



State of New Jersey

Highlands Water Protection and Planning Council

100 North Road - Route 513

Chester, New Jersey 07930-2322

(908) 879-6737

(908) 879-4205 (Fax)

www.highlands.state.nj.us

JON S. CORZINE
Governor

JOHN R. WEINGART
Chairman

DANTE DI PIRRO
Executive Director

MEETING AGENDA

Thursday, June 22, 2006 - 10:00 a.m.

1. CALL TO ORDER
2. ROLL CALL
3. OPEN PUBLIC MEETINGS ACT
4. PLEDGE OF ALLEGIANCE
5. APPROVAL OF MINUTES
6. CHAIRMAN'S REPORT (and Council Member Reports)
7. EXECUTIVE DIRECTOR'S REPORT
8. COMMITTEE REPORTS
 - a. Plan Development Committee – Chairman Weingart
9. CONSIDERATION OF RESOLUTION APPROVING PUBLIC RELEASE OF PRELIMINARY DATA AND INFORMATION UNDER DEVELOPMENT FOR THE REGIONAL MASTER PLAN (voting matter with public comment)
10. CONSIDERATION OF RESOLUTION REGARDING GRANTS TO MUNICIPALITIES AND COUNTIES (voting matter with public comment)
11. PUBLIC COMMENTS
12. ADJOURN

MINUTES

NEW JERSEY HIGHLANDS COUNCIL MEETING OF JUNE 22, 2006

PRESENT:

JOHN WEINGART)	CHAIRMAN
TRACY CARLUCCIO)	COUNCIL MEMBERS
JANICE KOVACH)	
MIMI LETTS)	
JACK SCHRIER)	
DEBBIE PASQUARELLI)	
GLEN VETRANO)	
SCOTT WHITENACK)	

PARTICIPATING VIA TELECONFERENCE:

MIKAEL SALOVAARA

ABSENT:

KURT ALSTEDE
ELIZABETH CALABRESE
TIM DILLINGHAM

The following are the minutes from the New Jersey Highlands Council meeting which was held at 100 North Road, Chester, New Jersey on June 22, 2006 at 10:15 a.m.

CALL TO ORDER:

The Chairman of the Council, Mr. John Weingart, called the 30th meeting of the New Jersey Highlands Water Protection and Planning Council to order at 10:25 a.m.

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.

MINUTES OF JUNE 1, 2006:

Mr. Schrier motioned to approve, Ms. Kovach seconded, Mr. Vetrano abstained, all others were in favor, APPROVED.

CHAIRMAN'S REPORT:

Mr. Weingart noted that Mr. Dante Di Pirro has advised the Council that efforts to fill staff vacancies are continuing to be successful, that staff from other agencies have started working at the Council's office, and that new hires have started.

Mr. Weingart advised that the Council needs to focus on the schedule more and get meeting dates for Committees and subcommittees as soon as possible. He asked that members try to block out every Thursday and Saturday in September to work on the plan aggressively and in detail, and also asked that staff contact all members to determine the Thursdays and Saturdays that will attract most members in September. He asked if any members had reports.

Ms. Pasquarelli advised that she attended a June 12th meeting with Council staff in Warren County where the Highlands Act regulations were discussed with municipal zoning and construction officials. The meeting was conducted by Larry Baier of NJDEP and was very instructive, informative and productive. She noted it was collectively concluded at the meeting that there is still a long way to go in ensuring that the right information gets out to folks making decisions.

Ms. Pasquarelli also noted that she attended a meeting in Hunterdon County on June 19, 2006 between local officials and the Office of Smart Growth. The not so good news was that representations were made about policy decisions involving the Council with regard to the State Planning Act, plan endorsement and cross-acceptance, and that she could not confirm these representations when questioned by attendees. She noted that this issue should be added to an upcoming meeting agenda as soon as possible.

Since no other members had reports, Mr. Weingart turned to Mr. Di Pirro for the Executive Director's report.

EXECUTIVE DIRECTOR'S REPORT:

With regards to staffing, Mr. Di Pirro was pleased to announce that the Department of Personnel had approved a number of positions. He noted that two rounds of recommendations had been sent to DOP. The first round was for the hiring scientists and he introduced and welcomed Ms. Christine Ross, Ms. Erin Lynam, and Mr. Carl Figueiredo. He noted they have already begun working hard and thanked them for joining the Highlands staff.

