

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF JANUARY 17, 2013

PRESENT

JIM RILEE)	CHAIRMAN
KURT ALSTED)	COUNCIL MEMBERS
TRACY CARLUCCIO)	
MICHAEL R. DRESSLER)	
MICHAEL FRANCIS)	
ROBERT HOLTAWAY)	
BRUCE JAMES)	
MICHAEL TFANK)	
CARL RICHKO)	
MICHAEL SEBETICH)	
JAMES VISIOLI)	
RICHARD VOHDEN)	
ROBERT G. WALTON)	

ABSENT

TIMOTHY P. DOUGHERTY)
JAMES MENGUCCI)

CALL TO ORDER

Chairman Rilee called the 119th meeting of the New Jersey Highlands Water Protection and Planning Council to order at 5:00pm.

ROLL CALL

Roll call was taken. Council Members Alstede, Carluccio, Dougherty, Mengucci and Dressler were absent. All other members were present. *The following staff members were present: Gene Feyl, Margaret Nordstrom, Chris Danis, Kim Kaiser, Maryjude Haddock-Weiler, Chris Ross, Herbert August, Carole Dicton, Tom Tagliareni and Ranji Persaud.*

OPEN PUBLIC MEETINGS ACT

Ms. Tagliareni announced that the meeting is being held in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6. The Highlands Council sent written notice of the time, date, and location of this meeting to pertinent newspapers or circulation throughout the State and posted notice on the Highlands Council website.

PLEDGE OF ALLEGIANCE was then recited.

APPROVAL OF MINUTES OF OCTOBER 18, 2012

Mr. Walton introduced a motion to approve the minutes. Mr. Visioli seconded it. All members present voted to approve. The minutes were APPROVED 10-0.

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**APPROVAL OF THE HIGHLANDS DEVELOPMENT CREDIT BANK MINUTES
AND EXECUTIVE SESSION MINUTES OF NOVEMBER 27, 2012**

Mr. Visioli introduced a motion to approve the minutes. Mr. Richko seconded it. All members present voted to approve. The minutes were APPROVED 10-0.

CHAIRMAN'S REPORT

Chairman Rilee announced that Council has a completed Model Highlands Area Exemption Ordinance and Council Members have this ordinance in their packets this evening and members of the public can obtain it on the Highlands website. Chairman Rilee added that this is just the beginning of one of his goals as Chairman of this Council, which is to make things easier for property owners. It is a step in the right direction and shows that Council can work with the NJDEP. Chairman Rilee advised members to review the document and provide any feedback. Chairman Rilee asked what the timeframe will be for this training program.

Mr. Feyl responded that the training program will commence this spring for all interested conforming municipalities. Mr. Feyl also added that the training program will be coordinated with DEP representatives in Chester so that towns can take advantage of their experience/expertise in exemption certification. Mr. Feyl added that the training program will be provided to Council members within the next week or so.

Chairman Rilee added that participation by conforming municipalities is voluntary and noted that this program gives the municipality a little more flexibility when dealing with their residents.

Mr. Alstede was present at 5:10pm.

EXECUTIVE DIRECTOR'S REPORT

Mr. Feyl began his report by wishing the Council a happy and prosperous new year. Mr. Feyl added that Council is moving forward with Plan Conformance in the Preservation and Planning Areas for Randolph Township on tonight's agenda. Municipalities continue to complete implementation task components, including preparation and adoption of Reexamination Reports, Highlands Environmental Resource Inventories, Highlands Checklist Ordinances, and Master Plan Highlands Elements. Highlands Staff is currently reviewing Roxbury Township's Petition for Plan Conformance and Wanaque Borough's Petition for both its Preservation and Planning Areas.

