

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF MARCH 19, 2026

PRESENT

CARL J. RICHKO) CHAIR
KURT ALSTEDE) VICE CHAIR
MARY AMOROSO) COUNCIL MEMBERS
JOSEPH BASRALIAN)
DANIEL BUSH)
TIMOTHY DOUGHERTY)
WILLIAM KIBLER)
TAMMY KOOP)
HELEN LE FROIS)
WILLIAM KIBLER)
MELONIE MARANO)
MATTHEW OSWALD)
KELLEY SMITH)

VIA TELECONFERENCE:

DANIEL J. VAN ABS, PhD)

ABSENT:

BRUCE JAMES)
JAMES VISIOLI)

CALL TO ORDER 216TH meeting of the New Jersey Highlands Water Protection and Planning Council was called to order at 4:00pm at the Highlands Council Offices in Chester, NJ.

ROLL CALL

Roll call was taken. Members James and Visioli were absent. All other Council Members were present. Member Van Abs was present via teleconference. *The following staff members were present: Ben Spinelli, Gabrielle Gallagher, James Humphries, Maryjude Haddock-Weiler, Kelley Curran, Neda Hartman, Ranji Persaud, Tom Tagliareni, Carole Diction, Kyli Engle, Diana Swiderski and Annette Tagliareni. Also present was Jill Denyes, Deputy Attorney General's (DAG's) office. Present via teleconference: Michael Eleneski, Associate Counsel, Governor's Authorities Unit (GAU).*

OPEN PUBLIC MEETINGS ACT was recited.

PLEDGE OF ALLEGIANCE was recited.

CHAIRMAN'S REPORT

Chair Richko reported that at the last Council meeting he introduced the new Council members. At today's meeting, Chair Richko introduced longstanding Council members and the year they became a member:

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**Vice Chair Kurt Alstede, 2004; Dan Bush, 2024; Tim Dougherty, 2011; Bill Kibler, 2025;
Dan Van Abs, PhD, 2020; Treasurer Jim Visioli, 2010; and Carl Richko, 2010.**

Chair Richko also announced the new committee assignments for the Council. A slide was provided showing the new assignments.

Audit	Audit Evaluation	Budget and Finance	Personnel	Bylaws
Tim Dougherty, Chair Mary J Amoroso Joe Basralian Dan Bush Kelley Smith	Dan Van Abs, Chair Kurt Alstede Tammy Koop Melonie Marano Matt Oswald	Jim Visioli, Chair Dan Bush Bill Kibler Tammy Koop Helen Le Frois Carl Richko	Kurt Alstede, Chair Joe Basralian Melonie Marano Carl Richko Jim Visioli	Tim Dougherty, Chair Mary J Amoroso Tammy Koop Helen Le Frois Melonie Marano
Plan Conformance	RMP Amendment	Landowner Equity & Land Preservation	Affordable Housing	Agriculture Advisory
Bill Kibler – Chair Joe Basralian Dan Bush Carl Richko Dan Van Abs Jim Visioli	Kurt Alstede – Chair Bill Kibler Matt Oswald Carl Richko Kelley Smith Dan Van Abs	Bill Kibler - Chair Mary J Amoroso Joe Basralian Helen Le Frois Matt Oswald Kelley Smith	Dan Van Abs – Chair Mary J Amoroso Tim Dougherty Tammy Koop Matt Oswald Jim Visioli	Kurt Alstede Kelley Smith

Chair Richko noted at the Council’s next meeting we will have the election of Vice Chair and Treasurer.

At this time, Chair Richko announced an addition to our new branding and tourism initiative - a website was launched a few weeks ago.

Maryjude Haddock-Weiler, Planning Manager, gave a quick overview of the new branding and tourism website that launched at the end of February: www.enjoynhighlands.com/.

Member Bush was present at 4:15pm.

Chair Richko asked if any Council members had comments or questions on the website.

Member Amoroso asked if the website has a calendar of events for festivals, etc. Ms. Haddock-Weiler responded that we don’t have a running calendar at this point, but it is on the horizon.

Member Smith commented that it would be great to have this website linked on all county and municipality websites. Ms. Haddock-Weiler responded that we are working on that.