Mr. Di Pirro reported that the Council is under an important deadline and that progress reports are in the members' packets. The report shows that approximately 60% of the work on the Regional Master Plan has been completed. Mr. Di Pirro also thanked Ms. Debbie Lawlor from the Meadowlands Commission for the quality assistance that she has been providing to the staff.

Mr. Di Pirro noted that the North Jersey Water Supply Commission has loaned the Council Mr. Dag Madeira and Mr. Ron Shire and introduced them to the Council and public.

Mr. Di Pirro advised the Council that staff has set up a video conferencing system which keeps the staff in better communications with the DEP in Trenton, and which will save funds in the long run.

He also noted that an electrician recently made improvements to the meeting room by properly securing the wiring along the large meeting table to make it safer. The Council's table has also been extended to create more work space.

Mr. Di Pirro noted that the Plan Development Committee met earlier that morning and that the Smart Growth Committee will meet later that day at 2:00 p.m. He noted that the meeting packets contained recent events which staff has attended as well as a list of the upcoming events. He advised that the schedule is lighter over the summer so that staff will have more time devote to completing the Regional Master Plan.

Mr. Di Pirro reported that the Council reached a milestone today. It is releasing to the public and stakeholders information relating to critical elements in the plan, including build-out and fiscal information. He said several samples are available for the public's review, some of which are maps and some are technical reports. Mr. Di Pirro noted that the documents being released today and over the next several weeks are in draft form only as they have not been approved by the Council and have not been commented upon by the public. He explained that staff believed that it is critical to let the public plug into the process and provide input as the Council reviews the same information.

Mr. Di Pirro said that the Council has provided for a new webpage on its website to facilitate public participation. The information that the Council releases will all be posted on that webpage. A separate RMP comment email address has been created so that the public can provide comments to the Council on the information released on the website.

He advised that the Council will be considering a resolution later that will authorize release of this information. There is also a 34-page document which Mr. Balzano will report on later which will be released if the resolution is approved. Mr. Di Pirro thanked the staff for producing the dozen information and date items and that they are ready for release.

Mr. Weingart thanked Mr. Di Pirro for his report and said Committee reports are next on the agenda.

COMMITTEE REPORTS:

Mr. Weingart noted that the Plan Development Committee met earlier that morning and focused on three requests for qualifications regarding assistance the Council will require with the physical production of the plan. The requests for qualifications have been substantively approved by the Plan Development Committee and will now go to the Budget & Finance Committee for further review.

Mr. Weingart advised there were no grants to counties or municipalities to consider and therefore there will be no need for item 10 on the meeting's agenda.

Mr. Weingart then asked Mr. Steve Balzano to demonstrate how information will be made available on the Council's website.

CONSIDERATION OF RESOLUTION APPROVING PUBLIC RELEASE OF REGIONAL MASTER PLAN (voting matter with public comment):

Mr. Balzano noted that in the members' packages were several documents, including technical reports with attached imagery and an outline of how the information fits into the Regional Master Plan. He noted that the public will have an understanding of how each release item relates to the elements of the plan.

Mr. Balzano said there were additional copies available so that if the Council agrees to release the items they can be provided to the public that day.

Mr. Balzano advised that two other items in the members' packets were a historic resources inventory as well as a contaminated sites inventory. He said they are reports on the status of the science, and that they are not policy decision documents.

Mr. Balzano noted that the general framework of the report follows the same outline and components as the Regional Master Plan Scoping Document.

Mr. Balzano said that historic resources have been moved to the smart growth component because the issue of how land resources can be protected is better served in that context.

Mr. Balzano said that how to implement the plan at the local level is also highlighted in the report. He advised that it walks the reader through each of the elements of the plan –

the water resource assessment, regional development and design, transfer of development, recreation, historic, etc.

Mr. Balzano said the report is done in narrative form due to the complexity of the information to make it easier to comprehend as to how it relates to the elements of the RMP.

Mr. Mat Curtis then demonstrated how to access the webpage that Mr. Balzano spoke of on the Highlands Council's website. Mr. Curtis noted that everything is in a PDF format on the website.

