

**MINUTES**

**NEW JERSEY HIGHLANDS COUNCIL  
MEETING OF MARCH 9, 2006**

**PRESENT:**

JOHN WEINGART	)	CHAIRMAN
KURT ALSTED	)	COUNCIL MEMBERS
ELIZABETH CALABRESE	)	
TRACY CARLUCCIO	)	
TIM DILLINGHAM	)	
MIMI LETTS	)	
DEBBIE PASQUARELLI	)	
MIKAEL SALOVAARA	)	
JACK SCHRIER	)	
BEN SPINELLI	)	
GLEN VETRANO	)	
SCOTT WHITENACK	)	

**ABSENT:**

LOIS CUCCINELLO	)
JANICE KOVACH	)

The following are the minutes from the New Jersey Highlands Council meeting which was held at 100 North Road, Chester, New Jersey on March 9, 2006 at 4:00 p.m.

**CALL TO ORDER:**

The Chairman of the Council, Mr. John Weingart, called the twenty-fifth meeting of the New Jersey Highlands Water Protection and Planning Council to order at 4:10 p.m.

**ROLL CALL:** The members of the Council introduced themselves.

**OPEN PUBLIC MEETINGS ACT:**

Chairman Weingart announced that the meeting was called in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6, and that the Highlands Council had sent written notice of the time, date and location of this meeting to pertinent newspapers of circulation throughout the State.

**PLEDGE OF ALLEGIANCE** was then recited.

## **MINUTES OF FEBRUARY 23, 2006:**

Ms. Calabrese made a motion to approve, Mr. Whitenack seconded, Mr. Dillingham abstained, all others were in favor, APPROVED.

### **CHAIRMAN'S REPORT:**

Mr. Weingart reported that several regional planning organizations are planning a conference to take place on September 28<sup>th</sup> and 29<sup>th</sup> in New Brunswick and he agreed the Highlands Council could be listed as a co-sponsor along the Geraldine Dodge Foundation, National Park Service, Highlands Coalition, the William Penn Foundation and others. He noted that the Council will receive a notice shortly about this event.

Mr. Weingart then asked Mr. Di Pirro to give the Executive Director's report.

### **EXECUTIVE DIRECTOR'S REPORT:**

Mr. Di Pirro advised that a bill has been introduced to effectively repeal the Highlands Act and that the staff has not had a chance to review it in detail but noted that the major components are a repeal of the standards which protect the natural resources in the Highlands and of the mechanisms for the collaborative planning process with Highlands municipalities and counties.

Mr. Di Pirro reported that on March 4<sup>th</sup> he attended a meeting of the New Jersey Forestry Association and discussed the importance of stewardship of forestry and the common goals between foresters and the Highlands Council. He also noted that on March 7<sup>th</sup> staff met with Assemblywoman Karrow regarding constituent issues, and that coming on March 15<sup>th</sup> a meeting will be held with property owner stakeholders regarding TDR. Mr. Di Pirro further noted that Mr. Borden and some Highlands staffers will be attending a land trust rally on March 25<sup>th</sup>. He advised that coming on March 28<sup>th</sup> and 29<sup>th</sup>, the Council's planning Charrette would take place, and that Commissioners from several departments have been invited to join the Council's next meeting on March 30<sup>th</sup>.

Mr. Di Pirro noted that Highlands staff members Beth Crusius and Erin Thomsen would soon be leaving the staff of the Highlands Council. In light of these changes, the Personnel Committee will be meeting on March 20<sup>th</sup>.

Mr. Weingart stated that he understood that the Council's position regarding amendments to the Highlands Act would be that the Regional Master Plan would also include an analysis of potential improvements to the Highlands Act based upon the planning leading up to the adoption of the plan.

### **COMMITTEE REPORTS**

Ms. Pasquarelli reported that the **Budget & Finance Committee** met on February 23<sup>rd</sup> and reviewed recommendations provided by the Plan Development Committee regarding consultant contracts. She noted that the Committee also reviewed administrative matters, and the transition of the Council's Executive Director.

Ms. Pasquarelli also reported that the **Land Conservation Committee** met earlier in the day at 1:30 to discuss the upcoming Highlands Landowner Forum which is an open house meeting targeted to landowners in the Highlands who are considering preserving their properties. The agenda for the Landowner Forum would be to give an overview of the existing preservation programs with Green Acres and Farmland Preservation representatives at the beginning and then have an open house to facilitate input and discussion. It is scheduled

for April 5<sup>th</sup> from 6:00 to 9:00 p.m. at the Highlands Council's Chester office and invitations are being sent this week. In addition, the Committee discussed the proposed concept of a direct response to landowners who have raised issues at Council meetings and through phone calls to Council members and staff. The Committee discussed a draft of a letter to be sent out to address specific concerns of property owners and offer staff guidance. The Committee also discussed the development of a request for qualifications to provide professional support to land preservation initiatives. Lastly, with regard to a water resource protection fee, the Committee discussed the reintroduction of bills to provide funding for land acquisition based upon a fee for water usage.

