

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF OCTOBER 19, 2017

PRESENT

JIM RILEE)	CHAIRMAN
KURT ALSTEDDE)	VICE CHAIR
TRACY CARLUCCIO)	COUNCIL MEMBERS
TIMOTHY P. DOUGHERTY)	
MICHAEL R. DRESSLER)	
ROBERT HOLTAWAY)	
CARL RICHKO)	
BRUCE JAMES)	
RICHARD VOHDEN)	

VIA-TELECONFERENCE

MICHAEL SEBETICH)
JAMES VISIOLI)
ROBERT G. WALTON)

ABSENT

MICHAEL FRANCIS)
MICHAEL TFANK)

CALL TO ORDER 157TH meeting of the New Jersey Highlands Water Protection and Planning Council to order at 4:03pm.

ROLL CALL

Roll call was taken. Members Sebetich, Visioli, and Walton were present via tele-conference. Members Francis and Tfank were absent. 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, Keri Green, Drew Siglin, Herb August, Ranji Persaud, Christina Petagna, Carole Ann Dicton, and Tom Tagliareni. Also present were Nicholas Kant, Assistant Counsel, Governor's Authorities Unit, and Jennifer Moriarty, 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 introduced Jennifer Moriarty, Council's new representative from Deputy Attorney General's office.

APPROVAL OF HIGHLANDS COUNCIL MINUTES OF AUGUST 17, 2017

Chairman Rilee asked for a motion on the Minutes of August 17, 2017.

Member Richko made a motion to approve the Minutes of August 17, 2017. Member Holtaway seconded it.

A roll call vote was taken. The Minutes of August 17, 2017 were APPROVED 12-0.

CHAIRMAN'S REPORT

There was no Chairman's Report.

EXECUTIVE DIRECTOR'S REPORT

Ms. Nordstrom reported that the state released the final New Jersey Water Supply Report. The complete document, along with a comment response document is available and a link will be sent to members after our meeting.

Ms. Nordstrom highlighted the following staff activities:

- Highlands Development Credit (HDC) Certificates were issued to Richard and Jodi Sparling; 5.75 HDCs sold to the HDC Bank on August 22, 2017
- 34 municipal exemptions were issued

Personnel Update

Ms. Nordstrom acknowledged the following staff members:

- Promotion - Keri Green to Senior Resource Management Specialist
- New Hire - Christina Petagna - Resource Management Specialist

LANDOWNER EQUITY AND LAND PRESERVATION COMMITTEE

Committee Chair Walton reported on the following updates/recommendations of the committee:

Updates:

- The Committee met on October 12, 2017

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- Since the Committee's last meeting (3/8/17), the Highlands Council was notified of a \$2.42 million award in the 2017 Federal Highlands Conservation Act grant program.
- Total available funding for the Highlands Development Credit Purchase Program (HDCPP) and Council's Open Space Matching Program (OSP) is approximately \$6.4 million.
- Between the two programs, there is \$10.7 million in remaining unfunded applications from the 2016 application rounds.

Committee Chair Walton reported that the committee recommends that Council allocate available funding as follows:

- The Committee recommends funding all of the remaining HDCPP applications, which will be reviewed at the November 2 Bank meeting.
- The Committee also recommends funding approximately \$1.8 million OSP applications, noting specific applications would be reviewed and approved at a later Council meeting.

Council Action:

By a voice vote, the Council was asked to allocate funding as follows:

- HDCPP - \$4,069,302.00
- OSP - \$1,774,395.50
- Hold approximately \$60,000 for closing costs and future allocations

Committee Chair Walton made a motion to approve the allocation of funding for the OSP and HDCPP. Member Visioli seconded it.

There was no Council comment.

A roll call vote was taken. All members present voted to APPROVE 12-0.

BUDGET & FINANCE COMMITTEE

Committee Chair Holtaway provided a report for the FY2018 General Operating Budget:

- Budget remains flat with no increases in total expenditures.
- Some minor changes in three (3) line items:
 - Postage meter
 - Water cooler
 - Office supplies

At the close of FY2017, there was an unexpended remaining balance of \$266,385.96 in the salary account held by DEP/Treasury due to staff separation and reorganization. Treasury released those funds back to the Council to fund the RMP Account. As a result, the RMP funding for FY2017 was

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increased from \$44,625.32 to \$311,011.28. There is no dedicated funding source for the RMP. The Council continues to fund the RMP in this manner.

Chairman Rilee asked for a motion of the resolution.

Resolution - Approval of the Fiscal Year 2018 General Operating Budget

Member James made a motion on the Resolution. Member Vobden seconded it.

Chairman Rilee opened the meeting to public comment on the resolution.