- 60 Petitions received
 - 43 Approved
 - 14 Complete and in Review Process
 - 3 Incomplete
- Municipal Implementation
 - 1 new Highlands Master Plan Re-exam Report (Bloomsbury Boro)
 - 2 new ERIs (Bloomsbury Boro, Montville)
 - 1 new Highlands Master Plan Elements (Mount Olive)
- Wastewater Management Plans
 - Draft Wastewater Management Plans (WMP) for conforming municipalities (31 to-date)

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- WMP consistency reviews for non-conforming (4 to-date)
- Outreach – since last report
 - 21 Municipal/County meetings
 - 18 agency meetings
 - 5 redevelopment project/contract meetings
 - 5 conferences/workshops
 - 3 site visits
- Constituent response
 - Q4 2012: 62 calls (Average per month: 27 calls)
 - To-date: 2,100+

Mr. Feyl added that through the Personnel Committee staff member Carl Figueiredo has been promoted to GIS Supervisor of the GIS Unit. Also, for Council's affirmation is the approval to hire Corey Piasecki as Regional Planner of the Planning and Science Unit. Mr. Feyl then added that through the Raritan Scholars Course of the School of Environmental and Biological Sciences at Rutgers University instructed by Dr. Van Abs, we have hired two unpaid interns who will work in our Planning and Science and GIS Units.

In closing, Mr. Feyl congratulated the following Council Members: Bruce James who will move to the center seat as Freeholder Director of Passaic County; Richard Vohden who was voted Deputy Director of the Sussex County Board of Chosen Freeholders; and Rob Walton who was voted again as Director of the Hunterdon County Board of Chosen Freeholders.

Lastly, Mr. Feyl noted that Council staff will present an extensive TDR Presentation at Council's next meeting on February 21, 2013 to show Council staff's progress in this area.

Resolution - Petition for Plan Conformance Submitted by the Township of Randolph, Morris County

Chairman Rilee introduced the Resolution. *Mr. Holtaway recused himself from the Resolution.*

Mr. James made a motion on the Resolution. Mr. Walton seconded it.

Chairman Rilee turned the meeting over to Mr. Feyl.

Mr. Feyl acknowledged Mayor Tom MacArthur of Randolph Township who was present at the meeting. The following Randolph officials were also present: Deputy Mayor Jim Loveys; Councilmembers Joanne Veech and Michael Guadagno; Planning and Zoning Administrator Darren Carney; Planner Robert Michaels; Township Manager John C. Lovell; and Keli Gallo, Esq representing Ed Buzak

Chairman Rilee welcomed Mayor MacArthur and offered him a moment to comment on Randolph's Petition for Plan Conformance.

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Mayor MacArthur commented that when the Township started this process of looking at opting into the Planning Area, the Township viewed this process as a refuge from some of the uncertainties of COAH. As the Township went through the process it realized two things: 1) it may or may not be that refuge and that will be decided by the Courts, and 2) the Township started to see benefits to their community of opting into the Planning Area. Mr. MacArthur added that Randolph is a developed Township, 22 square miles, consisting of 3-4 areas that need to be carefully developed. Mr. MacArthur added that if the development just happens in a haphazard, incremental way the Township would not achieve as much as if it is done in a planning way. Mr. MacArthur further added that the Township believes the Highlands Council can help with planning for the Township's growth centers and their desire to stimulate interest from the business community. He also felt the Council will offer thoughtful plans of what the Township can be and help them resist over development in areas of the town where they do not want it because of environmentally sensitive areas. Mr. MacArthur stated that he is enthusiastic about this process and the Township's Council voted unanimously in 2012 to move forward and is optimistic that the Highlands Council can help Randolph Township.

Mr. Dressler was present at 5:16pm.

Mr. Feyl introduced Maryjude Haddock-Weiler, Principal Planner and liaison for Randolph Township as well as Chris Danis, Director of Planning and Science.