Mr. Balzano noted that the 34-page report contains links throughout the document that will take visitors to the relevant portion of Council's website and related documents. Each of the technical analyses that are available are linked into the report. As information becomes available it will be linked and added into the website progressively providing a live "real time" process with the public.

Mr. Di Pirro pointed to the basin stress map that is in the report and which was highlighted on the overhead screen. He noted that the map illustrates the limitations and stresses on water resources. The darker the green shading of a particular area, the more stressed the system is. The land use capability map requires that the Council identify zones and this type of map gives an example of how this data will help determine and delineate those zones.

Mr. Jack Schrier asked whether the staff is undertaking a task that has never been done before and Mr. Balzano replied that it has not been done before on this comprehensive of a level.

Mr. Schrier wanted to stress the point that we are the Highlands Water Protection and Planning Council, not just the Highlands Council. He also thought it should be reiterated that this is raw data and that it has no conclusions attached to it and is not making any recommendations.

Mr. Balzano also noted that there are no political boundaries noted in any of the data such as on the basin stress map. He added that it is based upon what the regional implications are as to resources and are "blind to the line" as far as informing the plan.

Mr. Weingart asked if the links were not yet connected and Mr. Balzano replied that was correct. When the links are connected they will appear in blue on the page rather than in black. He said the target audiences are local officials and property owners and that the report delivers information with respect to the effect of the plan on property. It will show what zone you are in and the standards that apply to that zone. The Council wants the public to be able to put in their address and get all the details that pertain to their property.

Mr. Di Pirro noted Mr. Roger Keren will be giving his presentation next.

Mr. Keren noted that, because the public has had numerous questions about whether they are in or out of the Preservation Area, staff created an interactive map to aid in answering those questions. He advised that it is based on Google map technology.

Mr. Keren then demonstrated that property owners first enter their municipality in a drop down menu, and then enter their address on the search bar. Their property will be found and a list of details about the address will be set forth on the right side of the screen.

Mr. Di Pirro noted that staff is ready to go live with this service if the Council agrees.

Ms. Carluccio stated that she thought the interactive map capabilities were fantastic. Mr. Weingart asked who updates the aerial photography. Mr. Balzano said it is DEP's 2002 aerial photography and that it will be updated again in 2007.

Mr. Schrier said that the Council has relied on the staff as to ensuring the accuracy of the underlying data, and also ensuring that it is presented in an accurate manner. He noted it is a credit to this Council that the staff has been a true benefit.

Ms. Tracy Carluccio motioned to approve, Ms. Janice Kovach seconded. Ms. Mimi Letts said that she echoes what Mr. Schrier said as to the staff pulling together to evaluate and make it a Regional Master Plan based on science, and hopes that the release of this information will also help so that the public can examine the data.

Mr. Weingart asked to amend the final Whereas paragraph to include language that states the data and information have not been reviewed by the appropriate Highlands Council committee and are subject to change based upon Highlands Council member input and input from the public. Ms. Carluccio and Mr. Schrier supported the amendment, Ms. Kovach seconded the amendment. Mr. Weingart asked if there were public comments on the resolution.

Deborah Post, Chester. Ms. Post said that after the Highlands Act was passed she was pointed to something called the NJ iMap on the New Jersey state website where she said she could put in her block and lot and it showed whether she was in the Highlands Preservation Area or not. She asked how this new map was different.

Mr. Balzano replied that iMap is not interactive at the Lot and Block level. He also noted that the information on iMap is data available by DEP. Mr. Di Pirro noted this was a more comprehensive map and will be the foundation on which the plan will be built.

Eric Stiles, New Jersey Audubon Society. Mr. Stiles applauded the transparency and effort put forward by the staff and Council to involve the public. He commended the Council for this important tool and agreed many places do not have block lot specific information.

David Shope, Long Valley. Mr. Shope said he wanted to correct Mr. Di Pirro in that the New Jersey Water Supply is an Authority not a Commission. Mr. Di Pirro replied that he was not speaking of the New Jersey Water Supply Authority, he was speaking of the North Jersey Water Supply Commission. Mr. Shope noted that he considers the Highlands area as a colonizing effort by the powers and that he thinks the Council is a colonial authority.

