

MINUTES

NEW JERSEY HIGHLANDS COUNCIL MEETING OF OCTOBER 20, 2005

PRESENT:

JOHN WEINGART)	CHAIRMAN
TRACY CARLUCCIO)	COUNCIL MEMBERS
TIM DILLINGHAM)	
JANICE KOVACH)	
MIMI LETTS)	
MIKAEL SALOVAARA)	
JACK SCHRIER)	
BEN SPINELLI)	
EILEEN SWAN)	
SCOTT WHITENACK)	

PARTICIPATING VIA TELECONFERENCE:
DEBBIE PASQUARELLI

ABSENT:

KURT ALSTEDE
LOIS CUCCINELLO
GLEN VETRANO

The following are the minutes from the New Jersey Highlands Council meeting which was held at 100 North Road, Chester, New Jersey on October 20, 2005 at 10:00 a.m.

CALL TO ORDER:

The Chairman of the Council, Mr. John Weingart, called the eighteenth meeting of the New Jersey Highlands Water Protection and Planning Council to order at 10:15 a.m. Mr. Weingart reported that Ms. Debbie Pasquarelli was on speaker phone for the meeting.

ROLL CALL: The members of the Council introduced themselves.

PLEDGE OF ALLEGIANCE was then recited.

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.

APPROVAL OF MINUTES (October 6, 2005):

Mr. Jack Schrier made a motion to approve, Ms. Mimi Letts seconded, Mr. Mikael Salovaara abstained, all others were in favor, APPROVED.

CHAIRMAN'S REPORT:

Mr. Weingart said that in response to recent past discussions at Council meetings over the process the Department of Environmental Protection uses regarding pre-application meetings, DEP Assistant Commissioner Ms. Lisa Jackson had sent a letter dated October 5, 2005 and asked that he read it to the Council. He read the entire letter aloud to the Council and the public. (Letter attached)

Mr. Weingart asked if any members had reports.

Mr. Ben Spinelli noted that the next day there would be a Highlands forum meeting of the League of Municipalities at 1:00 p.m. at the Frelinghuysen Arboretum. He and Ms. Pasquarelli would be attending.

EXECUTIVE DIRECTOR'S REPORT:

Mr. Adam Zellner welcomed everyone back to the office and thanked Mayor Spinelli and the town for their help while the asbestos in the Chester office was being addressed.

Mr. Zellner noted as that Mr. Schrier would be speaking in more detail about the Partnership meetings, but he noted that there was a good turnout for the meetings, and that the third of three meetings would be occurring later that day at 3:00 p.m. at the Chester office.

Mr. Zellner said that he and Mr. Bob Ceberio of the Hackensack Commission spoke before a Brownfields Task Force recently and discussed the efforts for identification of brownfields and their remediation.

Mr. Zellner reported there was a successful meeting with Leadership Paterson two days prior, and that the staff has received two calls already inquiring about the Transfer of Development Rights process (TDR) since then.

Mr. Zellner then introduced new Highlands staffers: Ms. Gail Yasersky, Transportation Planner, and Mr. Roger Keren, GIS Coordinator who manages and translates the mapping data which staff has been collecting.

Mr. Zellner gave personal thanks to Mr. Bob Ceberio from the Meadowlands Commission. He noted that Mr. Ceberio and the Meadowlands staff have been incredibly helpful to the Council and its staff in lending resources, support and guidance.

Mr. Zellner also gave personal thanks to Highlands staff attorney Mr. Jeff LeJava who has been working tirelessly and also to Mr. Dante Di Pirro for keeping the office working effectively, for managing the multitude of issues that crop up on a daily basis, as well as for his organization of the committees.

Mr. Weingart then introduced Mr. Bob Ceberio, Executive Director of the New Jersey Meadowlands Commission to give a presentation. Mr. Weingart noted that the Meadowlands Commission is the oldest regional land use agency in New Jersey and, as such, had extensive experience and information that should be of great value to the Highlands Council.

PRESENTATION:

Mr. Bob Ceberio thanked the Chairman and Council for inviting him to speak and noted that he can relate to the task which the Highlands Council is undertaking. He stated the Meadowlands only covered 14 municipalities compared to the 88 in the Highlands region.

The Meadowlands Commission since 1969 was at the forefront of regional development in an area that people took for granted as a dumping ground. The Meadowlands faced almost 2,000 acres of landfills which received 80,000 tons of garbage each week. Mr. Ceberio noted that in just 30 days, the waste received from Manhattan and municipalities in New Jersey, could fill Giant's stadium from the playing surface up to the top of the lights.