EXECUTIVE DIRECTOR’S REPORT

Mr. Spinelli reported on the following items:

1. Happy Birthday to Chair Richko.

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2. Small agenda today, several grants for your review, a presentation on the basics of the Highlands Act, and our work and a consultation with our DAG on a potential legal matter in closed session.
3. Drought continues. Entire Highlands region still in moderate to severe drought status. If the Highlands is in a drought, the state is in a drought. Not just drinking water supplies, there are also environmental and agricultural impacts from this long-term deficit.
4. Press regarding Jefferson Township's financial issues. Met with representatives from the Township to discuss their issues. They are real, just not caused by the Highlands. Contacted by the legislators representing their district and explained the same issues that we have been discussing here at our meetings for the past year plus.
5. Met with New Jersey School of Conservation (NJSOC) to develop a partnership that will lead to more scientific research and study of the Highlands region.
6. Open Space & Recreation Plan continues to move forward. Draft should be ready by June. Preliminary analysis identified approximately 9,000 high value properties for preservation for various purposes.
7. Climate project data collection and analysis continue to move on.
8. Monitoring Program and Recommendations Report (MPRR) should be ready for review by the Council in June. Anticipate that this will provide the basis for several actions including new Regional Master Plan (RMP) elements on impervious cover, climate change and data center design and siting.
9. Highlands Municipal Exemption training on March 12, 2026 - very well attended. Needed to have two sessions. We appreciate our municipal partners who help implement the Highlands Act.
10. Final affordable housing settlements from the Highlands towns are coming in. Validation of the approach we crafted and the balance we were able to achieve in our conforming municipalities between meeting their affordable housing obligations and their obligation to protect the resources of the Highlands on behalf of the entire state.
11. Met with Roxbury Township to analyze the sites contained in their affordable housing plan to ensure they were selecting appropriate locations - something every Highlands municipality should be doing. Any town that followed our guidance should have ended up with a well-planned achievable course of action where they maintain control of their town's future.
12. Met with Warren County and the Warren County Environmental Committee to discuss the benefits of working with the Highlands.
13. Several Warren County towns have expressed an interest in Plan Conformance. Hope Township grant is one before you today.
14. Personnel – Glenn Acker our part-time Information Systems Coordinator and Alex Hascha, Resource Management Specialist left the Highlands staff over the past month. Both positions are posted.

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

Member Kibler asked how many properties have high priority for preservation and do we have funding. Mr. Spinelli responded that 9,000 properties have high priority and we have no funding.

Member Oswald asked about affordable housing and the process. Mr. Spinelli explained the process and how we assisted the fully conforming municipalities to develop their plans.

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PRESENTATION – Highlands 101

At this time Highlands Council staff, Mr. Spinelli and Mr. Humphries, gave a presentation on the following topics. The presentation may be found on the Council's website:

www.nj.gov/njhighlands/about/calendar/2026/03_march/mtgppt_mar2026.pdf

- Overview of Highlands Act and Regional Master Plan (RMP)
 - Federal Highlands Region (Highlands Conservation Act (HCA))
 - New Jersey Highlands Region – The New Jersey Highlands Water Protection and Planning Act
 - Protecting the Highlands is not just about the Highlands
- Highlands Act
 - Highlands Act Quick Reference
- Highlands RMP
 - RMP Quick Reference
 - Land Use Capability (LUCZ)
 - RMP Standards
 - RMP Amendments
 - How is RMP used by the Council?
 - Project Conformance Reviews
 - RMP Implementation Projects
 - Municipal & County Grant Awards
 - RMP Monitoring
- Highlands Redevelopment Areas
 - What is it?
 - Trigger
 - Key factors
 - Review process

APPROVAL OF HIGHLANDS COUNCIL MINUTES OF JANUARY 15, 2025

Chairman Richko asked for a motion on the Council Minutes of January 15, 2025.

Member Dougherty made a motion to approve the Highlands Council Minutes of January 15, 2025. Member Smith seconded it.

A roll call vote was taken. The Highlands Council Minutes of January 15, 2025, were APPROVED 13-0.

AUDIT REVIEW COMMITTEE

Committee Chair Dougherty reported that the audit is clean, but the Council has little funding. Committee Chair Dougherty noted that there is always a second set of eyes from the auditing team on how they conduct the audit from year to year.