Ms. Haddock-Weiler gave a presentation for Township of Randolph's Petition for Plan Conformance. The Township of Randolph Governing Body for 2013 consists of:

- Tom MacArthur, Mayor
- James B. Loveys, Deputy Mayor
- Christine Carey
- Michael Guadagno
- Roman Hirniak
- Al Napoliello
- Joanne Veech

Ms. Haddock-Weiler noted that Randolph Township is know as the town "Where Life is Worth Living" and provide some additional background information about the municipality.

- Incorporated November 13, 1805
- Population : 26,000
- Land Area: 13,542 acres/22 sq. mi.
- Preserved Lands: 3,218 acres (24%)
- Total Forest: 7,729 acres (57%)
- Area originally inhabited by Leni Lenape Indians, settled by Quakers.
- Home to Liberty Tree – growing since 1720
- Award-winning 16-mile trail system connecting 2,000 acres of open space
- Commitment to comprehensive planning (Rt. 10 Corridor Study, Mt. Freedom Village Center Report)
- Diverse range of land uses: residential, affordable housing, retail, office, industrial, open space/recreation
- Positive model of suburban living

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A map was then presented showing the current land uses in Randolph and highlighting the proposed four center designations before Council.

Ms. Haddock-Weiler then summarized the municipality's Plan Conformance status.

Planning Area Lands: 12,961 acres (95.7%)

- Preservation Area Lands: 581 acres (4.3%)
- Petition for both Areas
- All draft plan conformance modules submitted
- Four Proposed Highlands Centers

Ms. Haddock-Weiler gave a brief summary of "What is a Highlands Center?"

A place where future planning is centralized.

- Community-driven process
- Area of existing development
- Appropriate for development/redevelopment
- Available infrastructure

A Highlands Center Designation triggers a planning process designed to identify the goals, best uses and densities for a specific area, while remaining consistent with the Highlands Regional Master Plan.

Another map was presented to give a better prospective of the four proposed center designations. Then, Ms. Haddock-Weiler showed individual maps of each center along with photos to illustrate current conditions and uses.

- South Salem Street Center
- Route 10 Corridor East Center
- Route 10 Corridor West Center
- Mount Freedom Highlands Village Center

Ms. Haddock-Weiler also showed Randolph Township's Open Space Plan map to illustrate the municipality's commitment to comprehensive planning.

Ms. Haddock-Weiler reported that the public comment period for Randolph's Petition for Plan Conformance was between: 12/14/12 – 1/4/13. Highlands Council staff received comments from:

- New Jersey Farm Bureau
- Bisgaier Hoff, LLC
- New Jersey Conservation Foundation
- Highlands Coalition.

Comment/Response Document provided responses to all public comments received and were posted to Highlands' website on January 14, 2013.

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Staff recommendations are to approve with the following conditions:

- Complete and adopt Highlands ERI, Master Plan Element, and Land Use Ordinance
- Develop (in collaboration w/Highlands Council):
 - Water Use & Conservation Management Plan
 - Habitat Conservation & Management Plan
 - Stream Corridor Protection & Restoration Plan
 - Sustainable Economic Development Plan
 - Highlands Center Plans
 - Green Building/Environmental Sustainability/Alternative Energy Plan

Ms. Haddock-Weiler added that Randolph Township will also receive a TDR Grant for a Transfer of Development Rights Feasibility Study to assess the potential for TDR receiving zones in one or more of the proposed Highlands Centers.

Council Comment

Dr. Sebetich questioned which rivers feed the tributaries within Randolph Township and stated that it would be helpful if the surface waters were shown on the maps of the Township. Staff explained where the various rivers are located in the Township and in relation to the proposed Centers.

Mr. Visioli asked if staff was aware of the wetlands located along Route 10 in front of the Habitat for Humanity Re-Store building and where the water flows from into the wetlands. Staff explained that they were aware of the wetlands and the NJDEP Freshwater Wetlands Rules would apply throughout the Township.