The ground contamination was so severe that to this day one could put a shovel into the ground and get mercury to come up. Mr. Ceberio said that the Highlands Council's purpose of protecting the drinking water for all New Jersey residents is worthwhile. He noted that it was unheard of to take away elements of home rule from municipalities back in 1969.

Mr. Ceberio said that in 1970 the Meadowlands master plan was created at a time when there wasn't an EPA or NJDEP, Clean Water Act, nor a Clean Air Act, so that plan was drafted in a vacuum by staff and its consultants with little input from the municipalities and the public.

There was inevitable litigation challenging the constitutionality of the Meadowlands plan and the Governor at the time who signed the bill was Governor Hughes. He noted that

Governor Hughes used the premise that \$300 million would be received from the Army Corps of Engineers to drain all the wetlands for economic development. Mr. Ceberio noted that Governor Hughes also told Bergen and Hudson Counties that the Meadowlands would continue to receive its solid waste. The third element of the plan at the time was environmental protection.

The three point plan for the Meadowlands included economic development, environmental protection and solid waste management. Mr. Ceberio stated that the Meadowlands kept active on the issues about handling waste but didn't necessarily focus on the environmental component at the outset.

In 1986 the Meadowlands realized its plan wasn't in conformance with many environmental laws and needed major revision. There had been a 16 year growth slow down as a result of the Army Corps and environmental regulations limiting growth. The revised plan was known as the Special Area Management Plan (SAMP).

Mr. Ceberio stated that the new master plan took from 1986 to 2002 to be completed. There were legislators who proposed abolishing the agency because of its approach. The agency started over and wiped the slate clean and wanted to establish mending its credibility with all stakeholders.

Mr. Ceberio stated that the new approach of the plan was to protect all 8,400 acres. Also, any privately owned wetlands or uplands in water corridors would be acquired by the Commission. The Meadowlands Commission has received no state appropriations since 1992, and is totally self sufficient. The budget is \$12 million per year which is received from various projects and programs, and a portion comes from solid waste management.

Mr. Ceberio stated that the new Meadowlands master plan is a complete reversal of what the first plan called for. Environmental protection is first and foremost, economic development is confined, and the solid waste industry is used to maintain environmental quality.

He stated that Rutgers drafted a fiscal impact statement for the Commission with regard to its new master plan, and the Commission shared it with the 14 Meadowlands municipalities who got on board. The municipalities could see money coming in to the communities because of the redevelopment plan. All the towns saw some sort of economic gain including, 55,000 new jobs, and approximately \$79 million per year in new revenue. The communities could see the possibility for growth and a transportation element was added to the new plan. The development community started to see the ability for growth.

Mr. Ceberio stated that the transportation element added to the new plan was very important. The Commission saw that the key transportation elements to the growth centers would bring about changes to parking regulations, transit village construction around Lautenberg station in Secaucus, and a greater focus on mass transit.

Governor Codey has recently signed a bill to create for the Meadowlands district a transportation planning district. This will allow the Meadowlands to create a transportation plan, and allow it to collect impact fees and do a special assessment to address mass transit options.

With regard to development projects, Mr. Ceberio noted that agreements are approved between the municipality, the Commission and the developer and that a fiscal impact statement must be done first. One project example is the ENCAP project which is a property comprised of seven old landfills. They have been packaged together over a 1,345 acre area and of that whole area, a developer can only build on a 90 to 100 acre footprint which is concentrated into a village area. The rest of the property is derestricted and is currently golf courses.

Mr. Ceberio stated that the Meadowlands gave towns planning grants for compliance with the requirements of the Council On Affordable Housing (COAH). Two of the 14 towns did not to prepare a fair share plan, and are now the victims of builder's remedy lawsuits and have lost control of their towns. Every permit and plan now has to go through the courts. They are the example to the rest of the municipalities of what not to do as to affordable housing.

Mr. Ceberio said that communication and respect to the constituents has made the biggest difference for the Meadowlands' new plan, and then asked if there were any members who had questions.

Mr. Weingart thanked Mr. Ceberio and asked about the Meadowlands Commission's experience working with other state agencies. Mr. Ceberio said that COAH has assigned one specific person to work solely on Meadowlands issues and this person deals with all the difficult application decisions, but noted that the Commission's interactions with the DEP have been more complicated and occasionally contentious. He added that he was advocating that DEP delegate more of its decision-making responsibilities to the Meadowlands Commission and other regional agencies.

