting%20Oct%202025.pdf

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Chair Richko invited Mayor Neibart to provide comment on the resolution.

Public Comment

Sarah Neibart, Mayor of Mendham Township – Mayor Neibart asked for the Council’s approval of Mendham Township’s Petition for Plan Conformance and looks forward to a respectable partnership with Highlands staff and Council.

Chair Richko commented that he is pleased the Highlands Council and Mendham Township are able to work together.

Dylan Medici, New Jersey Highlands Coalition – Mr. Medici spoke in support of Mendham Township’s Petition for Plan Conformance.

Tracy Gordan, Raritan Headwaters Association – Ms. Gordan, a former resident of Mendham, spoke in support of the Township’s Petition for Plan Conformance.

George Koenig, Mendham Township resident - Mr. Koenig spoke in support of Mendham Township’s Petition for Plan Conformance.

Peter Banos, Mendham Township resident - Mr. Banos submitted his comments to the Council regarding his concerns on agritourism in the Township.

Kim Schoenholtz, Mendham Township Financial Advisory Committee Member and Mendham resident – Mr. Schoenholtz spoke in support of Mendham Township’s Petition for Plan Conformance.

Council Comment

There was no Council comment.

A roll call vote was taken. The resolution was APPROVED 8-0.

Resolution - Approval of Petition for Plan Conformance for the Mount Arlington Borough, Morris County

Chairman Richko asked for a motion on the resolution.

Member Bush moved the resolution. Member Van Abs seconded it.

Elizabeth Ward, Principal Planner, gave a presentation on Mount Arlington Borough’s Petition for Plan Conformance. The presentation may be found on Council’s website:
www.nj.gov/njhighlands/about/calendar/2025/10_october/HC%20Meeting%20Oct%202025.pdf

Council Comment

There was no Council comment.

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Public Comment

Carolyn Rinaldi, Borough of Mount Arlington Administrator – On behalf of Mt. Arlington’s mayor and Council, Ms. Rinaldi thanked the Highlands Council for their consideration and the plan’s proposal.

Jessica Caldwell, Planner – Ms. Caldwell thanked the Council and Ms. Ward for their assistance and looks forward to working with them.

A roll call vote was taken. The resolution was APPROVED 8-0.

Resolution - Approval of Petition for Plan Conformance for the Township of Allamuchy, Warren County

Chairman Richko asked for a motion on the resolution.

Member Bush moved the resolution. Member Kibler seconded it.

Ms. Bittner gave a presentation on Allamuchy Township’s Petition for Plan Conformance. The presentation may be found on Council’s website:

www.nj.gov/njhighlands/about/calendar/2025/10_october/HC%20Meeting%20Oct%202025.pdf

Council Comment

There was no Council comment.

Public Comment

Julia Somers, NJ Highlands Coalition – Ms. Somers spoke in support of Allamuchy Township’s Petition for Plan Conformance.

A roll call vote was taken. The resolution was APPROVED 8-0.

BUDGET & FINANCE COMMITTEE

Due to Committee Chair Visioli’s absence, Chair Richko reported that the Budget & Finance Committee met on September 8 and October 6, 2025, and the Council will consider six (6) resolutions.

Mr. Spinelli reported that the Council’s General Operating Budget has not changed since 2011. Mr. Spinelli added that the only change is for the unionized salaries.

Mr. Spinelli also reported on the Highlands Protection Fund Capital Budget noting that it is unchanged. Mr. Spinelli added that any carryover gets reallocated in the RMP Amendment budget.

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At this time, Ms. Gallagher noted that the Council will vote on the two (2) FY2026 budget resolutions with one vote and one public comment:

Resolution – Approval of Fiscal Year 2026 General Operating Budget

Member Van Abs moved the resolution. Member Alstede seconded it.

Resolution – Approval of Fiscal Year 2026 Highlands Protection Fund Capital Budget

Chairman Richko moved the resolution. Member Van abs seconded it.

Council Comment

There was no Council comment.

Public Comment

There was no public comment.

A roll call vote was taken. The resolutions were APPROVED 8-0.

Resolution – Approval of Fiscal Year 2026 Highlands Protection Fund Capital Budget for Plan Conformance Funding Grant

Gabrielle Gallagher, Chief Counsel, noted that the Plan Conformance Funding Grant for Hunterdon County will not be considered at today's meeting since Member Bush needs to recuse himself, resulting in lack of a quorum to vote on that specific matter.

Chairman Richko asked for a motion on the resolution.

Member Van Abs moved the resolution. Member Kibler seconded it.

At this time James Humphries, Director of Planning, Science and GIS, gave a brief overview of the grants for Council's consideration:

- Mount Olive Township, Morris County – \$88,814 - Phase 2 of a Lake Management Plan for Budd Lake.
- High Bridge Borough, Hunterdon County –\$34,750 - Stormwater Management Planning (Watershed Improvement Plan - Phase 1)
- West Milford Township, Passaic County – \$24,000 - to update their zoning ordinance.