Hank Klumpp, Tewksbury Township farmer. Mr. Klumpp said he finds the information interesting but wants to know if the data is used scientifically rather than politically and is it possible that his area that has been designated as preservation, once identified by resource and science criteria, could it later be determined that he doesn't belong in the Preservation Area. He noted that the road his farm is on is the dividing line at this point, and that he doesn't provide water to Spruce Run or any other water reservoir. He believes he doesn't belong in the Preservation Area.

No other comments were received on the resolution.

On the prior motion made and seconded with the approved revision, all were in favor, APPROVED.

PUBLIC COMMENT PERIOD:

Mark Scota. Mr. Scota advised he applied to the DEP for an exemption and was rejected on the basis that he didn't fit into any of the 17 criteria. He said his area is unique, and that it is almost 100% impervious on a dead-end street, located near industrial buildings and the Morris County transfer station on Gold Mine Road. It is undevelopable and he asked that the Council take a common sense approach to take out areas like his because it is prime industrial property and noted the delineation line went down the street and he landed on the wrong side. He advised he brought photographs of his area. Mr. Weingart asked that he provide the photos he brought with him to the meeting so that staff may examine them.

Paul Chrystie, Executive Director of Coalition for Affordable Housing and the Environment. Mr. Chrystie advised he feels the Council will not accomplish its goals if affordable housing is an add-on or after thought secondary to the plan. He said the RMP framework must include petitioning COAH for substantive certification. He believes the plan will only be successful if it is provided for up front.

Ms. Pasquarelli stepped down from the Council as public comments were offered pertaining to Alpha 519. At a previous meeting, she had announced that she had prior involvement related to this project during her service as a public official for Greenwich Township and that she was recusing herself from the Alpha 519 matter.

Ron Morgan, Esq., attorney for Alpha 519. Mr. Morgan said there was a Court Order for the Council's recommendation on an expanded sewer service with regard to the Alpha project. He noted that he has received the objection letters that the Council received at its

last meeting on June 1st, as well as the resolution adopted by the Council at that meeting. He noted that he was not aware of the June 1st meeting and that is why he did not attend. Mr. Morgan informed that he brought Mr. Jim Coe with him to this meeting as well.

Mr. Schrier reminded that the public comment period is limited to three minutes and that what Mr. Morgan wanted to discuss may take longer than the standard three minute comment. Mr. Di Pirro advised that he had spoken with them prior to the meeting, and they would like to inform the Council that they were present. Mr. Di Pirro noted he would follow up with them again after the meeting. Mr. Coe asked if he could state the Court's issues to the Council.

Jim Coe advised he became involved when Phillipsburg applied to get an exemption to the water management plan at the DEP. The DEP subsequently decided that it needed a recommendation from this Council. The Court required that this Council do so within 30 days. DEP has advised that they have not considered your letter as a recommendation. They acknowledge that this was not a sufficient amount of time for the Council, and that they are expecting more from you. He noted that we have gone through 90 days, plus an additional 30 days, and if the plan is not approved we will have to start the application for the sewers all over again. We would like the Council to direct staff to do another letter to DEP.

Mr. Weingart said the Council expected the DEP to act on the letter. Mr. Morgan noted that this is not a builder's remedy parcel, and that they filed with COAH for substantive certification.

Ms. Carluccio said she didn't think the Council should go into the substance of the situation in the public comment forum. Mr. Weingart agreed. Mr. Morgan wrapped up by saying that COAH's Director is very interested in the outcome of this situation. He added that the project has county and local approval and just needs to get into the sewer line.

Mr. Di Pirro advised that COAH has sent the Council a letter, and staff will act swiftly.

Ms. Pasquarelli then rejoined the meeting.

Sylvia Kovacs, Warren County Environmental Commission. Ms. Kovacs said that paramount importance is groundwater contamination. She noted it is thought to be a plume twelve miles long in Pohatcong. She said the ongoing study has detected contamination at the Franklin/Greenwich border. Alpha is in the path of the contamination and there are other sites that have not been discussed. She submitted her comments in writing.

Richard Longo, preservation area property owner. Mr. Longo commented regarding statements at meetings that the harm to property owners that there are provisions in the Act to remedy landowners. He believes the Act is nothing more than politics. He said he submits his name hereto for compensation and provided his comments in writing.