Ms. Letts thanked Mr. Ceberio for his insight and asked who approves site plans. Mr. Ceberio advised that its plans are decided by a planner at the Meadowlands Commission and that the municipality does not review site plans. He said this approach catches design problems as early as possible with developers' plans, and the developer is then told in technical terms by the Meadowlands planner what is wrong with a plan.

Ms. Letts asked with regard to impact fees, how much can be collected or charged for school children. Mr. Ceberio replied that the best thing to do is to not have a specific impact fee formula. As an example, he said that one developer is currently considering a 3,000 unit housing project and is proposing building a new school on-site. In that regard, there won't be the need for taxpayers to pay for transportation or construction of the building.

Ms. Tracy Carluccio asked whether Meadowlands Commission was bound by the DEP wetlands regulations. Mr. Ceberio stated that all Meadowlands wetlands issues fall under the Army Corps of Engineers and that they are exempt from the Freshwater Wetlands Protection Act, but that anything dealing with Coastal Zone Management permitting is with the DEP.

Mr. Spinelli asked about acquisition of property with the Meadowlands Conservation Trust. Mr. Ceberio said the Trust is new and is in but not of the Commission. In that regard, the Legislature gave it very little opportunities to generate revenue and the Commission is buying property and turning it over to the Trust. Mr. Ceberio stated that the Commission established the benchmark for what wetlands were. Tax assessors in the Meadowlands in the past under the old plan assessed the value of wetlands to the property owner at about \$300,000 to \$400,000 per acre which caused a major tax appeal and the Tax Court agreed with the property owner in that they couldn't get an Army Corps permit to build 220 acres of their land and so they dropped the assessment to about \$6,000 to \$10,000 per acre. That is where the benchmark of \$10,000 per acre throughout the Meadowlands was established.

Ms. Pasquarelli asked whether the \$10,000 per acre for development was fee simple. Mr. Ceberio stated yes that it was fee simple for wetlands. He further noted that an upland piece in the Meadowlands for a marina boat launch which was just acquired is assessed at \$1 million per acre. Ms. Pasquarelli thanked Mr. Ceberio for his time.

Mr. Weingart also thanked Mr. Ceberio and noted that two changes would be made to the order of the agenda. Items 12 and 13 would be switched so that public comment could be taken and then the Council would go into Executive Session. He noted Mr. Schrier had to leave soon for another meeting and that he would now give his committee report and the report on the first of three partnership meetings.

COMMITTEE REPORTS:

Mr. Schrier reported on the September 15, 2005 **Local Participation Committee** which was held in the Chester office, public notice of the meeting was provided on Council's website. The meeting was attended by members Ms. Letts, Ms. Pasquarelli, Ms. Swan and himself as well as staff members Mr. Zellner, Mr. Ross MacDonald, Ms. Beth Crusius, Ms. Liz Maziarz and Ms. Christine Danis.

The agenda for the meeting had two items: the Partnership Report and the Status of the Outreach Program. Mr. Schrier noted that Mr. MacDonald gave a presentation on the next partnership meeting and provided details. Mr. Schrier read from the committee report aloud. He noted that growth and the implications of growth were discussed. To that end, the question of whether an area could sustain growth and the science behind the reasoning was also addressed.

Mr. Schrier noted that the next meeting of the committee was held on October 11th at 3:00 and that approximately 60 people attended. There was an in-depth presentation

given by Mr. Steve Balzano that was extremely informative. Mr. Schrier advised that after the presentation a panel discussion was held and those in attendance were asked to complete a questionnaire which will aid in addressing issues and answering questions. Mr. Schrier noted that the public participation meetings are a main source of input.

Mr. Weingart then opened a public comment period.

PUBLIC COMMENT PERIOD:

Debra Post, Chester. Ms. Post stated that she attended the Council's last meeting. She brought written comments for the members and read them aloud. At the last meeting she noted that some members of the public asked when they would be compensated and that some responses given were that the results are unknown and that it is unknown what will happen to the value of land. Ms. Post said she feels that the Council is not up to speed on the issue of land devaluation and suggested that they call real estate brokers to ask about the value after legal review begins due to the "Highlands factor."

Mr. Weingart thanked her for her comments and noted that the meeting was being recorded.

