

Disclaimer

These minutes reflect the actions taken by the Commission during its February 8, 2008 meeting. Although these minutes have been approved by the Commission, no action authorized by the Commission during this meeting, as reflected in these minutes, shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of these minutes has been delivered to the Governor for review, unless prior to expiration of the review period the governor approves same, in which case the action shall become effective upon such approval. These minutes were delivered to the Governor on March 4, 2008.

PINELANDS COMMISSION MEETING
Richard J. Sullivan Center
Terrence D. Moore Conference Room
15 Springfield Road
New Lisbon, New Jersey

Minutes

February 8, 2008

Commissioners Present

Candace Ashmun, William Brown, Guy Campbell, Paul E. Galletta, John A. Haas, Robert Hagaman, Daniel M. Kennedy, Stephen Lee, Edward Lloyd, Robert McIntosh, Norman F. Tomasello, Francis A. Witt, and Chairperson Betty Wilson. Also present were Executive Director John C. Stokes and Deputy Attorney General Penny Ludman

Commissioners Absent

Leslie M. Ficcaglia

Chairperson Wilson called the meeting to order at 9:40 a.m.

Deputy Attorney General Ludman read the Open Public Meetings Act Statement.

Mr. Stokes called the roll.

The Commission and public in attendance pledged allegiance to the Flag.

At this time, Commissioner Ashmun, Commissioner McIntosh, Mr. Stokes, and Chairperson Wilson paid tribute to Franklin E. Parker, first Chairman of the Pinelands Commission who passed away earlier this week. They acknowledged Mr. Parker as being a gentleman, a great leader with a strong will, who did endless good works in terms of acquisition and in permanently protecting the resources of the environment. They noted his talent and energy, a person who will be missed in this Country and particularly in New Jersey. Chairperson Wilson asked everyone to stand in a moment of silence to Mr. Parker.

Commissioner Hagaman arrived at this time.

Minutes

Chairperson Wilson presented the January 11, 2008 Commission meeting minutes. Commissioner Lloyd moved the adoption of the minutes. Commissioner Tomasello seconded the motion. Commissioner Lloyd noted that Jeff Tittel's name is misspelled in the minutes and asked that this be corrected. With this change, the Commission adopted the minutes by a vote of 13 to 0.

Chairperson Wilson announced new Committee assignments. A new Committee list and schedule was distributed to the Commission (see attached).

Committee Chairs' and Executive Director's Reports

CMP Policy and Implementation Committee Meeting

Chairperson Wilson reported that the CMP Policy and Implementation Committee met on January 25, 2008 and adopted the minutes of the January 7, 2008 meeting.

The Committee recommended Commission certification of the following documents:

Galloway Township Ordinance 1735-2007 (establishing setback requirements and adopting revised front yard setback requirements for corner lots)

Hamilton Township Ordinance 1608-2007 and 1613-2007 eliminating the RD/RGD Zone and rezoning all lands contained therein to the GA-L (Growth Area–Low), RD-5 (Rural Development) and the newly created RD-20 (Rural Development) Zones

Manchester Township's January 2006 Master Plan Amendments and Ordinance 07-018 establishing the PED-1 and PED-9 (Planned Environmental Development) Districts and the PRC-1 (Pinelands Retirement Community) District for purposes of implementing a builder's remedy consent order and stipulation of settlement as well as the Regional Natural Resource Protection Plan for the Toms River Corridor

Upper Township Resolution SP05-06, adopting a 2006 Master Plan Reexamination Report, Stormwater Management Plan, Land Use Plan Amendment and Housing Element and Fair Share Plan, and Ordinances 015-2006 and 009-2007, amending the Township's Code by adopting revised stormwater management standards and application requirements, adding cluster development as a conditional use in the Forest and Rural Development Areas, establishing a revised density transfer program, adopting a revised zoning map and implementing the Township's petition for plan endorsement for that portion of the municipality located in the Pinelands National Reserve but outside the Pinelands Area

Little Egg Harbor Stormwater Management Plan and Stormwater Control Ordinance

The Committee continued its discussion of proposed CMP amendments related to cluster development in the Forest and Rural Development Areas. Staff will return with additional suggestions at a future meeting, perhaps in March.

