

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF MAY 16, 2019

PRESENT

CARL J. RICHKO)	CHAIR
KURT ALSTEDE)	VICE CHAIR
TRACY CARLUCCIO)	COUNCIL MEMBERS
TIMOTHY P. DOUGHERTY)	
MICHAEL FRANCIS)	
ROBERT HOLTAWAY)	
BRUCE JAMES)	
RICHARD VOHDEN)	
ROBERT G. WALTON)	

ABSENT

MICHAEL R. DRESSLER)
MICHAEL SEBETICH)
JAMES VISIOLI)

CALL TO ORDER 168TH meeting of the New Jersey Highlands Water Protection and Planning Council was called to order at 4:02pm.

ROLL CALL

Roll call was taken. Members Dressler, Sebetich, and Visioli were absent. All other Council Members were present. *The following staff members were present: Lisa J. Plevin, John Maher, James Humphries, Christine LaRocca, Annette Tagliareni, Maryjude Haddock-Weiler, Judy Thornton, Keri Green, Kelley Curran, Carole Ann Dicton, and Tom Tagliareni. Also present was Lauren Nathan-LaRusso, Associate Counsel, Governor's Authorities Unit.*

OPEN PUBLIC MEETINGS ACT

Ms. Tagliareni announced that the meeting was 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 MARCH 21, 2019

Chair Richko asked for a motion on the Minutes of March 21, 2019.

Member James made a motion to approve the Minutes of March 21, 2019. Member Holtaway seconded it.

A roll call vote was taken. The Minutes of March 21, 2019 were APPROVED 9-0.

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CHAIRMAN'S REPORT

Chairman Richko reported on the Brownfields Redevelopment Forum hosted on May 14, 2019 by Council staff in coordination with the New Jersey Brownfields Interagency Working Group. There were approximately 60 attendees. It was a very informative workshop with good networking. Chairman Richko thanked Highlands staff for their efforts.

Member Francis attended the forum and complimented Highlands staff for facilitating the event. He added that he made a contact with EPA to assist his borough regarding environmental issues.

Chairman Richko announced that Council's June 20, 2019 meeting is cancelled.

Lastly, Chairman Richko announced that Council's Chief Counsel, John Maher will be retiring on June 30, 2019. Chairman Richko noted that John has been with the Council for the last 3 ½ years. Chairman Richko noted some of John's accomplishments, congratulated him on his service, and wished him well in his retirement.

At this time, there was applause.

John Maher thanked each Council member for the opportunity to serve on the Council.

EXECUTIVE DIRECTOR'S REPORT

Ms. Plevin highlighted the following staff activities:

Outreach Activities

Highlands Council staff have been actively engaged in reaching out to municipal and county officials regarding the Plan Conformance process and next steps. Since my last report, the following conformance meetings have taken place:

- Parsippany-Troy Hills
- Holland Township
- Lebanon Township Environmental and Open Space Commission
- Washington Township & Washington Borough (both Warren Co.)

Plan Conformance Implementation

- Tewksbury Township, Hunterdon County adopted their Zoning Map
- Hopatcong Council, Sussex County adopted their Planning Area Petition Ordinance

TDR/HDC Update

Since the prior report, two HDC allocation determinations were made.

- A residential property in Mansfield Township, Warren County - 43.75 HDCs.
- A residential property in Bedminster was determined to have no credits.

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Open Space Program

The most recent funding round in the Open Space Partnership Funding Program closed on Tuesday, April 30, 2019. 16 applications were received and are currently being reviewed by Highlands Council staff.

Contracts

Highlands Regional Municipal Zoning GIS Layer – At Council’s March meeting, the Council voted to award a contract to Neglia Engineering to complete an update to the Council’s database of current municipal zoning throughout the region. A kick-off meeting for this project was held earlier this month and the consultant is moving forward with initial data collection.