Hank Klump, Tewksbury. Mr. Klump owns a farm in the preservation area. He said that the value of his property has gone down. He said that a four acre lot previously sold for \$400,000 and that he has 150 acres. He questions whether his property value is in jeopardy. Mr. Klump noted that his property is in the preservation area but that across the street is not. He feels he is entitled to fair market value and would like to know if the Council's meetings could be held at night.

Mr. Weingart advised that the Council's next two meetings will begin at 4:00 p.m but Mr. Klump said he would like meetings to start at 7:00 pm or later. Since no other members of the public wished to comment, the Chairman turned the meeting to the remaining committee reports.

COMMITTEE REPORTS CONTINUED:

Mr. Weingart reported on the **Plan Development Committee** which met on October 14, 2005. He advised that a complete summary of the meeting was in the members' packets. Mr. Weingart advised that the committee focused on issues revolving around the process for municipalities with land in the planning area opting-in to the Highlands Regional Master Plan. The report summarizes the legal questions which arose in the level of flexibility in determining those issues.

Mr. Weingart then asked Mr. Steve Balzano to give information regarding one of the contracts for uniform mapping that is not adequate to perform all the work that needs to be completed. Mr. Weingart advised that Mr. Balzano would give details to the full Council why the contract budget in question should be increased.

Mr. Balzano noted that digital tax maps or parcel maps are necessary for all 88 Highlands municipalities in order to achieve the goal of creating a universal effective master plan. The goal was to develop digital maps by early 2006 so they could be incorporated into the Highlands Regional Master Plan.

At this time, four municipalities in Sussex are either without necessary digital maps, or the data and information is incomplete. It was recommended that in the interest of time and the importance of developing consistent and uniform digital maps for the four municipalities in Sussex, an amendment to the existing contract with Civil Solutions of \$73,975 to develop adequate digital parcel mapping for those four municipalities.

It is recommended that the Council also utilize Civil Solutions to produce an edge-matched municipal boundary map not part of the original contract because a highly consistent and accurate digital map is desired. Coordinating and integrating 88 municipal data sets creates a huge challenge. Mr. Balzano recommended authorization not to exceed \$20,000 for Civil Solutions to fulfill providing the edge-matched municipal boundary map.

Mr. Weingart said the original Civil Solution proposed budget was for up to \$60,000, of which Mr. Balzano stated was for parcel coverage development and that of that \$60,000, \$25,300 was expended originally.

Ms. Pasquarelli, Chair of the Budget and Finance Committee, noted that doubling the contract amount is unfortunate, but she believed it to be necessary in light of the tight time frames. She stated she supported the recommendation and recommended that the Council support it. She stated the magnitude of the change brought about the decision to bring it to the full Council's attention. Mr. Zellner said that as a result of the local municipal grants not being used they would be saved and offset.

Ms. Letts said to Mr. Balzano that Morris County has pieced together its maps, and questioned why the other counties haven't done the same. Mr. Balzano agreed that Hunterdon, Morris, and Somerset have been very progressive and proactive. He stated that Warren and Passaic Counties are in development and the Highlands Council will provide cost sharing and that Bergen doesn't have a program, but that its two municipalities have done this independently. Mr. Balzano stated that Sussex did not have a program in place and could not develop one according to our time table. Ms. Letts asked if they have agreed to contribute and Mr. Balzano said they have not.

Mr. Mikael Salovaara asked who the four municipalities were. Mr. Balzano stated they were Vernon, Sparta, Hopatcong and Byram. Mr. Balzano said that Sparta has been unable to deliver their data after repeated requests for their parcel data. Mr. Salovaara noted the explanation was very articulate but would like something in writing and asked why it wasn't addressed prior to the meeting.

Mr. Lewin Weyl said clarification to the dollar amount of the existing contract would be necessary. Mr. Weingart noted the original proposed budget was for up to \$60,000 and that the Council would have to approve a revised contract up to \$125,000.

Mr. Salovaara asked if this amended contract needed to be agreed upon before the Council's next meeting on November 3rd. Mr. Balzano noted that delivery date for all work under the contract is January 15th and that if approval is pushed back it could cost more to complete the same work in less time. Mr. Salovaara suggested that if the Plan Development Committee could see the changes in writing, it should then approve it.