Permanent Land Protection Committee

Commissioner Ashmun reported that the Permanent Land Protection Committee will briefly meet following today's Commission meeting.

Public and Governmental Programs Committee Meeting

Commissioner Lee reported that the Public and Governmental Programs Committee met on January 28, 2008. The Committee discussed the following items:

The Committee continued discussion on the Garden State Parkway MOA proposal for a road widening and the secondary impacts analysis around Interchanges 58 and 69. Commission staff recommended that steps be taken to ensure that the development potential of any identified private, vacant parcels having road frontage within one mile of the interchanges does not increase. In response to Committee comments at its November 26, 2007 meeting, Commission staff provided the Committee with a January 4, 2007 memorandum providing a comparative analysis detailing the amount of private, vacant land that fronted feeder roads at varying distances (1/2 mile increments up to 3 miles) from Interchanges 58 and 69. The Committee was provided with a revised letter dated January 24, 2008 from the NJ Turnpike Authority detailing its comments on the Commission staff's recommendations regarding secondary impacts that may result from the project. Commission staff met with NJ Turnpike Authority staff to discuss the matter on January 24, 2008. Commission staff plans to schedule another meeting with the Turnpike Authority staff to discuss the matter shortly.

The Committee discussed the existing Atlantic City Airport MOA which provided for maintenance for grassland habitat which was entered into in 2004. The MOA provided for a general development plan for the Atlantic City Airport and management of the open spaces at the airport. The Committee was provided with copies of two letters dated January 10, 2008 and January 14, 2008 from the SJTA which owns and operates the airport indicating that the Federal Aviation Administration had issued a directive which instructed the SJTA to revise the mowing plan for the airport in the interest of safety. However, the FAA mowing directive conflicts with the threatened and endangered species grassland habitat management plan required as part of the MOA with the Commission. SJTA is currently reviewing potential solutions to the matter. It appears that a proposed solution may require an amendment to the existing MOA with the Commission.

The Committee discussed the proposed Robert J. Miller Airpark MOA in Ocean County. The Commission has received a threatened and endangered species report from Ocean County and a potential MOA here will allow for development to occur at the airpark that might not be fully consistent with the standards of the CMP regarding T&E species. By letter of January 25, 2008, Commission staff commented on the submitted information and requested the submission of additional information regarding threatened and endangered species and stormwater management

on the parcel. The staff will continue to meet with Ocean County before this issue comes back to the P&G Committee.

The Committee received an informative update on enforcement activity that has occurred over the last few years. In this period of time Commission staff has taken steps to communicate violations to all interested organizations within a town. This has increased the cooperation and the resolution of some of the violations and the number resolved in the last few years has actually increased.

The Committee was provided with a copy of a January 18, 2008 letter from Commission staff commenting on a NJDEP Fish and Game Council rule proposal regarding possession of certain native Pinelands fish species. Staff was concerned that DEP's definition of certain "protected" species might be too broad.

Commissioner Ashmun asked Commissioner Lee if the Committee is going to take up the issue of the actual widening of the Parkway and the Atlantic City Expressway.

Commissioner Lee responded that the Committee is looking at stormwater infiltration and mitigation for the impact to habitat.

Mr. Stokes stated that in the early review staff's focus was on the level of disturbance, the type of impact, and the changes in the design of the project to further reduce those impacts. Staff believes it is at the point now where the level of disturbance cannot be reduced much more so it is now looking at what type of an offset should be required.

Personnel and Budget Committee Meeting

Commissioner Witt reported that the Committee met on January 31, 2007 and adopted the minutes from the January 3, 2008 meeting.

Mr. Stokes discussed the decline of revenue from application fees and the potential reduction of grant revenue. He discussed two tables showing DEP rules and fees compared to Pinelands and a table showing FY2007 fee revenue and the expense attributed to the Regulatory Programs Office. The Committee agreed with his suggestion to consider revisions to our fees. He stated that more research would be done and discussed further with the Committee.