Other Contracts

The deadlines for two other contract projects recently closed and staff are reviewing proposals for the development of an Interactive Environmental Resource Inventory (ERI) and proposals for development of a Highlands Trail Map and Signage.

Events and Meetings

Highlands Region Economic Sustainability Plan Steering Committee Kick-off Meeting

As an outcome of the RMP Monitoring Report, the Highlands Council has assembled a steering committee comprised of representatives from all seven Highlands counties to help structure a Request for Proposals (RFP) to develop a Regional Economic Sustainability Plan for the Highlands. Council Member Holtaway sits on the committee and will provide a report today on the first committee meeting.

Brownfields Redevelopment in the Highlands – How Your Community Can Benefit

Ms. Plevin was most pleased that the Highlands Council served as a resource on important redevelopment issues facing many of our municipalities.

Regional Master Plan Amendments

Plan Conformance Procedures

Council staff conducted four of the six public hearings for the Plan Conformance Procedures; one each in West Milford, Trenton, Holland Township, and Washington Township (Warren County). The last two public hearings are scheduled for Tuesday, May 21, 2019 from 10:00am to 12:00pm and 4:00pm to 6:00pm at our office. The public comment period ends on Tuesday, May 28, 2019. Council staff has received one written comment via e-mail and eight verbal comments to date. Attendance at the public hearings has been minimal, however, the comments that we have received have been very constructive and we will be recommending some modifications to the Procedures based on what we have heard from the public.

Personnel update

Ms. Plevin noted that the Chief Counsel position is currently posted until May 31.

2018 Annual Report

Council members will find in their packets today our annual report for 2018. Ms. Plevin complimented staff for all the good work highlighted in the report. As required by the Highlands Act, the report has been submitted to the Governor, the Legislature, and the governing body of each municipality and county in the

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Highlands Region. The report is posted to our website and hard copies are available in the literature rack in the lobby.

Building renovations

Beginning June 4, we expect to have a number of renovations taking place. All Council meetings will be relocated to the Chester Borough Court Room during construction. We anticipate that the July meeting will be relocated. A public notice will be issued regarding the location change. We anticipate the project will be completed by end of summer.

The next Council Meeting is scheduled for July 18, 2019.

Budget & Finance Committee

Resolution – Approval of Contract for Water Quality Management Planning/GIS Services

Committee Chair Holtaway reported on the resolution being considered for Water Quality Management Planning/GIS Services. Mr. Holtaway noted that the Council staff is preparing Wastewater Management Plans (WMP) for 18 municipalities. DEP's deadline is June 30, 2019. This is a sole source contract that has been vetted by Staff, DAG, and GAU as well as Budget & Finance Committee. This contract was necessary as a former GIS employee created code to automate the build out process. To complete the process in the deadline, it was necessary to contract with him to meet the deadline. Council is retroactively approving this contract. The contract is for a not-to-exceed amount of \$12,500 with a termination date of end of this calendar year to allow for revisions after DEP review.

Chairman Richko asked for a motion on the resolution.

Member Dougherty made a motion. Member Holtaway seconded it.

There was no Council comment.

There was no Public comment.

A roll call vote was taken. The resolution was APPROVED 9-0.

Resolution – Approval of Contract for Regional Stormwater Management Planning

Committee Chair Holtaway reported on the resolution being considered for Regional Stormwater Management Planning. Mr. Holtaway noted that the Regional Master Plan (RMP) directs the Council to develop regional stormwater management plans for water quality and quantity protection and enhancement. The Rutgers project will prepare stormwater management plans for 24 municipalities in the Raritan River Basin (North and South Branch). This will be the first effort undertaken by the Council towards implementing regional stormwater management policies (both conforming and non-conforming municipalities are included).