Public Comment

Hank Klumpp, Tewksbury, NJ – Mr. Klumpp asked what the funding was for last year’s budget. Committee Chair Holtaway responded that last year’s budget was the same as this year.

There was no Council comment.

A roll call vote was taken. The resolution was APPROVED 11-1.

Committee Chair Holtaway provided a report for the FY2018 Highlands Protection Fund Capital Budget:

- The proposed FY18 Highlands Protection Fund Capital Budget is an estimate of potential expenditures between the dates of July 1, 2017 and June 30, 2018
- Reauthorization from the State Budget is \$2,182,000 (remained flat from previous years)
- The Highlands Grant Program provides reimbursement to municipalities who are changing their ordinances and master plan elements in accordance with the Highlands Act and RMP.
- FY2018 estimates:
 - Municipalities - \$1,280,000
 - Counties - \$275,000
- The estimate is based on the need to address specific programs based on regulatory changes at the Department of Environmental Protection.
 - Wastewater Management Planning
 - Water Use and Conservation Management Planning.
 - “Next steps” for municipalities and counties that are participating in the Plan Conformance Grant Program.
- Estimating paying \$1,000,000 from existing municipal Plan Conformance contracts this fiscal year.

Committee Chair Holtaway noted that there are two separate resolutions for the Highlands Protection Fund Capital Budget:

Resolution – Approval of the Fiscal Year 2018 Highlands Protection Fund Capital Budget

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

Chairman Rilee opened the meeting to public comment on the resolution.

Public Comment

David Shope, Lebanon Township, NJ – Mr. Shope spoke in opposition of the Highlands Protection Fund Capital Budget as in his opinion it benefits the municipal planners and engineers.

Hank Klumpp, Tewksbury, NJ – Mr. Klumpp asked what Council spent last year on grants and what we accomplished. Ms. Nordstrom responded that staff would provide the information to Mr. Klumpp.

There was no Council comment.

A roll call vote was taken. The resolution was APPROVED 11-1.

Resolution – Approval of FY2018 Highlands Protection Fund Capital Budget For Water Use And Conservation Management Plans, Wastewater Management Plans, and Plan Conformance Funding

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

Chairman Rilee opened the meeting to public comment on the resolution.

Public Comment

There was no public comment.

There was no Council comment.

A roll call vote was taken. The resolution was APPROVED 11-1.

RMP AMENDMENT COMMITTEE

Chairman Rilee reported that agenda item #10 – RMP Amendment Committee will be carried over to December's Council meeting.

OTHER BUSINESS

Resolution – Annual Meeting Schedule for 2018

Member Vobden made a motion on the Resolution. Member Alstede seconded it.

Chairman Rilee opened the meeting to public comment on the resolution.

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Public Comment

There was no public comment.

A roll call vote was taken. The resolution was APPROVED 11-1.

Chairman Rilee then opened the meeting to the public for any other comments.

Public Comment

George Cassa, Califon, NJ – Mr. Cassa asked if there is any guidance on the status of the recently amended septic density rules as they apply to existing wastewater management plans and how they relate to other ordinances. Mr. Humphries responded that the amended septic density rules refer to the NJDEP Highlands rules citation so no change needs to be made to Highlands ordinances or wastewater management plans in the Preservation Area only.

Hank Klumpp, Tewksbury, NJ – Mr. Klumpp commented on a Courier News article dated October 6, 2017 entitled “Too quiet on the Highlands front.” In particular, Mr. Klumpp commented on amending the Regional Master Plan.

David Shope, Lebanon Township, NJ – Mr. Shope spoke in opposition of the onerous language in the deed restriction and the low HDC value. Mr. Shope also spoke about municipalities with low sewer systems.

Member Sebetich left the meeting via tele-conference at 4:30pm.

Hank Klumpp, Tewksbury, NJ – Mr. Klumpp spoke in opposition of the three-minute limit on public comments. Mr. Klumpp would like the Council to limit public comment time to six minutes.

George Stafford, New Jersey Highlands Coalition – Mr. Stafford commented that Council should consider loosening up the three-minute public comment time.

Council Comment

Member Dressler asked Chief Counsel Maher whether the Council is guided by Robert’s Rules of Order and whether the Chair has authority to table a resolution without approval by the entire Council.

Chief Counsel Maher stated that the Bylaws provide that Roberts Rules guide the Council and further that the Chair has exclusive authority to set the Council agenda, which includes the power to place matters on the agenda and to remove them. Mr. Maher stated that, in his opinion, the Chair may table a matter on the agenda without requiring approval from a majority of the Council.

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Member Holtaway made a motion to adjourn the meeting. Member Richko seconded it. All were in favor. The meeting was adjourned at 4:35pm.

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: 12-7-17

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			✓			