Ms. Donna Connor reviewed the changes to the Health Benefits program for local employers which will become effective April 1 and stated that the new premiums will result in a \$485 monthly increase to the Commission.

Ms. Connor provided additional information on several checks and the electronic fund transfers. She reviewed departing employees, vacancies, recruitment actions and other general employee actions.

Regarding Fenwick Manor renovations, Ms. Connor stated that the architect's plans were rejected for a second time by the State's Office of Plan Review, causing another delay in the release of the

bid package. During this discussion, she mentioned that the elevator passed inspection and that all buildings have now passed the fire inspections.

Ms. Connor referred to application fees and stated that as of January 29 slightly over \$67,000 was received. There were no refunds in January.

The Committee held a closed session. Ms. Connor provided an update on the recent union contract negotiation sessions.

Audit Committee Meeting

Commissioner Witt reported that the Audit Committee met on January 31, 2008. The Committee adopted the minutes from the November 28, 2007 meeting.

The Committee conducted a pre-audit meeting with the State Auditors along with Kevin Frenia from the Accounting Firm of Holman & Frenia who was hired to ensure that the entries for FY2007 are ready for audit. The Committee discussed the work that needs to be completed by Mr. Frenia. Mr. Frenia indicated that he will complete the report and submit it to management and the Audit Committee simultaneously. If there are no questions or concerns, it will then be sent to the State Auditors.

The Committee will meet again upon completion of the audit.

Executive Director's Report

Mr. Stokes reported on the following items:

Mr. Stokes noted that Ms. Piner is sitting in for Ms. Young today and also said that DAG Penny Ludman was sitting in for DAG Haynes.

A Permanent Land Protection Committee meeting will be held at approximately 12:00 noon following today's Commission meeting and a Science Committee meeting will be held immediately following that meeting.

Staff is in the process of reviewing proposed affordable housing rules. This is a revision of the third round rules by the Council on Affordable Housing. Comments are due in March. Staff will brief the P&G Committee on its review at its next meeting.

The Commission currently has a grant request pending before the Environmental Protection Agency (EPA). Staff has been contacted by the EPA and asked to do a quality assurance/quality control document. This is a pretty clear indication that the Commission will be receiving the grant award.

Staff is working again with DEP on the fire safety initiative. Staff has contacted municipalities and believes it has two candidate towns to work with on this initiative.

Mr. Stokes stated that he will be presenting to the Personnel and Budget Committee a proposal to adjust the Commission's application fees.

There is a need to amend the Interstate Commerce Commission Termination Act (ICCTA) legislation which governs surface transportation throughout the country relative to the issue of solid waste transload facilities. He said that Ms. Roth has been working with a number of offices in this matter and asked if she would comment on this issue.

Ms. Roth commented on Senator Lautenberg's proposed legislation in the Senate to address what is often referred to as the ICCTA "loophole." The ICCTA transferred jurisdiction over railroads to the STP and made that jurisdiction exclusive. The ICCTA preempts the application of state law, with the exception of laws that address public health, safety and welfare, to railroad operations. Some railroads along with other non-railroad entities trying to operate waste transload along rail lines have used the ICCTA preemption provision to block the application of state land use and environmental laws to these operations. Presently there is ongoing discussion with the staff of the Senate Commerce Committee on revisions to that bill to try to build consensus between the railroad lobby and the state entities, particularly New Jersey. The Pinelands Commission is actively participating in this dialog as part of an intergovernmental effort comprised of staff, DEP, Meadowlands, and the Division of Law. The Division of Law is the lead agency. The Senate Commerce Committee had indicated that the Pinelands need to be protected and addressed in the bill which is positive.

Commissioner Lloyd asked to what extent is the Committee receptive to concerns outside the Pinelands Area.

Ms. Roth replied that they are receptive, which is the reason for the discussion that is ongoing with the Senate Commerce Committee.

Mr. Liggett reported on the following items:

The Science Committee today will be discussing the Hammonton Recharge Facility and the work that has been done by the USGS, how effective that is, and what still needs to be done.