Mr. Schrier reported that the **Local Participation Committee** met and discussed outreach to municipalities and the possible formation of another mayor advisory committee. It was decided that such a formal committee was not necessary and that "question and answer sessions" with municipalities would help to clear up misinformation and give towns the chance to ask the questions most important to them. It was decided to try out this program, report back to Council and make adjustments as appropriate going forward.

Mr. Dillingham reported that the **Natural Resource Committee** met on January 20<sup>th</sup> before the meeting of the Council that day and that minutes were prepared. He noted that efforts and interaction with the agricultural community were discussed and that a proposal to work with the Department of Agriculture and the Rutgers Extension Group on Integrated Pest Management (IPM) was also a topic. The committee discussed developing a grants program to support the work on IPM. Mr. Alstede advised that the **Agriculture Subcommittee** has been active and over the last several weeks addressed three major areas – 1) IPM; 2) development of new markets and crops; and 3) development of a grant program for enhancing County agricultural development activities. Mr. Alstede further noted that the work schedule is aggressive and that Mr. Steve Balzano and Ms. Kim Ball Kaiser have been essential to the efforts of the subcommittee.

Mr. Weingart asked if any other members had reports and since none did, he turned to consideration of the resolution regarding grants to counties and municipalities.

#### **CONSIDERATION OF RESOLUTION REGARDING GRANTS TO MUNICIPALITIES AND COUNTIES:**

Mr. Balzano summarized the proposed resolution, which is designed to assist municipalities with meeting COAH fair share obligations, and the grants are proposed for Bedminster Township in an amount not to exceed \$7,500 and Morristown for costs of preparation of substantive certification not to exceed \$12,500. No public comments were received. Mr. Mikael Salovaara made a motion to approve, Mr. Glen Vetrano seconded, Mr. Scott Whitenack abstained, all others were in favor, APPROVED.

#### **CONSIDERATION OF RESOLUTION AMENDING ANNUAL MEETING SCHEDULE FOR 2006:**

Mr. Weingart discussed the proposed resolution to amend the annual meeting schedule. No public comments were received on the proposed meeting schedule. Mr. Salovaara motioned to approved, Mr. Whitenack seconded, all were in favor, APPROVED.

Mr. Weingart noted that with regard to comments which have been received regarding the scoping document, that they would be consolidated and presented to the Plan Development Committee.

#### **PUBLIC COMMENT PERIOD:**

Steve Shaw, attorney representing Hunterdon and Warren Counties. Mr. Shaw asked the Council about its legal position with regard to the effect of the Regional Master Plan and whether it had any legal standing prior to

municipal action. He also asked if details were available regarding the schedule for public hearings on the Regional Master Plan. Mr. Weingart advised that one session would be held in Trenton and that five would be held in the Highlands Region.

Hank Klumpp, Tewksbury. Mr. Klumpp owns 150 acres of farmland in the Highlands preservation area and advised that the property is worth only 80% of what it should be. He said that a dedicated funding source could be estimated with an increase in water fees. There isn't money to pay for lost real state value and he said he would like to see the map which illustrates the science that placed his farm in the Preservation Area.

Joy Farber, ANJEC. Ms. Farber said she is disappointed that the contract extension for Vertices, Inc. was not approved because of several members on the Council and of the public being concerned over privacy issues. She encouraged the Council to reconsider the project and said that the aerial photography that would have been used is already publicly available.

David Shope, Long Valley. Mr. Shope responded to Ms. Farber's comments about the Vertices contract. He said that he doesn't want people to be able to submit information about someone else's property anonymously however, he thought fines should apply to any who submit false information. He also stated that since funding for preservation is such a big issue why wasn't it provided for in the legislation. He proposed an increase of \$75.00 to \$100.00 per million gallons to be allocated by the New Jersey Water Supply Authority to be used for land preservation.

Robert Frey, Lopatcong Township. Mr. Frey said he concurred with Mr. Shope and also stated that farmland preservation is extremely slow, in some cases up to five years, and needs improvement.

Jeff Broadhurst. Mr. Broadhurst suggested a legislative amendment stating that all users of Highlands water should be designated as potential TDR receiving zones and that a fee should be imposed on water users. He also suggested that open Council seats should be filled by people directly impacted by the Highlands Act, preferably farmers. Mr. Weingart noted that there is a vacancy that the Governor has the authority to fill and that suggestions should be put forth for consideration.