Mr. Richko stated that he recalled seeing a comment related to the 2009 Build-Out Report and wanted to know if there is water availability for new development in the Township. Ms. Danis replied that Randolph Township and the surrounding Morris County municipalities are served by the Morris County Municipal Utilities Authority (MCMUA) and water deficit needs to be dealt with on a regional level. No one municipality can fix the water deficit condition that exists in the County.

Mr. Alstede, referring to the Implementation Plan and Schedule, noted that \$20,000 has been allocated for a TDR feasibility study. He stated that this Township with four (4) proposed centers seems like an ideal location to get some success in establishing a workable TDR receiving area. He asked if there is something the Council can do to financially encourage a municipality to implement a TDR program. He stated that what is needed is one good example and this would be an impetus to other municipalities to begin to implement TDR more widely. He referred to the Farmland Preservation Program as an example of an initiative that became successful once the first farm was preserved. He also questions if an intra-municipal TDR program in Randolph Township would still be managed by the Highlands TDR Bank.

Staff stated that the first-phase feasibility study is funded for \$20,000. If this initial analysis is promising, the Township could receive additional funding. Staff further discussed the progress they have made in reaching out to municipalities both in and outside the Highlands regarding receiving areas. Mr. Feyl also noted that the next Highlands Council meeting scheduled for February 2013

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will be dedicated to a presentation and discussion of TDR, what we have been doing and where we anticipate accomplishments.

Chairman Rilee stated that past monies given to municipalities to consider TDR feasibility have been poorly spent with no real results.

Dr. Sebetich stated that he was concerned about allowing development on undeveloped tracts of land. Staff explained that they had conducted site visits and their observations and recommendations had been incorporated into the Consistency Review Report. They also pointed out that the designation of centers in Randolph does not approve any specific development; rather this is the beginning of an enhanced planning approach that will look at resources and conditions in each of the designated centers.

Ms. Carluccio was present 5:52pm.

Mr. Visioli asked if NJTransit had submitted comments on the Petition. Staff responded that no comments had been received on this Petition from NJTransit or NJDOT.

Ms. Carluccio expressed concern that the Township is in a water deficit area and they should not be placing additional demands on the water supply. She stated that this is the wrong place to allow development and the patterns of development in the Township do not represent good planning. Mr. Visioli disagreed with Ms. Carluccio's claim that the proposed Centers are not a good location. He believes that the locations are great candidates for Centers. He pointed out their proximity to Route 10 and noted the existing development patterns, as well as previous planning studies. Chairman Rilee disagreed with the premise that the Highlands Act was intended to stop development everywhere in the Highlands Region.

Mr. Francis explained that just because a parcel is wooded does not mean it is managed as a productive forest. He also stated that good planning means one does what makes sense.

Ms. Carluccio suggested that the Highlands Council should undertake water and sewer capacity analyses before any development of centers is approved.

Mr. Alstede asked if the Randolph Township petition included any obligation to provide for agricultural resources since they have preserved farmland.

Staff explained that the Plan Conformance requirements include adoption of a "Right to Farm" Ordinance.

Mr. Vohden had no question but wanted to make a comment. He stated that: nine years ago when the legislature was considering the Highlands Act, our Senators had the knowledge and understanding that the property owners in the Highlands Region would be compensated for the lost value in their land. Mr. Vohden further went on to say that in Section 6 of the Act it states:

"The Council shall have the following powers, duties, and responsibilities: to identify and designate special areas in which development shall not occur while recognizing the need to provide just compensation to the owners of those lands when appropriate, whether through acquisition, transfer of development rights programs, or other means or strategies."

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Mr. Vohden further commented on Senator Bob Smith's quote to Chairman McKeon at a Public Hearing on March 30, 2004: "If there was one lesson tonight, it was the voice in the background from Tom Cruise, 'Show me the money,' and Chairman McKeon and I pledge to you that we will show you the money. We're currently working with the Governor's Office to put together the dedicated and guaranteed source of funding so that the Highlands, which are making a sacrifice for the rest of the state, are properly compensated. We will show you the money."