The Permanent Land Protection Committee will be discussing today the twelve acquisition projects that have been offered funding. Eleven of these projects have made substantial progress, three of which are ready to finish contracting, and nine will need an additional extension.

Dr. Barry Brady has agreed to return to the Commission to help out with cultural resource projects during the interim period while staff figures out what it is going to do with the review of those projects.

The March conference on landfill capping has now been scheduled for May. This federal program is looking at innovative ways in terms of capping. Staff is still moving ahead to conduct a joint conference on this issue with DEP, and the federal entity who has a mobile workshop.

Mr. Liggett attended the Pinelands Municipal Council meeting on January 30. They will have the reorganization meeting on March 11. Commissioner Hagaman is stepping down from the executive committee and this opening will need to be filled. The rest of the executive committee is running. The scheduled speaker did not show so the Council spent the evening discussing Pinelands issues, the biggest issue being the gypsy moth spraying and the cost to municipalities. At the next meeting the Council will discuss ATVs and the fire wise management program.

Commissioner Lee referred to the cost of a gypsy moth spray program to a municipality. Doing a wide range spraying with a relatively ineffective material with poor timing can result in a strain of gypsy moth that simply can't be controlled with biologically friendly materials. Thought has to be given to a better integrated program that combines a mix of materials rather than just one.

Mr. Horner reported on the following items:

Staff followed up on a matter raised at the last commission meeting by a member of the public regarding a site in Lacey Township. The DEP is aware of the matter. It appears to involve some stumps and some vegetative material which were cleared from an adjacent resource extraction operation and buried. The material may have encroached on the adjacent property. The matter is still under investigation.

Staff anticipates bringing an application before the Commission at its next meeting for a New Jersey Forest Fire Service project. This application proposes certain activities in Stafford Township referred to as the Hay Road Forest Fire Protection Plan which involves some prescribed burning and some forestry work.

Commissioner Galletta asked if the new set of draft rules for forestry are completed yet.

Mr. Stokes stated that Ms. Grogan is working on those and it is her hope that she will have a draft for internal review shortly.

Commissioner Galletta asked if this draft can be sent to the Agricultural Advisory Board and the Forestry Advisory Board.

Mr. Stokes replied yes, once it goes through internal review.

Mr. Horner said that staff met with representatives from Egg Harbor City who are responsible for providing sanitary sewer service to the new Great Egg Harbor Regional High School that the Commission approved a couple of meetings ago. There were some issues that needed to be addressed.

The Commission was provided a schedule concerning the application that is in to the Commission for the expansion of the partial interchange at the Atlantic City Expressway and State Route 50. If the Commission has any questions on this, he will be happy to answer them.

Mr. Stokes stated that the Commission will need to go into closed session briefly to discuss the contract negotiations with Communication Workers of America and one very brief personnel matter.

Commissioner Kennedy referred to the affordable housing issue noted in the management report and stated that he attended a conference last Friday at Rutgers University. He said that the executive director of COAH gave a lengthy presentation on whether or not the rules will be adopted as planned and whether there will be further litigation after these new round three rules. He did some research on the analysis of vacant land in New Jersey and in that report it references that the Pinelands has 220,000 acres of undeveloped and unconstrained vacant land which could yield 64,000 new units in the three COAH regions. He asked about these projections and what can be done to help COAH to understand the Pinelands program better.

Mr. Stokes stated that staff has done a lot of analysis in terms of how much land remains available for development. This information has been provided to COAH but staff will make sure that they are fully aware of that information.

Ms. Grogan stated that she has read the rules and her concern is making sure that Pinelands regulations are reflected in those calculations so that it will be clear to municipalities where the growth share obligations apply and where they don't.

Commissioner Kennedy referred to page 3 of the management report, item 5, relating to water quality best management practices and said that a meeting is to be held in February and said that he is unfamiliar with the process of development of BMPs.

Mr. Liggett stated that staff has been meeting with the Pinelands Preservation Alliance to talk about what can or should be done, how to target resources, etc., with regard to BMPs and best management practices.

Commissioner Lee asked for an update on State Ethic Commission discussions.