Ms. Pasquarelli said to Budget and Finance Committee members Ms. Letts and Ms. Kovach, that this issue has come up rather suddenly and that was why they didn't learn of it sooner. Mr. Weingart agreed with Mr. Salovaara's suggestion and noted the Budget and Finance Committee should get an updated written breakdown of the contract with Civil Solutions.

Mr. Zellner apologized for the last minute notification of the need for the contract amendment. Ms. Swan asked whether the information that has been withheld by Sparta is public information. Mr. Weyl noted that it probably is public but that it is time consuming to obtain. Mr. Zellner noted that this situation has occurred with other towns and that to go through the OPRA process to obtain the maps could result in the maps being obtained late and in a format where they wouldn't be helpful.

Mr. Dillingham asked what the four municipalities have said in response to requests for the information. Mr. Balzano replied that they have said "it's in the mail." Mr. Zellner added that several staffmembers of the town have indicated that the data should be forthcoming, but that the county has also requested the information from the town and have also not received it.

Ms. Carluccio stated she thought Sussex did this work with a grant for the State Planning Commission. Mr. Zellner responded that work did not go down to the municipal level and they have encountered the exact same problem. He stated that Mr. Balzano and the staff have exhausted every possibility and has now gotten to this point. Mr. Weingart asked how much was being incurred because of the issue, Mr. Balzano replied that a total of nearly 39,000 parcels needed to be digitized.

Mr. Weingart asked if the Council would like to vote to authorize the Budget and Finance committee to decide on the contract amendment.

Mr. Salovaara so motioned, Ms. Pasquarelli seconded, all others were in favor, APPROVED.

Mr. Dillingham then reported on the **Natural Resources Committee**. He noted the committee is dealing with consistency of rules by the Department of Agriculture where farming increases of impervious cover, of 3% for 9%, require the development of Land Resource Management Systems Plans. He noted that federal funding is presently relied

upon for the development of existing plans. The focus at the October 6th meeting centered on standards established in the Highlands Act, and coordination with the Department of Agriculture. Mr. Dillingham thanked Ms. Monique Purcell of Department of Agriculture for attending and also Mr. Kent Hardmeyer of the NRCS. He stated that the committee has recommended and that Agriculture has agreed that a formal Memorandum of Agreement should be developed between the Council and Department of Agriculture. Mr. Dillingham described that a letter on behalf of the Council had been sent to the Department of Agriculture to comment on the rule proposal.

Mr. Spinelli noted there would be changes proposed to the State's Equine rules soon and that the Council should submit its comments before they are proposed.

Mr. Dillingham advised that that animal waste management is a big issue and that Mr. Alstede had also brought that topic up at the last committee meeting. Mr. Spinelli agreed that it was a broad issue which has many impacts. Mr. Dillingham asked Mr. Spinelli if he could assist with scoping the animal waste issues so that the committee could add them to its next agenda because there are many specifics to be considered.

Ms. Swan next reported on the **Land Conservation Committee**. She noted that the committee met on October 17th but had not completed its written report. Ms. Swan noted that the committee invited Mr. John Flynn from Green Acres and Ms. Susan Craft from the Department of Agriculture, who both presented at the meeting.

At the meeting, Ms. Craft noted she wished to establish a communication process between the Highlands and the Department of Agriculture. Ms. Swan said Ms. Craft also pointed out that she wants to learn whether applications are consistent with Highlands Act requirements and that when matters are referred to SADC or Green Acres, that they should be sent with a formal referral that informs the receiving agency that they have been sent there by the Highlands Council.

Ms. Swan said evaluation of HMV and CMV (Historical Market Value and Current Market Value) were also discussed. She noted that Green Acres has spent \$45.5 million on Highlands preservation since the signing of the Highlands Act. Ms. Swan said that SADC would appreciate if the Council could share tax map information with them and conduct a joint land owner evaluation. She noted that Green Acres supported the joint land owner outreach effort as well.

Ms. Swan noted the committee discussed severable and non-severable exemptions and concern over what happens in those areas. Ms. Craft advised the committee that she has met productively with DEP and that the DEP agreed to respect prior decisions.

Mr. Weingart asked if the money she mentioned that was spent by Green Acres was for farmland and Ms. Swan replied that it was not broken down by Ms. Craft in specifics to that regard.

Mr. Weingart noted that concluded the committee reports, and that the Interagency Committee would report at an upcoming meeting, and moved to the next item on the agenda.