Mr. Vohden continued, "About 4% of Randolph is in the Preservation Area where the Act recognizes 'the need to provide just compensation'; 96% of the Town is in the Planning Area where approval of this resolution, and I quote from the Act, Section 6., will subject these lands to, 'the restrictions imposed pursuant to this act as to require a guarantee of just compensation.' Unlike the Senators who voted for the Act, Council knows that there is no means for compensation, and therefore I cannot, in good conscience, vote yes on this Resolution."

Chairman Rilee opened the meeting to the public for comment.

Public Comment

David Peifer, Association of New Jersey Environmental Commission – Mr. Peifer referred to the questions/comments raised by Council Member Sebetich about resource presence or absence on the center lands. Mr. Peifer suggested that Council change the consistency review function on the Council's GIS system to include multiple parcels throughout the Highlands making it easier to print out a report on all of the Highlands resources that are present on any combination of parcels throughout the Highlands. Mr. Peifer added that it would be good for the Council to see the Highlands resources that are present particularly within proposed designated centers. Mr. Peifer added that the Council has the tool and believes it would be very easy to add that very helpful functionality. Chairman Rilee referred Mr. Peifer's question to the Executive Director. Mr. Feyl responded that he will look into it.

Richard Hoff, on behalf of Westminster Realty Corporation and Randolph Building Associates - Mr. Hoff asked for a clarification regarding the Mount Freedom Center. Mr. Hoff noted that in reviewing the documents there are no criteria for what is permitted use and what standards would exist in the center. He asked if there is a separate process that happens after this meeting that he may comment on, assuming the Council approves this petition. Staff responded that it will go to the local level and he will be able to comment.

David Shope, owns property in Lebanon Township – Mr. Shope commented that there is no reason to opt in but the Township may want to consider that they are opting into a Legislative mandated drought. Mr. Shope commented that the water deficit area is a fraud. Mr. Shope concluded that he is against this application which offers nothing to the landowners that are not in the designated centers.

Jerry Kern, property owner in Pohatcong Township – Mr. Kern thanked Council Member Vohden for his wonderful statement. He appreciates the Council's earlier comment regarding the TDR Program but unfortunately does not have much faith in the process. Mr. Kern agreed with Mr. Shope's comment and hopes that the Council denies this application.

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Wilma Frey, New Jersey Conservation Foundation – Ms. Frey thanked the Council for providing the center maps in their comment response document. Ms. Frey commented that it would be helpful to have resource maps for the centers. Ms. Frey added that Randolph Township has water deficits and when you look at the development taking place, three of the centers are already developed and should be studied to see whether they are actually sustainable in terms of water and sewer. Ms. Frey states that the fourth center, Route 10 West Center, would be a waste of money because it is clear that if much of the area is turned into impervious cover you have destroyed the resource values that are there and it does not make a lot of sense to study that area as a center.

Ericka Van Auken, New Jersey Highlands Coalition – Ms. Van Auken commented that she echoes the comments of Ms. Frey and continues that the Highlands Coalition is reluctant to support Randolph's Petition for Plan Conformance as presented. The Coalition does not see how incorporating four center designations into one township with limited remaining resources constitutes smart planning. In general, Ms Van Auken went on to say, the Coalition supports centers in the Highlands and has long considered it the most effective way to guide development opportunities while addressing each municipality's needs and character. However, she said there was no reasonable way the coalition could be expected to support 4 centers in one town, and asserted that this type of planning was clearly sprawl. Ms. Van Auken said that it does not appear that Randolph has the necessary resources to support the development of four centers nor the surrounding communities. She further stated that Council has been given the responsibility of balancing the protection of critical environmental resources in the Highlands with smart growth of this region. Ms. Van Auken asserted that the Regional Master Plan provided the tools needed to balance these two main goals but Council uses these tools to sidestep the intents and purposes of the Highlands Act by designating inappropriate centers.

