

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF DECEMBER 1, 2016

PRESENT

JIM RILEE)	CHAIRMAN
KURT ALSTEDDE)	VICE CHAIR
TRACY CARLUCCIO)	COUNCIL MEMBERS
MICHAEL FRANCIS)	
ROBERT HOLTAWAY)	
CARL RICHKO)	
RICHARD VOHDEN)	
JAMES VISIOLI)	
ROBERT G. WALTON)	

VIA TELE-CONFERENCE

TIMOTHY P. DOUGHERTY)
BRUCE JAMES)
MICHAEL TFANK)

ABSENT

MICHAEL R. DRESSLER)
MICHAEL SEBETICH)

CALL TO ORDER 149TH meeting of the New Jersey Highlands Water Protection and Planning Council to order at 4:02pm.

ROLL CALL

Roll call was taken. Members Dressler and Sebetich were absent. Members Dougherty, James, and Tfank were present via tele-conference. All other Council Members were present. *The following staff members were present: Margaret Nordstrom, John Maher, James Humphries, Corey Piasecki, Kim Ball Kaiser, Maryjude Haddock-Weiler, Carole Ann Dicton, Tom Tagliareni, and Jocelyn van den Akker. 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 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.

APPROVAL OF HIGHLANDS COUNCIL MINUTES OF OCTOBER 20, 2016

Chairman Rilee asked for a motion on the Minutes of October 20, 2016.

Member Walton made a motion to approve the Minutes of October 20, 2016. Mr. Francis seconded it.

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF DECEMBER 1, 2016

A roll call vote was taken. The Minutes of October 20, 2016 were APPROVED 12-0.

**APPROVAL OF HIGHLANDS DEVELOPMENT CREDIT (HDC) BANK MINUTES
OF NOVEMBER 3, 2016**

Chairman Rilee asked for a motion on the HDC Minutes of November 3, 2016.

Member Walton made a motion to approve the HDC Minutes of November 3, 2016. Mr. Holtaway seconded it.

A roll call vote was taken. The HDC Minutes of November 3, 2016 were APPROVED 12-0.

Chairman Rilee noted that since some members need to leave the meeting early, Council will consider the action items on Council's agenda.

COMMITTEE REPORT

Budget and Finance Committee

**Resolution – Approval of a Transfer of Development Rights Receiving Zone Feasibility
Grant City of Jersey City, Hudson County**

Mr. Holtaway made a motion on the Resolution. Mr. Francis seconded it.

Council Comment.

Member Walton asked why is Council spending additional funds on TDR grants, since no receiving zones have been established as a result. Ms. Nordstrom explained that Jersey City approached the Highlands Council with interest in the program.. Member Walton also asked for the amount of the grant. Ms. Nordstrom responded that the grant is for \$40,000. Chairman Rilee commented that although he has not supported a lot of the TDR grants in the past, this is a grant that has a better chance of moving forward.

Public Comment.

David Peifer, Association of New Jersey Environmental Commission – Mr. Peifer strongly supports the grant to Jersey City for a TDR receiving zone study and urged Council to look forward to its likely first receiving zone.

Elliot Ruga, New Jersey Highlands Coalition – Mr. Ruga echoes the comments of Mr. Peifer. Mr. Ruga also commented that this is a wonderful opportunity for the TDR program and the success of it could lead other municipalities to follow suit.

Deborah Post, Chester, NJ – Ms. Post spoke in opposition of this TDR Grant for Jersey City as farmers have lost property values.

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF DECEMBER 1, 2016

David Shope, Lebanon Township, NJ – Mr. Shope spoke in opposition of this TDR Grant for Jersey City as it is his opinion that Jersey City will harm New Jersey’s water supply and increase pollutants into the rivers.

Hank Klumpp, Tewksbury, NJ – Mr. Klumpp commented that he agrees with his fellow farmers and is opposed to this resolution.

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

Chairman Rilee commented that there will be accountability along the way with Jersey City’s TDR grant.

Other Business:

Resolution – Authority For Highlands Plan Conformance and Highlands Project Review

Chairman Rilee announced that he was pulling this resolution from the agenda for further review.

CHAIRMAN’S REPORT

Chairman Rilee reported that he contacted Congressman Rodney Frelinghuysen concerning funds in a federal bill being put forward and inquired how Council could receive those funds. Chairman Rilee added that Ms. Nordstrom took the ball and ran with it more recently and Council has become the lead agency for \$2.4M to be used to purchase HDC Credits.

Ms. Nordstrom explained that the source of funding is the Highlands Conservation Act sponsored by Congressman Rodney Frelinghuysen. Council was awarded \$2.4M in matching funds from U.S. Fish and Wildlife Service in the 2016 Highlands Conservation Act Grant Program. The Council will use the funding to purchase HDCs. Ms. Nordstrom noted that this is a huge step forward for this agency to be receiving federal funds and it enhances programs put into effect this year. Ms. Nordstrom thanked Highlands staff, in particular Carole Diction (Communications Manager) for coordinating and moving the project forward.

At this time, there was discussion between Highlands Council staff and Council regarding the awarded funds. Member Walton suggested that we bring these awarded funds back to Council’s sub-committee for discussion.