Council Comment

Councilmember Bush sought to confirm that he was able to vote on the other grants and Ms. Gallagher concurred.

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Public Comment

Benjamin Harris, Raritan Headwaters Association – Mr. Harris spoke in support of Mount Olive Township’s grant for the Phase 2 of their Lake Management Plan.

A roll call vote was taken. The resolution was APPROVED 8-0.

Resolution – Approval of Contract to Develop a Climate Change Technical Report

Chairman Richko asked for a motion on the resolution.

Member Van Abs moved the resolution. Member Kibler seconded it.

Mr. Humphries gave a presentation for an award of contract for a Highlands Climate Change Technical Report. The presentation may be found on Council’s website:

www.nj.gov/njhighlands/about/calendar/2025/10_october/HC%20Meeting%20Oct%202025.pdf

Council Comment

There was no Council comment.

Public Comment

Dylan Medici, New Jersey Highlands Coalition – Mr. Medici spoke in support of the development of a Climate Change Technical Report. He stated that climate change has immensely affected rainfall levels in New Jersey and changes can be seen in the extremely low levels of multiple water reservoirs throughout the state.

A roll call vote was taken. The resolution was APPROVED 8-0.

OTHER BUSINESS:

Resolution – Highland Council Annual Meeting Schedule for 2026

Chairman Richko asked for a motion on the resolution.

Member Kibler moved the resolution. Member Bush seconded it.

Council Comment

There was no Council comment.

Public Comment

There was no public comment.

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A roll call vote was taken. The resolution was APPROVED 8-0.

Resolution – Highland Development Credit Bank Annual Meeting Schedule for 2026

Chairman Richko asked for a motion on the resolution.

Member Van Abs moved the resolution. Member Kibler seconded it.

Council Comment

There was no Council comment.

Public Comment

There was no public comment.

A roll call vote was taken. The resolution was APPROVED 8-0.

OLD/NEW BUSINESS:

Vice Chair Alstede commented on the Affordable Housing mandates and inquired about how he should best respond to municipal officials when asked how we will assist them.

Mr. Spinelli responded by stating that there have been recent changes made. New legislation has called for the Highlands Regional Master Plan and Highlands Act to be considered in regard to any Highlands conforming municipality when it develops an Affordable Housing Plan. Challenges have arisen along the way, and the Highlands Council has assisted municipalities by providing substantial money and ongoing guidance. The Council can provide the Councilmembers with a more detailed overview, if they wish.

Member Francis inquired about whether we are assisting non-conforming municipalities for their affordable housing work.

Mr. Spinelli responded that conforming municipalities are taking priority due to our limited funding. However, when appropriate, grants will be made available to towns who are non-conforming if it advances the work they are doing towards conformance.

Chair Richko opened the meeting for public comment and noted the 3-minute limit.

Public Comments

Tracy Gordan, Raritan Headwaters Association – Ms. Gordan mentioned that today is “Imagine A Day Without Water” and her attempt at not using running water throughout the day.

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Julia Somers, NJ Highlands Coalition – Ms. Somers stated how important it is that towns recognize that every Highlands community has a constitutional obligation to provide affordable housing.

Irene Sergonis, Mount Olive Township – Ms. Sergonis thanked the Council for their service and hard work, as well as for the grant Budd Lake received to improve water quality.

Dylan Medici, NJ Highlands Coalition – Mr. Medici proclaimed that the next development on the horizon will be energy intensive infrastructure which will bring a need to expand current energy facilities, energy power generating stations, high voltage lines, and building rights of way. He asked if the Council will include energy in the Regional Master Plan, and James Humphries, Director of Planning, Science, and GIS, responded yes.

Glen Van Olden, NJ Farm Bureau – Mr. Van Olden commented on Mr. Spinelli's Executive Director report regarding the Council's lack of membership and that one of the candidates for Governor would make it a priority to fill the vacant positions.

Member Kibler made a motion to adjourn the meeting. Member Francis seconded it. All were in favor. The meeting was adjourned at 6:11 pm.

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: 10/28/2025

Name: Annette Tagliareni
Annette Tagliareni, Executive Assistant

Vote on the Approval of Minutes	Motion	Second	Yes	No	Abstain	Absent
Councilmember Amoroso						
Councilmember Alstede						
Councilmember Basralian						
Councilmember Bush						
Councilmember Dougherty						
Councilmember James						
Councilmember Kibler						
Councilmember Koop						
Councilmember Le Frois						
Councilmember Marano						
Councilmember Oswald						
Councilmember Smith						
Councilmember Van Abs						
Councilmember Visioli						
Chairman Richko						