CONSIDERATION OF RESOLUTION REGARDING GRANTS TO MUNICIPALITIES AND COUNTIES (voting matter):

Mr. Weingart advised that the resolution for the Council's consideration was for additional grants to two municipalities.

Mr. Tom Borden read a portion of the resolution aloud which authorized the execution of a grant to Green Township up to \$7,500 for its third round COAH obligations and to West Milford up to \$30,000 as one of the selected MP³ case studies.

Mr. Salovaara motioned to approve, Ms. Swan seconded. Ms. Salovaara then asked if an additional whereas clause could be added to the resolution that specifies the grants are being recommended by the Highlands Council staff. Ms. Swan accepted the addition.

Mr. Weingart then called the representatives from the municipalities received grants.

Ms. Denise Stagnari, Administrator from Green Township expressed her appreciation to the Council for the grant funding, and noted the application for the grant was submitted by the Green Township Planning Board. She apologized that Planning Board members were unable to attend.

Mr. William Drew, Planning Director for West Milford, thanked the Council for the grant on behalf of Mayor DiDonato. He noted that he has been working closely with Highlands Council staff and personally thanked Ms. Maryjude Haddock-Weiler for her assistance.

Mr. Weingart asked if there were any comments from public regarding the grants and none were received.

On the prior motion made and seconded, with the requested addition, all were in favor, APPROVED.

Mr. Weingart opened a public comment period and noted that the Council would go into Executive Session immediately thereafter.

PUBLIC COMMENT PERIOD:

Susan Buck, Oxford. Ms. Buck noted that residents have put in many hours defending their property rights and don't feel they are getting anywhere. She said she has not received any money and that the value of her property is down. Ms. Buck said that if she cuts firewood down on her property she'd be fined and that landowners don't feel that

they can continue with their lives due to the Act. She stated she is about to lose her job and feels she can't sell her house.

David Shope, Long Valley. Mr. Shope offered documents to the Council. One was a draft copy of a 2003 agricultural plan done several years ago by Hunterdon County during the smart growth process, as well as an analysis he did regarding farming costs vs. yield. He also gave documents containing facts and figures and farm statistics from 1967 to 1997. Mr. Shope said the trends show that the numbers of farming acres and farmers are going down across the boards. He said the only number that is not going down is hay. Agriculture appears to be slipping as an important part of the economy in New Jersey but it remains important in Pennsylvania. He received information from the New Jersey Department of Agriculture which was on a 10 year average of crop yield which noted that the profit for corn per acre in 2003 was \$29.82.

Jerry Kern, Pohatcong. Mr. Kern is a farmer with 70 acres in the Highlands preservation area. While he continues to be against the Highlands Act, he asked the Council to consider recommending an amendment that would change the five year length of time which land owners can use the 2004 calculation for determining land value to an indefinite period. Mr. Weingart noted that the legislature has made clear they will not consider any amendments until after June 2006, but that Mr. Kern's suggestion was one the Council should consider when it debates what amendments, if any, it should recommend to the legislature. Mr. Kern added that he thought the Highlands Council should have been elected and not appointed.

Mr. Weingart said the land value calculation issue should be referred to the Land Conservation Committee. Mr. Zellner agreed that the matter should be addressed. Ms. Swan noted that issue has been discussed and will continue to be worked on.

Bill O'Hearn Highlands Coalition. Mr. O'Hearn commended Ms. Swan for holding the meeting with SADC and Green Acres, and thanked the committee and staff who were in attendance at such a productive meeting. He stated that additional public relations would be a good idea because there are a lot of complaints in the media but not many articles on positive acquisitions. He thought the good news should be out there. Mr. O'Hearn stated that the public feels like nothing is happening and it should be balanced in the media bad news vs. good news.

Ms. Swan agreed that the public needs to hear about successful projects.

Gary Webb, Borough of Mountain Lakes. Mr. Webb said he received an email notice to attend but was not sure that he was supposed to be present. Mr. Zellner apologized if Mr. Webb received incorrect information and asked that he meet with him briefly to resolve what appeared to be a scheduling matter.

EXECUTIVE SESSION:

Ms. Kovach made a motion to go into Executive Session, Ms. Carluccio and Ms. Swan seconded, all were in favor, APPROVED.

Mr. Weingart noted the next Council meeting is November 3rd at 4:00 p.m. at the Chester office.

ADJOURN:

Executive Session ended at 2:10 p.m. The members returned from Executive Session and without a quorum the meeting ADJOURNED.