Council Reports

Member Richko commented on the state’s current drought situation, noting that there have been many news articles discussing the New Jersey Water Supply Master Plan (the Plan). He explained that the 1996 version of the Plan was to be updated every five (5) years and that hasn’t happened. Member Richko added that there is a state Water Supply Advisory Committee that makes

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF DECEMBER 1, 2016

recommendations for the Plan and although revisions have been made, for unknown reasons the Plan has not moved forward. Member Richko urged that Council prepare a resolution to send to the Governor's office and New Jersey Department of Environmental Protection requesting release of these revisions and/or updates of the Plan to the public.

Chairman Rilee asked Member Richko to supply this information to Council staff for Council's next meeting and/or a possible agenda item.

Member Carluccio supports Member Richko's suggestion to Council and thanks Chairman Rilee for referring it to Council staff.

EXECUTIVE DIRECTOR'S (ED) REPORT

Ms. Nordstrom highlighted some of Council staff's activities.

Plan Conformance Implementation

Oakland Borough, Bergen County adopted its Master Plan Highlands Element; and Town of Clinton adopted its Master Plan Reexamination Report and Highlands Environmental Resource Inventory.

Municipal Issued Exemptions - Preservation Area:

- Washington Township, Morris County,; Exemption 4 – 1 issued
- Washington Township, Warren County, Exemption 1 – 1 issued

COMMITTEE REPORT (cont'd)

RMP Update Committee

Member Walton left temporarily at 4:32pm.

Committee Chair Alstede introduced Council staff to provide a presentation to Council regarding the Highlands Redevelopment Area Designation procedures.

Ms. Nordstrom commented that the Redevelopment Area Designation guidance document has been in place for some time and recently received some minor revisions. The presentation explains some of the clarifications made, in particular with regard to applications involving brownfield redevelopment. Ms. Nordstrom noted that an application for a Redevelopment Area Designation involving a brownfield may be coming before this Council in the January meeting. The clarifications reflect some concerns raised by this Council at prior meetings. Ms. Nordstrom also noted that Council staff will go over some additional proposed future changes to the procedure that will require an adoption process.

Council staff then gave a presentation regarding the Highlands Redevelopment Area Designation procedure. The presentation may be found on Council's website at the following link:
www.nj.gov/njhighlands/about/calend/2016_meetings/dec_01/preso_redev_procedures.pdf

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF DECEMBER 1, 2016

Member Walton returned to the meeting at 4:36pm.

Council Comment

Member Carluccio commented that she was glad to see improvements to the document. Member Carluccio expressed her concerns for transparency during the entire application process from the initial meeting with Council staff to when the application is noticed to the public. Member Carluccio feels that the municipality needs to be aware of the entire process.

Member Holtaway feels additional burdens are not necessary for applicants in this process until an application is presented.

Member Francis asked how the Redevelopment document fits with Statute 40 of the Redevelopment Housing Law. Council staff responded that a Highlands Redevelopment Area Designation is totally separate from Statute 40.

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

Public Comment

George Stafford, New Jersey Highlands Coalition – Mr. Stafford commented on Member Richko's suggestion for Council to prepare a resolution regarding the New Jersey Water Supply Master Plan. Mr. Stafford has attended various municipal meetings urging municipalities to pass a resolution urging the state to release the Plan. Mr. Stafford urges Council to follow through on this resolution and noted that he has a resolution that could be used as a model.

Member Richko asked Mr. Stafford to share his resolution with Council staff.

Julia Somers, New Jersey Highlands Coalition – Ms. Somers commented on the Highlands wastewater management plans being held by NJDEP for years. Ms. Somers congratulated Council on their successful advocacy with regard to the Federal Highlands funding and suggested perhaps Council could receive more funding. Ms. Somers thanked Member Richko for his suggestion.

Member Visioli left the meeting at 4:56pm.

Deborah Post, Chester, NJ – Ms. Post asked Council to include specific and detailed direction regarding the duties of conforming municipalities to support and enhance the RMP economic goal of a vibrant agri-tourism industry in its revision of the RMP. Ms. Post submitted her comments for the record.

Wilma Frey, New Jersey Conservation Foundation – Ms. Frey asked if the Redevelopment document is on the website and asked if there is time for public to comment. Council staff responded that the document is on the Council's website and members of the public will have the opportunity for formal comment during the adoption process.

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF DECEMBER 1, 2016

David Shope, Lebanon Township, NJ – Mr. Shope spoke regarding why the State’s Water Supply Master Plan has not been updated. He also commented on Council ethics codes, and the Jersey City TDR resolution.

Member Walton left the meeting at 5:07pm.

Hank Klumpp, Tewksbury, NJ – Mr. Klumpp commented on NJDEP septic density rules and asked what is going on with the rules.

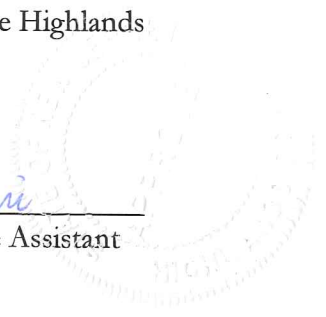
Member Holtaway made a motion to adjourn the meeting. Member Richko seconded it. All were in favor. The meeting was adjourned at 5:10pm.

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: 1-19-17

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	_____	_____	✓	_____	_____	_____