Mr. Stokes stated that Ms. Roth initially contacted the State Ethics Commission in August 2007, and then again in January 2008, conveying to the senior staff the urgency surrounding this advice. Ms. Roth stated that she is trying very hard to get all of these issues resolved.

Commissioner Lee asked if Ms. Roth has seen the legislation that is mentioned in the report.

Ms. Roth said that she has not reviewed the legislation as yet.

Commissioner Ashmun asked what bills Commissioner Lee is talking about.

Commissioner Lee replied A-391, 1143, 1148 and 1552, S-832 and 396.

Public Comment on Agenda Items

Mr. Harry Monessen, Pemberton Township, said that there are some positive events after spraying for gypsy moths, one being the rarity of tomato horn worms. He referred to item #12 of the agenda regarding water preservation and stated that water preservation includes the degree of toxicity with light aircraft and tens of thousands of pounds of chemical fuels. The effect of these toxins upon human beings, wetlands, habitats, and endangered species is often ignored.

Development Review Matters

Review of Public Development Projects

Mr. Stokes stated that the Commission received in its packet one resolution recommending approval with conditions of four public development applications. This morning the Commission received two resolutions that separate some of the projects.

Mr. Stokes stated that Application Numbers 1990-0868.022, New Jersey Department of Parks and Forestry, 1997-0629.003 and Township of Pemberton, are applications for public development recommended for approval with conditions.

Commissioner Galletta moved the adoption of the Resolution Approving with Conditions Applications for Public Development (Application Numbers 1990-0868.022 & 1997-0629.003). (See Resolution #PC4-08-13 attached). Commissioner Haas seconded the motion.

Commissioner Ashmun stated for the record that the Commission still does not have a plan for state forest management as yet.

The Commission adopted the resolution by a vote of 13 to 0.

Chairperson Wilson stated that she is going to recuse herself from the next resolution and left the room. She asked Vice-Chairman Tomasello to chair the meeting in her absence.

Mr. Stokes stated that Application Numbers 2001-0438.003, Monroe Township Board of Education, and 2007-0299.001, Monroe Township Board of Education, are applications for public development recommended for approval with conditions.

Commissioner Lee moved the adoption of the Resolution Approving with Conditions an application for Public Development (Application Number 2001-0438.003 and 2007-0299.001). (See Resolution #PC4-08-14). Commissioner Campbell seconded the motion.

The Commission adopted the resolution by a vote of 12 to 0. Chairperson Wilson was not present for the vote.

Chairperson Wilson returned to the meeting.

Mr. Horner introduced Cynthia Corritz, Superintendent of the Bass River State Forest, and stated that Ms. Corritz is here today with regard to the forestry application.

Mr. Stokes stated that Application Number 2007-0300.001, Township of Stafford, is an application for public development recommended for approval with conditions.

Commissioner Haas moved the adoption of the Resolution Approving with Conditions an Application for Public Development (Application Number 2007-0300.001). (See Resolution #PC4-08-15 attached). Commissioner Galletta seconded the motion.

The Commission adopted the resolution by a vote of 13 to 0.

Other Development Review Matters

Chairperson Wilson stated that there were three PDC Letters of Interpretation issued this month. The PDC Letters of Interpretation allocated 13.75 PDCs to a total of 170.89 acres. There was also one wetlands delineation Letter of Interpretation.

Resolutions Relating to Municipal Ordinances

Mr. Stokes presented the Resolution Issuing an Order to Certify the October 2007 Stormwater Management Plan of Little Egg Harbor Township and Ordinance 2007-26, Amending Chapter 15 (Land Use and Development) of the Code of Little Egg Harbor Township. (See Resolution #PC4-08-16 attached).

Commissioner Haas moved the adoption of the resolution. Commissioner Witt as seconded the motion. The Commission adopted the resolution by a vote of 13 to 0.

Mr. Stokes presented the Resolution Issuing an Order to Certify Ordinance 1735-2007, Amending the Certified Land Management Ordinance of Galloway Township. (See Resolution #PC4-08-17 attached).

Commissioner Witt moved the adoption of the resolution. Commissioner Campbell seconded the motion. The Commission adopted the resolution by a vote of 13 to 0.