Resolution – Acceptance of Audit Report

Chairman Richko asked for a motion on the resolution

DRAFT - FOR CONSIDERATION AT THE APRIL 16, 2026
MEETING OF THE HIGHLANDS COUNCIL
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Member Basralian moved the resolution. Member Oswald 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 13-0.

BUDGET & FINANCE COMMITTEE

Due to Committee Chair Visioli's absence, Chair Richko gave a report on the following grants for Council's consideration.

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

Chairman Richko asked for a motion on the resolution.

Member Alstede moved the resolution. Member Bush 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 13-0.

Resolution – Approval of Website Hosting and Maintenance Proposal as a Component of Branding and Marketing Plan

Chairman Richko asked for a motion on the resolution.

Mr. Spinelli noted that this funding is for a three-year period.

Member Le Frois moved the resolution. Member Koop seconded it.

Council Comment

There was no Council comment.

Public Comment

DRAFT - FOR CONSIDERATION AT THE APRIL 16, 2026
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Julia Somers, New Jersey Highlands Coalition – Ms. Somers complimented Ms. Haddock-Weiler on the Highlands branding and tourism project as well as her efforts.

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

OLD/NEW BUSINESS

There was no old/new business.

Chair Richko announced that the Council will go into an Executive Session and the public portion of the meeting was dismissed temporarily at 4:48pm.

Resolution – Executive Session

Chair Richko requested a motion on the resolution.

Member Amoroso made a motion. Member Le Frois seconded it.

Chief Counsel Gabrielle Gallagher 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 pending or anticipated litigation within the meaning of N.J.S.A. 10:4-12(b)(7);

NOW, THEREFORE, BE IT RESOLVED, that the Council may enter into closed session at its public meeting of March 19, 2026, 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 privileged matter will not be disclosed.

This Resolution shall become effective upon a roll-call vote of the Council.

A roll call was taken. All were in favor.

[EXECUTIVE SESSION]

The public portion of the meeting resumed at 5:18pm.

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

Public Comments

Hank Klumpp, Tewksbury, New Jersey – Mr. Klumpp commented on his opposition to the Highlands Act that put his property in the Preservation Area. Mr. Klumpp submitted his comments for the record.

Julia Somers, NJ Highlands Coalition – Ms. Somers commented that she attended the Warren County Environmental Commission meeting and there was mention of a data center ordinance written

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by Commissioner Jim Kern and that it is being shared all over the state. Ms. Somers added that it would be a great place for the Highlands to start. Ms. Somers also announced that the NJ Highlands Coalition has started a TV Interview Series.

Philip G. Berg, Washington Township, NJ (Morris County) – Mr. Berg complimented Ms. Haddock-Weiler’s website demonstration. Mr. Berg then spoke in opposition to the conversion of a warehouse in Roxbury Township into an ICE detention center.

David Broderich, Rockaway, NJ – Mr. Broderich spoke in opposition to the conversion of a warehouse in Roxbury Township into an ICE detention center. Mr. Broderich submitted his comments for the record.

Vice Chair Alstede left the meeting at 5:32pm and noted that he will be reading the transcript of their comments.

Leigh Remington, Flanders, NJ – Ms. Remington spoke in opposition of the conversion of a warehouse in Roxbury Township into an ICE detention center.

Devon Colak, resident Roxbury Township, NJ – Ms. Devon spoke in opposition of the conversion of a warehouse in Roxbury Township into an ICE detention center.

Nancy Gable, Washington Township, NJ (Morris County) – Ms. Gable spoke in opposition of the conversion of a warehouse in Roxbury Township into an ICE detention center.

Chair Richko noted that there are limitations to the Highland Council’s purview in this matter and turned to Mr. Spinelli for additional clarification.

Mr. Spinelli explained that the Highlands Council does not make final land use decisions and currently has no application before it to evaluate. Mr. Spinelli commented that if a proposal does come forward—such as a change of use for the facility—that would require an application to the NJDEP to amend the Water Quality Management Plan, including a significant increase from the currently permitted 12,000 gpd of sewer capacity.

Mr. Spinell added that because Roxbury is a conforming Highlands municipality in the Planning Area, the Council would be required to review and provide a recommendation to NJDEP. In such cases, NJDEP is obligated to follow the Council’s recommendation. This review would be a technical and science-based process conducted by Highlands staff, focusing on environmental conditions at the site and consistency with the policies and goals of the RMP.