Elliot Ruga, New Jersey Highlands Coalition – Mr. Ruga clarified that the Coalition supports this Petition for Randolph Township, but does have some reservations about the four centers, but if good planning goes into them, it could be very appropriate. Mr. Ruga added to what Council Member Carluccio said earlier when she questioned why the Council is here. Mr. Ruga then read two short passages from the opening findings of the Highlands Act as a reminder to Council.

Helen Heinrich, New Jersey Farmers Bureau – Ms. Heinrich thanked Randolph Township for getting a grant on TDR.

Council Discussion

Mr. Francis commented that he believes in home rule and has a great deal of respect for Randolph Township and applauds them.

Ms. Carluccio asked if Randolph Township had public hearings about these proposed centers in their Township. Deputy Mayor responded that the Township did discuss these centers. Ms. Carluccio also commented that this is a water deficit area and she will not vote 'yes' on this Petition. Ms. Carluccio wants a report out of how many gallons of water has been reduced before approving more development.

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All members present voted on the resolution. A roll call was taken. The resolution was APPROVED 9-3.

At this time commemorative photos were taken as Chairman Rilee presented a framed certificate regarding the approval of the Plan Conformance Petition to Mayor MacArthur.

Mr. Tjank temporarily left the room at 5:30pm

Resolution – Appointment of Highlands Development Credit Bank Chairperson

Chairman Rilee introduced the Resolution to appoint Robert Walton Chairman of the Highland Development Credit Bank Board.

Mr. Francis made a motion. Mr. James seconded it.

There was no Council or public comment.

All members present voted on the resolution. A roll call was taken. The resolution was APPROVED 10-1 with one abstention.

Mr. Tjank returned to the meeting at 5:35pm.

Resolution – Appointment of Geographic Information System Supervisor

Chairman Rilee introduced the Resolution to appoint Carl Figueiredo to the role of GIS Supervisor.

Mr. Walton made a motion. Mr. Visioli seconded it.

There was no Council or public comment.

All members present voted on the resolution. A roll call was taken. The resolution was APPROVED 13-0.

Resolution – Appointment of Regional Planner

Chairman Rilee introduced the Resolution to hire Corey J. Piasecki as Regional Planner.

Mr. Visioli made a motion. Mr. Holtaway seconded it.

There was no Council or public comment.

All members present voted on the resolution. A roll call was taken. The resolution was APPROVED 13-0.

Chairman Rilee opened the meeting for public comment.

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Public Comment

Monique Purcell, Department of Agriculture – Ms. Purcell commented that after listening to the Randolph discussion it would be helpful for Council to have an overview of the Plan Conformance process at its March meeting (What it means?, What is the process/next step?) and in particular on the agriculture retention. Mr. Feyl responded that Council staff can present something during the March/April timeframe.

Hank Klumpp, owns 150 acres in the Highlands Preservation Area – Mr. Klumpp commented about the billboard displayed in Trenton featuring a picture of Eileen Swan and said that the Council should be ashamed. Mr. Feyl clarified to Mr. Klumpp that it was the Highlands Coalition that was involved with the billboard, not the Highlands Council. Mr. Feyl explained that the Council has not invested funds for this billboard. Mr. Klumpp further commented on his loss property values stolen by the Act and a water tax proposed by Senator Smith for compensation. Mr. Klumpp submitted his comments for the record.

Chairman Rilee responded that Council staff has been working diligently on the TDR program and will give an overview to Council.

Mr. Dressler commented and asked the Executive Director to see if there is anyone on staff or if a RFP has to go out to get an expert to find out how much money is truly required to compensate property owners in today's dollars. Chairman Rilee responded that he will have Mr. Feyl get that type of information.

Mr. Richko left the meeting temporarily at 6:51pm.

Helen Heinrich, New Jersey Farmers Bureau – Ms. Heinrich asked Council to take a look at the important definition of water deficit.