Mr. Stokes presented the Resolution Issuing an Order to Certify Ordinances 1608-2007 and 613-2007, Amending the Developmental Ordinance of the Code of the Township of Hamilton. (See Resolution PC4-08-18 attached).

Commissioner Galletta moved the adoption of the resolution. Commissioner Brown seconded the motion.

Ms. Grogan provided the Commission with an overview of the ordinance amendment. She said that Hamilton Township is the only municipality in the Pinelands Area that has actually designated what the Commission's regulations refer to as a municipal reserve area, which is an option for municipalities to downzone areas within their Regional Growth Areas for a period of

time as a way of better phasing and controlling the pace of development. There are a series of criteria which would need to be met before the area flips back to Regional Growth.

The Commission adopted the resolution by a vote of 13 to 0.

Mr. Stokes presented the Resolution Issuing an Order to Certify the January 2006 Amendments to the Manchester Township Master Plan and Ordinance 07-018, amending Chapter 35 (Land Use and Development Regulations) of the Code of Manchester Township. (See Resolution #PC4-08-19 attached).

Commissioner Haas moved the adoption of the resolution. Commissioner Tomasello seconded the motion.

Ms. Grogan stated that this is Manchester Township's part of the Toms River Corridor Plan implementation. The Township also had the task of implementing a settlement agreement for a builder's remedy lawsuit, which they entered into with several different property owners and several different developers, regarding a number of sites, three of which are in the Pinelands Regional Growth Area. In terms of the Toms River Corridor plan, the ordinance actually results in the rezoning of about 150 acres from the Regional Growth Area to the Rural Development Area. The remaining lands along the border of Jackson are in a new zoning district called the PED zone, in which the intent is to allow higher density development. If the planned retirement community is to be developed all of the lands mentioned being redesigned to the Rural Development Area in both Manchester and Jackson Townships would need to be permanently protected.

Commissioner Hagaman referred to the additional flights from Lakehurst that will occur, noting that the homes may be right in their path.

Ms. Grogan said that there is concern with the new flight pattern and pointed on the map to the sites in question.

Commissioner Haas asked if the base commander was an active member of the Toms River study committee. He said that he doesn't believe that these units are impacted by the expansion of the base.

Ms. Grogan concurred noting that Lakehurst has been fully supportive of both Jackson and Manchester's zoning plan and implementation of the Toms River Plan.

Mr. Liggett indicated that the base and the Township have talked. Sale documents now recognize that there are planes in the area and there could be some noise even though these are outside of the primary impact area.

Commissioner Lee asked if the Commission can take the loss of the couple hundred units into consideration when considering further zoning changes in the town.

Mr. Stokes stated that if the Township wanted to make changes the Commission would consider them.

Ms. Grogan said that staff keeps track of the number of units and the certification status.

Commissioner Ashmun said that she is concerned about clusters and the deed restriction on the protected land. This will come up again when they apply for the clusters. This is a staff decision.

Ms. Grogan replied that the ordinance itself is pretty specific in this case and mirrors the conservation easement that was included in the Toms River Corridor plan. The ordinance states that an easement has to be put in place.

Commissioner Ashmun requested that at an upcoming PLP Committee meeting the Committee discuss deed restrictions on both the set asides and other places that deed restrictions are used.

Mr. Stokes said that it might be worthwhile for staff to brief the Committee on the implementation of the ordinances to include the conservation easements and other matters.

The Commission adopted the resolution by a vote of 13 to 0.

Mr. Stokes thanked Ms. Grogan and Mr. Liggett for all the work they have done on the ordinance, noting that it took a lot of time and effort to work through all the particulars with the two towns.

Commissioner Haas stated that Mr. Avery wanted him to extend the County's appreciation to Commission staff for all the fine work they have done on this ordinance.

Mr. Stokes presented the Resolution Issuing an Order to Certify Resolution SP05-06, Adopting the 2006 Master Plan Reexamination Report, Stormwater Management Plan, Land Use Plan Amendment and Housing Element and Fair Share Plan of Upper Township, and Ordinances 0015-2006 and 009-2007, Amending Chapters 19 (Land Subdivision and Site Plan) and 20 (Zoning) of the Code of Upper Township. (See Resolution #PC4-08-20 attached).