Mr. Spinelli emphasized that until an application is formally submitted, the Council has no authority to act. When/if a proposal is presented, the Council will evaluate it fairly and base its recommendation strictly on scientific analysis and established policy.

Chair Richko asked if there were any other comments by the Council. There were no other comments.

Member Bush made a motion to adjourn the meeting. Member Smith seconded it. All were in favor. The meeting was adjourned at 5:42pm.

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: 3/25/2026

Name: Annette Tagliareni

Annette Tagliareni, Executive Assistant

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

**PUBLIC COMMENT SUBMITTED AT
HIGHLANDS COUNCIL MEETING ON
MARCH 19, 2026**

①

My name is Hank Klumpp and I own 200 acres in the Highlands Preservation Area. (Not by choice)

I understand there are 7 new members on this Highlands panel.

I will find it interesting to see if even one of you question why I have put my sign up here today.

While you new members have just arrived, I have been standing before a panel for ~~22~~ years. I have been asking anyone here or everywhere I have searched to show me the scientific study that

②

put my land into the Highlands Preservation Area and not one person has been able to find any such study for me. There is no study because politics stole my land value not science.

I attended the committee meeting pertaining to the Highlands Water Protection and Planning Act on March 30, 2004. Senator Bob Smith and Assemblyman John McKeon spoke, and I quote them as saying, "We are working with the Governor's office to put together the dedicated

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and guaranteed source of funding so that the Highlands, which is making a sacrifice for the rest of the state, is properly compensated. We will show you the money." They assured everyone at the meeting that no one would be hurt by the Highlands Act.

Now, it is 2026 and I am 89 years old and soon I will be passing my land - land that was purchased with hard earned money - but with its value taken away - to my family.

④

I am hoping that even one
of the new members of this
panel will finally give a damn.
When I am gone - help my family
find the money that was promised.

TESTIMONY OF DAVID F. BRODERICK

TO HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL

March 19, 2026

My name is David Broderick, and I am a retired attorney who lives in Rockaway Township. I am among the large number of Highlands residents who oppose the conversion of a massive warehouse in Roxbury into a 1,500 bed ICE detention facility. I would refer you to the excellent op-ed piece by Elliott Ruga of the Highlands Coalition, titled "ICE Detention Plan Will Drown Town in Sewage Nightmare," which ran in the Star Ledger on March 8, 2026, for a description of the environmental havoc that such a facility would visit upon the Highlands. Elliott's piece focuses on the fact that even if DHS were to claim that it is exempt from having to comply with state and local environmental laws on the grounds of Federal supremacy, it must nevertheless comply with certain Federal laws that are enforced here in NJ by our state and local governments. In particular, Elliott explained that the sewage discharges from such a facility must comply with the Federal Clean Water Act, as enforced in NJ by the NJ DEP under a memorandum of understanding with the Federal EPA. And although Elliott did not mention the water requirements of the facility, the town engineer of Roxbury has estimated these to be 187,500 gallons per day, a nearly 16x increase above the property's current water allocation of 12,000 gallons per day. There is simply no capacity for such a massive amount of water to be drawn from the municipal water system that services the warehouse.

I wanted to let you know that it also appears that the planned facility would be subject to the NJ Highlands Act as a matter of Federal law. Under the Federal Safe Drinking Water Act, 42 USC 300j-6, any

Federal agency which owns or operates a facility located in a “wellhead protection area” “shall be subject to, and comply with, all Federal, State, interstate and local requirements, both substantive and procedural, including any requirements for permits... respecting the protection of such wellhead areas.... In the same manner and to the same extent as any person is subject to such requirements.” The NJ DEP maintains a map on its website showing all wellhead protection areas in the state. <https://gisdata-njdep.opendata.arcgis.com/datasets/njdep::well-head-protection-areas-for-public-community-water-supply-wells-in-new-jersey/explore?location=40.899627%2C-74.680363%2C16>. By superimposing the outlines of the Roxbury warehouse property onto this map, it is apparent that a downhill section of the property is included in a wellhead protection area (shown in pink below):



As one of the primary purposes of the Highlands Act is to provide “a comprehensive approach to the protection of the water and other natural resources of the New Jersey Highlands” (NJSA 13:20-2), it would appear that the Highlands Act is such a State law “respecting the protection of ... wellhead areas” as described in the Safe Drinking Water Act, and as such ICE is obligated to abide by both its procedural and

substantive provisions with respect to the provision of water supplies to, and the disposal of sewage from, the planned detention facility. So any claims by ICE that it is not subject to the Highlands Act on Federal Supremacy grounds should be viewed with a high degree of skepticism in light of this legal framework.