David Peifer, Association of New Jersey Environmental Commission – Mr. Peifer had three items he wanted to address to the Council. 1) The idea that the TDR Program is the only thing Council has to compensate landowners. It is important to realize we are a crucial crossroads with open space funding and we have a chance to “do over” Mr. Smith's promise in generating a reliable source of funding for open space, farmland preservation and historic preservation that would be useful in the Highlands. If Council looks at the 2010 Land Preservation in the Highlands Region Report prepared by Council staff, Council will see that 17% of land area of the Highlands has gotten more than its share of open space funding from those programs in previous years. Mr. Peifer urged Council to convey to the Legislature and the Governor's office what the financial needs are within the Highlands. Mr. Dressler's comment is well taken and Council talks about this issue without any clear definition of what our compensation needs are yet. The Act and the RMP are very clear and Mr. Peifer urges Council to do a needs assessment. 2) ANJEC has been working with Rutgers Cooperative Extension Water Resources Division on the idea of green infrastructure; this includes various design techniques that can be used to manage stormwater in a very effective way. They have offered to come and present to the Council or to staff and Council. The Council will benefit from some education on that subject and municipalities could take advantage of this through Council staff. 3) ANJEC has recently prepared a white paper on sustainable development and solar citing, which can be access at ANJEC.org and he can provide Council with hard copy.

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Elliot Ruga, New Jersey Coalition – Mr. Ruga commented that in New Jersey the cost of water is the fourth lowest in the nation as a most densely state. Since 1990 30% of the open space dollars that the state invests has gone into acquisition into the Highlands. If we are able to find an equitable balance it is not a tax, it is paying for what is being used and Council should look at it that way. The Highlands Act does not promise compensation. Mr. Ruga stated that there is a fairness question that has been a bone of contention since 2004 and he would like to see this rectified. Mr. Ruga then referenced the 2009 Tennessee Gas 300 line comprehensive mitigation plan, a condition of that which was that they would report to the Highlands Council beginning a year after their final construction. Mr. Ruga mentioned that he had a discussion with Ms. Nordstrom regarding this matter a couple of weeks ago.

Ms. Nordstrom responded that Council staff has a conference call scheduled Friday, January 18, 2013 and she thanked Mr. Ruga for bringing it to their attention.

David Shope – Mr. Shope commented that the New Jersey Water Authority is going through the annual rate review right now. He has been beating the drum to have an increase with no support from the environmental community or this Council so if you want to increase the rates now is the time. Mr. Shope also commented on the TDR grant given to the Town of Clinton to study if there area was feasible for TDRs and the conclusion came back that the town could not do it and it was a waste of money. Mr. Shope also commented on the Holzhauer & Hostenstein, LLC. appraisal done in 2004 should be current because of the dual appraisal process.

Jerry Kern, property owner in Pohatcong Township – Mr. Kern thanked Council for the dialog today on compensation and feels there is some hope. Mr. Kern suggested that a committee be formed to focus on this issue.

Mr. Holtaway made a motion to adjourn the meeting. Mr. Sebetich seconded it. The meeting was adjourned at 7:05pm.

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CERTIFICATION

I hereby certify that the foregoing is a true copy of the minutes of the meeting of the Highlands Water Protection and Planning Council.

Date: 2/22/13

Name: Annette Tagliareni
Annette Tagliareni, Executive Assistant

**Vote on the Approval of
These Minutes**

	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede			✓			
Councilmember Carluccio			✓			
Councilmember Dougherty						✓
Councilmember Dressler						✓
Councilmember Francis			✓			
Councilmember Holtaway			✓			
Councilmember James			✓			
Councilmember Mengucci						✓
Councilmember Richko			✓			
Councilmember Sebetich			✓			
Councilmember Tfrank			✓			
Councilmember Visioli	✓		✓			
Councilmember Vohden			✓			
Councilmember Walton		✓	✓			
Chairman Rilee			✓			