Eric Stiles, New Jersey Audubon Society. Mr. Stiles referenced *A Tale Of Two Cities* and said that when you look at the Highlands it shows that there are two regions. Sewers that were permitted in the 60s and 70s had nothing to do with the state plan. The New Jersey Audubon Society urges that the Council not proceed with municipalities and counties prior to the passage of the Regional Master Plan. He noted there will be too many potential conflicts and the public will be confused. The decisions must be based on science.

Ms. Pasquarelli asked whether an extension for the Sussex plan could be obtained. Mr. Di Pirro said yes, but that the county submitted an application for plan endorsement. He noted the timing of the Council's development of the Regional Master Plan and when the State Planning Commission might approve the Sussex plan presents an issue. The State Planning Commission was seeking comments on the proposed plan from the Council within a couple days. Mr. Di Pirro explained that, since the Council is not quite there yet with the information it has, he asked for more time. The Office of Smart Growth has approved the request to extend the time to provide comment. Mr. Di Pirro said that, after his conversations with Ms. Eileen Swan, he doesn't feel the Council is vulnerable.

Ms. Carluccio said she would appreciate seeing this in writing. Mr. Di Pirro advised that this is the only county plan that is proposed that will be impacted by our schedule. In his discussions with Ms. Swan, there are two towns that will be affected, but it will be after plan adoption. Mr. Di Pirro said he wants to ensure the letter does not create an adversarial relationship.

Mr. Di Pirro said that the Office of Smart Growth did not formally add the Highlands Council to the list of those who were providing comments on the proposed plan. The staff informally learned about Sussex County seeking State Planning Commission endorsement of its proposed Strategic Growth Plan.

Mr. Weingart advised Ms. Post that he wrote a response to her letter and that it has been sent to her.

Deborah Post, Chester Township. She noted that someone at the last meeting noted he was happy to find endangered species on his property. She said that that person is unaware of the loss of money attached to such a statement. Open space and adjacent lands are being sold. She said the DEP can't seem to enact rules and thinks that the Highlands Act is a "do over" of legislation.

Julia Somers, Director of the New Jersey Highlands Coalition. Ms. Somers applauded the Council on the tools it has developed. She believes that the data is exciting and looks forward to reviewing the information released to the public. In Sussex County, on June 1, 2006, the initial plan endorsement for the County's strategic plan was discussed. She believes the Office of Smart Growth should wait until the RMP is in place before reviewing the Sussex plan. One third of Sussex is in the Highlands and she is very concerned that the process take it's time to be considered. She said one of the Sussex

freeholders objected to waiting until she learned that the alternative could be literally a six year delay.

Mr. Vetrano noted that at the meeting on June 1, the County did not forget to notice anyone and that it was a forum put on by the Office of Smart Growth. He noted the strategic growth plan has been 5 years in the making and that the county reached out to every possible interested office and is anxious to have the Strategic Growth Plan adopted. The County is interested in getting things accomplished, not dragging them out.

Eric Ski, Lodi. Mr. Ski said he was interested in buying a lot in Long Valley where the owner can't sell so he can't buy it, and it is loaded with impervious cover, to the point where if he buys the property he can't put in a driveway. He brought a copy of a picture depicting the property which notes that it is 750 feet to get to the property. Mr. Weingart suggested that he speak with the staff. Mr. Di Pirro said he did provide him with the information as to who he should contact to get a definitive answer.

Sandy Batty, Association of New Jersey Environmental Commissions. She thanked the Council for assembling the natural resource information and making it available to the public. She said she sees both plans as a way to enrich local resources as well as at a county level. She suggested that the Council ask the Office of Smart Growth to withhold approving county plans until the Regional Master Plan is adopted and asked which plan will prevail once the RMP is endorsed because potentially there will be three plans. She also asked what municipalities were petitioning for endorsement.

Andy Drysdale, 32 E. Fox Chase Road, Chester. Mr. Drysdale said he is in the preservation area and that on July 4th this year it will be the 230th anniversary of the Declaration of Independence. Since 230 years ago, legislators have been busy making laws, some good, some bad, and some have been enacted on bad information. He believes some laws are taken to extremes and need to be amended. He urged that people contact as many legislators as possible to stop the abuse of eminent domain.