In summary, allowing this facility to be situated in the NJ Highlands would place undue strain upon its aquifer, increase pollution of both its groundwater and its surface waters, and increase the potential for water-borne and other illnesses. I would urge you to do everything within your power to reject this misguided proposal. Thank you.

ICE detention plan will drown town in sewage nightmare

Residents in Roxbury and beyond are mobilizing against the site.

Elliott Ruga Guest Columnist

Many eyes are on Roxbury Township as the U.S. Department of Homeland Security plans to convert a 470,000-square-foot industrial warehouse on Route 46 into an Immigration and Customs Enforcement detention center capable of holding up to 1,500 detainees.

Roxbury officials were reportedly blindsided by the proposal and have expressed frustration over DHS' lack of response to their repeated outreach efforts to discuss their concerns.

New Jersey's U.S. Sen. Andy Kim has intervened in support of Roxbury, demanding answers from DHS and has introduced a bill to prevent ICE from converting warehouses into detention centers. Recently, Gov. Sherrill fired off a letter to Homeland Security Secretary Kristi Noem strongly opposing the Roxbury ICE detention center, "using every tool at our disposal to protect the interests of Roxbury residents and our communities".

Residents across northern New Jersey are mobilizing against the plan, citing human and constitutional rights violations, including the violent rounding up of suspected undocumented immigrants and detention in overcrowded, unsanitary conditions.

Additionally, there are fears that opening a detention facility in Roxbury could intensify ICE operations in Morris County.

The proposed location in Roxbury is unsuitable for a detention facility for several reasons. Here are three:

- › The property is environmentally constrained, with a conservation easement covering the undeveloped portion.
 - › A detention center is not a permitted use in the zone, and the site is in a residential area.
 - › Most critically, the facility lacks adequate wastewater capacity. According to DHS, the proposed facility would hold up to 1,500 detainees, which would generate 157,000 gallons of wastewater daily, far exceeding the capacity of the regional sewage plant.
- Comparatively, Delaney Hall, an ICE detention center in Newark, has a capacity of 1,000 detainees. The Roxbury warehouse, which is four times larger than Delaney Hall, could theoretically hold up to 4,000 detainees, producing nearly 420,000 gallons of wastewater daily.

Roxbury is a fully conformed municipality within the Highlands region. Such a facility would conflict with several provisions of the Highlands Regional Master Plan, adding another level of legal barriers to DHS' plan.

The Supremacy Clause, which invalidates state and local laws that conflict with federal laws on federally owned lands and institutions, raises questions about whether municipal, regional, and state regulations could be invalidated. However, the situation is complex.

New Jersey laws governing sewer service areas, sewage discharge permitting, and sewage capacity constraints are enforced under a memorandum of understanding between the EPA and the NJDEP, granting New Jersey authority to enforce sections of the federal Clean Water Act.

New Jersey regulations that would prohibit the detention center because of wastewater capacity constraints mirror federal regulations.

Additionally, the federal Highlands Conservation Act of 2004 emphasizes the importance of protecting, conserving, and restoring the resources of the Highlands region, noting that state and local governments bear primary responsibility for these efforts.

This suggests that environmental constraints under the Highlands Act and the Highlands Regional Master Plan are not in conflict with but align with federal policy.

Even if the federal government identified a legal basis to bypass state and municipal regulations, the Supremacy Clause does not exempt it from adhering to federal laws, including the Clean Water Act.

DHS would also need to comply with the National Environmental Policy Act, which mandates federal agencies to evaluate the environmental impacts of major projects before implementation. NEPA requires public participation and the preparation of Environmental Impact Statements or Assessments for significant actions.

Even if DHS found a way to circumvent federal laws, it would still need to address the wastewater challenges posed by the facility to avoid a health and safety crisis—a problem that looks to be quite real and insurmountable.

Elliott Ruga is policy & communications director of the New Jersey Highlands Coalition.