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Committee Chair Holtaway reported that green infrastructure plans will be prepared for each of the identified 24 municipalities and will include three documents:

- Impervious Cover Assessment (ICAs)
- Impervious Cover Reduction Action Plan (RAPs)
- Green Infrastructure Feasibility Studies

Mr. Holtaway noted some municipal benefits, sole-source justification, and noted that the cost of the contract is a not-to-exceed amount of \$264,000 funded from the RMP budget and which requires approval from the Office of Management and Budget (OMB).

Chairman Richko asked for a motion on the resolution.

Member James made a motion. Member Holtaway seconded it.

Council Comment

Member Carluccio commented that other firms do stormwater management plans so why Rutgers. Mr. Humphries responded that Rutgers is the only one who developed this exact and unique program. Member Carluccio also asked if municipalities need to approve the stormwater management plans. Mr. Humphries responded that these will be planning documents for each town and not regulatory. Mr. Humphries noted that one thing that is missing from many towns' Stormwater Management Plans are stormwater mitigation plans and that these new plans will identify specific projects that can be used for mitigation purposes. Ms. Carluccio also asked if Rutgers will use the RMP approach in particular buffers. Mr. Humphries responded that the program will identify what is there now and how stormwater issues can be improved.

Member Dougherty asked what the ultimate goal is for these plans. Mr. Humphries responded that the plans will be conducted to:

- Assess the impervious cover and associated runoff volumes
- Identify problem areas and projects for improvement
- Provide plans for green infrastructure Stormwater projects

Public Comment

David Shope, Lebanon Township, NJ – Mr. Shope spoke in opposition of this resolution based on its “lack of clarity and honesty.”

Hank Klumpp, Tewksbury, NJ – Mr. Klumpp commented that Stormwater Management Plans are needed in towns like Jersey City/Hoboken.

Bill Kibler, Raritan Headwaters Association – Mr. Kibler spoke in support of this resolution.

Wilma Frey, New Jersey Conservation Foundation – Ms. Frey spoke in support of this resolution.

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A roll call vote was taken. The resolution DID NOT PASS 7-2.

Economic Sustainability Plan Steering Committee

Member Holtaway reported that on April 23rd he participated in a kick-off meeting for a recently formed Economic Sustainability Plan Steering Committee. The purpose of the committee is to assist the Council in developing a comprehensive economic development plan for the Highlands, which is a recommendation that comes directly from the recently completed Monitoring Report. The Steering Committee is comprised of representatives from each of our 7 constituent counties who have knowledge and experience in economic sustainability and planning. It was a robust discussion about what types of economic activities currently exist in the Highlands Region and what future trends might bring that will support a thriving Highlands economy. Everyone agreed that economic growth is not equal to new development and our future economic vitality will depend on non-development strategies, as well as redevelopment and renewal. The immediate goal of the committee is to develop and release a Request for Proposals (RFP) to find a consultant team to undertake the project. Member Holtaway said he looks forward to keeping his fellow Council Members updated as the committee moves forward.

Chairman Richko opened the meeting to the public for any other comments.

Public Comment

Hank Klumpp, Tewksbury, NJ – Mr. Klumpp commented on the compensation that was promised to landowners whose land values were stolen by the Highlands Act due to a scientific study that in his opinion was political. Mr. Klumpp submitted his comment for the record.

David Shope, Lebanon Township, NJ – Mr. Shope commented that in his opinion the Rutgers proposal is poor in its attempt to deal with stormwater.

Member Holtaway made a motion to adjourn the meeting. Member James seconded it. All were in favor. The meeting was adjourned at 4:56pm.

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: 7-19-19

Name: Annette Tagliareni
Annette Tagliareni, Executive Assistant

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Vote on the Approval of This Resolution	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede			√			
Councilmember Carluccio			√			
Councilmember Dougherty			√			
Councilmember Dressler			√			
Councilmember Francis			√			
Councilmember Holtaway		√	√			
Councilmember James			√			
Councilmember Sebetich						√
Councilmember Visioli			√			
Councilmember Vohden			√			
Councilmember Walton	√		√			
Chairman Richko			√			