Jeff Broadhurst, Bloomsbury. Mr. Broadhurst commented that TDRs and the responsibility for their valuation fall on the Council. He said he has a 130 acre farm in Hunterdon and that he is trying to find a way to get compensated for what's been taken. He also commented that he participated in the landowner forum and complimented Mr. Balzano and Mr. LeJava on keeping those together. He felt like there was not enough detailed information available as to how many acres would be available for TDR. He said the longest speaking speaker at the forum spoke about the best way for people to be compensated would be by donating their land and found it disheartening.

Hank Klumpp, Tewksbury Township. Mr. Klumpp said his 150 acres have been put in the Highlands Preservation Area for political reasons and that the drop in values in the Preservation Area has been appraised by SADC which shows a loss of almost 70% in the development value. He said this information came from a comparison of pre-Act values and post-Act values and that 839 acres were considered in the analysis. The Act is supposed to protect the values of the landowners. At the end of the six month extension

he asked whether money will be there to compensate land owners for their losses in value. He also wants to know what progress has been made to help landowners with this.

Scott Olsen, Byram Township. He advised he is an environmentalist who embraces the Highlands Act and the Regional Master Plan. He applauds Glen Vetrano and Sussex County but believes it should wait until the plan is adopted. Two proposed projects in Byram should be considered. He said development pressure continues in the Preservation Area and asked if the Council had authority as to DEP permits because damage is being done.

Susan Buck, Oxford. Ms. Buck commented regarding the DEP regulations misinformation. She said some people have been accused of spreading misinformation and she wrote to the DEP and they responded. One question she asked them was whether a landowner who is not a farmer with a woodland management plan can cut trees down and the answer was no. She also asked if you may clear brush and the answer was also no. She asked if a landowner can cut more than an acre of grass and said the answer she received was yes, only if it is a lawfully existing lawn, because you cannot disturb vegetation. Landowners are advised they cannot go out and cut down an acre of trees without a woodland management plan. She suggested people can either go one of two paths – to the DEP, who will say no you can't, or to the municipality who will say it looks like you have no restriction. DEP says it will not hold a municipality accountable for making a mistake, yet the property owner will be held liable.

Wilma Frey, New Jersey Conservation Foundation, said wants to encourage the Council to send a letter or contact the Office of Smart Growth and request that all of the plans for endorsement in the Highlands be postponed by them and by the State Planning Commission until the Regional Master Plan is adopted. In Sussex, she attended a number of meetings of the strategic growth committee which began in 2000. She said the purpose of the smart growth plan was more development oriented than the Highlands plan. She noted only 3 people had environmental interests at those meetings. After 20 meetings a water supply analysis was requested and she doesn't believe it has been provided yet. Forest land use, nor forest sustainability studies were done. She said the Highlands Act should take precedence and the Council should assert its authority.

Robert Frey, Pohatcong Township on behalf of the Warren County Board of Agriculture asked for assistance to set up an ethanol plant. He provided his comments in writing.

Tom Dallessio, Regional Plan Association offered compliments on the milestone of releasing the technical documents. He noted he attended a compact meeting that morning and believes that when people view the documents and see their comments incorporated into the content, the work should be applauded. He said he approaches things from a practical issue and thinks the Sussex plan is progressive and should be complimented for taking initiatives to conduct better planning. He asked how courts will view the legal shield as it pertains to the State Planning Commission vis-à-vis the Regional Master Plan.

Ms. Pasquarelli said there seems to be a conflict if the county plan is endorsed, then each municipality must comply to get certification.

James Began said the Pohatcong superfund site is no where near Alpha. He noted that there is no evidence that it will affect the housing or the development affected by the plume.

David Shope, Long Valley, referenced the prior resolution by the Council on sustainable agriculture and that he asked the Council a question which was referred to staff. He said the niche farmer concept was reported on in the New York Times the previous Sunday and that this type of farming is occurring in a radius around the City. He said that they are hobby farmers who have perfect barns and perfect crops who often break even. It is not economic but they would rather sink money into a farm rather than give it to Uncle Sam. He asked what happened to agricultural viability.