Commissioner Brown moved the adoption of the resolution. Commissioner Hagaman seconded the motion.

Ms. Grogan said that part of what Upper Township has done is to respond to CMP stormwater amendments. She went through the changes the Township has made within the Pinelands Area (zoning changes, adjusted boundary lines, addition of cluster development). If the Ordinance is certified, the end result will be that the Commission's management area lines will be consistent with the State Planning Area lines and the CAFRA centers in terms of DEP's administration, which, in the long run, will make administration much simpler.

Commissioner Galletta asked if Strathmere is in the CAFRA zone and, if so, have they had any objection to this plan?

Ms. Grogan replied no and stated that a public hearing was held but staff did not receive any comments.

The Commission adopted the resolution by a vote of 13 to 0.

Commissioner Ashmun stated that the Toms River Plan and the Manchester and Jackson ordinances anticipate that a sewer line would run through a Rural Development Area. She is concerned about this because the reports says with an appropriate control, and she would like to have a discussion sometime at some Committee level about what “appropriate” is.

Chairperson Wilson said that staff will follow up on this request.

Ordinances Not Requiring Commission Action

Chairperson Wilson stated that Folsom Borough Ordinance 17-2007, Lakehurst Borough Ordinance 07-09, Mullica Township Ordinance 17-2007, and Winslow Township Ordinance 0-40-07 are ordinance amendments that do not raise a substantial issue with regard to the provisions of the Comprehensive Management Plan. The Commission took no action on the ordinance amendments allowing them to take effect.

Public Comment on any Matter Relevant to the Commission's Statutory Responsibilities Other Agenda Items

Mr. Fred Akers, Great Egg Harbor River Association, presented the Commission with information on ORV legislation stating that this legislation would not only protect the Pinelands, but also the Highlands and the rest of the state (see summary information attached). He pointed out that, while the legislation will be a deterrent, there are other parties that are trying to attach a compelling public need to the establishment of legal ORV parks in the Pinelands. He stated that he attended Mr. Wengrowski's septic presentation and thought it was very informative.

Chairperson Wilson said that she will ask the P&G Committee to review this issue.

Mr. Harry Monesson, Pemberton Township, referred to off road vehicles and indicated that he agrees that this is an important matter. He referred to an article in the Community News regarding a Pemberton Township meeting where the Township designer referred to the Commission's role in holding Pemberton Township to the strict compliance of the CMP. It is being said that a 244 foot buffer zone will be created in the Township where other areas with water and sewer have had buffers as low as 50 feet.

Other Agenda Items

Presentation–Highlands

Mr. Stokes introduced Eileen Swan, Executive Director of the Highlands Council, and provided some background on Ms. Swan for the Commission. He said that Ms. Swan will brief the

Commission on the Council's final draft plan and talk about some of the new and interesting things she and the Highlands Council are doing.

Through a Powerpoint presentation, Ms. Swan provided an overview of what the Highlands Council has accomplished thus far and what it is seeking to accomplish in the future. (See presentation attached).

Chairperson Wilson thanked Ms. Swan and stated that her presentation was very informative.

Closed Session Resolution

DAG Ludman read a resolution to retire into closed session to discuss contract and personnel matters.

Commissioner Ashmun moved to retire into closed session. Commissioner Lee seconded the motion. The Commission agreed to retire into closed session by a vote of 13 to 0.

Return to Open Session

Chairperson Wilson reopened the public portion of the meeting.

Mr. Stokes stated that the Commission discussed in closed session the status of its negotiation with Communication Workers of America Local 1040 and also briefly discussed a personnel matter related to the Executive Director.

Adjournment

Commissioner Lee moved to adjourn the meeting. Commissioner Witt seconded the motion. The Commission agreed to adjourn the meeting at 12:44 p.m.

Certified as true and correct:

Nadine B. Young,
Executive Assistant to the Commission

Date: _____