David Shope added that the deadline for Water Supply comments is March 14, 2006.

Seeing no further comments, Mr. Weingart advised that the next Council meeting is scheduled for March 30, 2006 at 10:00 a.m.

**ADJOURN:**

Mr. Salovaara made a motion to adjourn, Mr. Vetrano seconded, and the meeting ADJOURNED at 5:00 p.m.

**RESOLUTION 2006-14**  
**NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL**  
**APPROVAL OF CERTAIN PLANNING ASSISTANCE GRANTS**

**WHEREAS**, the Highlands Water Protection and Planning Act (the "Highlands Act") mandates that the Highlands Water Protection and Planning Council (the "Highlands Council") adopt a Regional Master Plan by June of 2006; and

**WHEREAS**, Section 6 of the Highlands Act authorizes the Highlands Council to enter into any and all agreements or contracts, execute any and all instruments to carry out any power, duty or responsibility under the Highlands Act; and

**WHEREAS**, Section 18 of the Highlands Act authorizes the Highlands Council to make available grants and other financial and technical assistance to municipalities and counties in furtherance of the Regional Master Plan; and

**WHEREAS**, on August 4, 2005, the Highlands Council by Resolution 2005-27 authorized the initiation of a grant application process for certain grant categories, and included among the categories are Fair Sharing Planning grants and grants for wastewater mapping, zoning and parcel analysis, and the identification of outstanding approved projects; and

**WHEREAS**, the Highlands Council's staff has reviewed the following grant applications and recommends approval by the Highlands Council.

**NOW THEREFORE, BE IT RESOLVED** by the Highlands Council that the Executive Director, or his designee, is authorized to enter in a grant agreement with the following municipality and county for an amount not to exceed that amount indicated.

Fair Sharing Planning COAH Third Round Grant Municipalities, each grant not to exceed \$7,500:

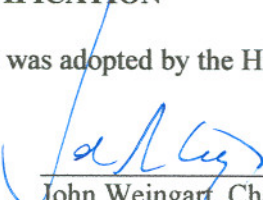
Bedminster Township

Fair Sharing Planning COAH Grant for Municipalities without substantive certification, each grant not to exceed \$12,500:

Town of Morristown

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 9<sup>th</sup> day of March, 2006.

  
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John Weingart, Chairman

**RESOLUTION 2006-15**  
**NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL**  
**AMENDED ANNUAL MEETING SCHEDULE FOR 2006**

**WHEREAS**, the Legislature has adopted the Highlands Water Protection and Planning Act and has created the public body corporate and politic known as the Highlands Water Protection and Planning Council (“Highlands Council”); and

**WHEREAS**, the Open Public Meetings Act directs public bodies to give adequate written advance notice of regular meetings and to establish and post an annual schedule of regular public meetings; and

**WHEREAS**, on December 15, 2005 the Highlands Council adopted Resolution No. 2005-46 in which the Open Public Meetings Act schedule of regular public meetings for the year 2006 was published; and

**WHEREAS**, the Highlands Council has decided to amend the regular meeting schedule;

**NOW, THEREFORE, BE IT RESOLVED**

1. The Highlands Council hereby modifies the following scheduled meetings:

The meeting scheduled for March 16, 2006 is hereby cancelled.

The meeting scheduled for April 6, 2006 is rescheduled from 10 a.m. to 4 p.m.

The meeting scheduled for April 20, 2006 is rescheduled from 10 a.m. to 4 p.m.

2. The Highlands Council hereby adopts the following schedule of regular public meetings for the year 2006:

January 5	10 a.m.	May 4	10 a.m.	August 17	10 a.m.
January 19	10 a.m.	May 11	10 a.m.	September 7	10 a.m.
February 9	4 p.m.	May 18	4 p.m.	September 21	4 p.m.
February 23	10 a.m.	May 25	4 p.m.	October 5	10 a.m.
March 9	4 p.m.	June 1	10 a.m.	October 19	10 a.m.
March 30	10 a.m.	June 8	4 p.m.	November 2	4 p.m.
April 6	4 p.m.	June 22	10 a.m.	December 7	10 a.m.
April 20	4 p.m.	July 20	10 a.m.	December 21	4 p.m.

2. The Highlands Council’s regular public meetings shall be held at the times noted above at its office at 100 North Road, Chester, New Jersey, with the understanding that the Council may choose to make changes in location or time but only with the provision of adequate advance public notice; and
3. The above schedule of regular public meetings shall be posted at the Highlands Council’s office and on its web site.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 9<sup>th</sup> day of March, 2006.



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John Weingart, Chairman