Bob Bzik complemented the staff for releasing the technical documents and thanked Mr. Balzano in advance for attending a work shop occurring the following week. In terms of endorsement at the local and county level, he said there hasn't been a concerted effort to finalize the Memoranda of Agreements with COAH and NJTPA. He noted that the plan and how the information coming in and how it should be used has not been decided and that he has not been able to access critical data. Information is only useful if it is released in a GIS format, not PDF, and that he needs planning efforts to move forward.

Nancy Chambellen, Warren County Environmental Commission. Ms. Chambellen wished to clarify regarding the comments made as to Alpha. She said the public water supply is a finite resource and an attempt by Alpha to take away from surrounding neighborhoods could leave other municipalities without public water service. Her concern is that the common sharing will cause depleted water resources and have a direct impact. She also noted historic sink hole impacts when too much water moves through limestone.

Julia Somers, Highlands Coalition, noted she attended the Plan Development Committee meeting earlier that morning and is considering doing away with the term "smart growth" in favor of "smart planning." Also she noted she attended a stakeholders meeting at DEP for the Water Quality Management rules where she requested that the Highlands Council be a formally delegated legal authority for water quality management plan issues.

Mr. Weingart thanked the public for their comments and asked if any members had any further comments.

Ms. Pasquarelli said with regard to her conversation with Mr. Di Pirro about press as to testimony at land use board meetings, that it is very important to correct misinformation because development applications in the Planning Area are being portrayed as suitable without question. She suggested the Council put out a statement to be sent to all municipalities and counties to clarify this issue.

Mr. Schrier said people want the Council to blur the distinction between the Preservation Area and the Planning Area. He noted that the Council would not ignore the distinctions between the two areas.

Mr. Weingart noted that the meeting was very significant and noted that the Smart Growth Committee meeting would begin later at 2:00 p.m. He also added that the next full Highlands Council meeting would be at 10:00 a.m. on July 27th, 2006.

ADJOURN:

Mr. Schrier motioned to adjourn, Ms. Kovach seconded, all were in favor and the meeting was ADJOURNED at 12:45 pm.

RESOLUTION 2006-25

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL APPROVING PUBLIC RELEASE OF PRELIMINARY DATA AND INFORMATION UNDER DEVELOPMENT FOR THE REGIONAL MASTER PLAN

WHEREAS, the Highlands Water Protection and Planning Act (the "Highlands Act") has created a public body corporate and politic with corporate succession known as the Highlands Water Protection and Planning Council (the "Highlands Council"); and

WHEREAS, the Highlands Act mandates that the Highlands Council prepare and adopt a Regional Master Plan; and

WHEREAS, on April 20, 2006, the Highlands Council adopted Resolution 2006-17 ratifying its decision of April 6, 2006, to follow a comprehensive schedule for the adoption of the Regional Master Plan before the end of December 2006; and

WHEREAS, there has been diligent and substantial progress made on the development of the Regional Master Plan with ongoing input of the Highlands Council's sister agencies, consultants, members of the Highlands Council's Technical Advisory Committees ("TAC") and municipal and county official; and

WHEREAS, throughout the development of the Regional Master Plan, the emphasis has been on the careful advancement of good science and planning; and taking the necessary time to receive input from technical experts, local officials and the public; and

WHEREAS, By virtue of these aforementioned efforts, the Highlands Council will release a number of resource assessments and infrastructure capacity analyses on June 22, 2006, which will provide vital, but preliminary science data and information stakeholders have sought; and

WHEREAS, release of this data and information will permit public review and comment, which will be considered in development of the draft Regional Master Plan; and

WHEREAS, the data and information to be released on June 22, 2006, are in draft form and are subject to change based upon Highlands Council member input and input from the public;

NOW, THEREFORE, BE IT RESOLVED

The Highlands Council hereby authorizes the Executive Director to:

1. Release to the public through the Highlands Council's website the preliminary data and information under development for the Regional Master Plan;
2. Receive public comment on the preliminary data and information and relay those comments to the Highlands Council for consideration as it develops the draft Regional Master Plan; and
3. Report to the Plan Development Committee on further development of the draft Regional Master Plan in light of the comprehensive schedule adopted by the Highlands Council on April 6, 2006.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 22nd day of June 2006.



John Weingart, Chairman