

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF MARCH 16, 2023

PRESENT

CARL J. RICHKO) CHAIR
KURT ALSTEDE) VICE CHAIR
TIMOTHY DOUGHERTY) COUNCIL MEMBERS
MICHAEL FRANCIS)
ROBERT HOLTAWAY)
DANIEL J. VAN ABS, PhD)
MICHAEL SEBETICH, PhD)
RICHARD VOHDEN)

VIA TELECONFERENCE:

MICHAEL DRESSLER)
JAMES VISIOLI)

ABSENT:

BRUCE JAMES)

CALL TO ORDER 195TH meeting of the New Jersey Highlands Water Protection and Planning Council was called to order at 4:05pm at the Highlands Council Offices in Chester, NJ.

ROLL CALL

Roll call was taken. Member James was absent. All other Council Members were present. Members Dressler and Visioli were present via teleconference. *The following staff members were present: Ben Spinelli, Gabrielle Gallagher, James Humphries, Maryjude Haddock-Weiler, Kelley Curran, Judy Thornton, Allison Bittner, Neda Hartman, Herb August, Ranji Persaud, Sarah Friend, Weston Strubert, Annette Tagliareni, Carole Ann Dicton, and Tom Tagliareni. Others present via teleconference: Thomas F. Holl, Associate Counsel, Governor's Authorities Unit (GAU) and Jason Kane, Deputy Attorney General's (DAG's) office.*

OPEN PUBLIC MEETINGS ACT was recited.

PLEDGE OF ALLEGIANCE was recited.

CHAIRMAN'S REPORT

There was no Chairman's report.

EXECUTIVE DIRECTOR'S REPORT

Mr. Spinelli provided a number of updates:

- Corporation Business Tax (CBT) funding request letter sent to State Legislators and State Agencies to support the Council's land preservation programs
- Inland Flood Rules – submitted comments

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- NJDEP Stormwater regulation rules for new and existing Tier A municipalities and funding available
- Harmful Algae Bloom (HAB) study in Highlands region by Montclair State (Dr. Wu)
- Highlands Warehouse Policy and impervious watershed coverage study
- Audit Report – Council to consider resolution to accept audit
- Annual Report – Council to consider resolution to release to the public
- Attended Warren County Agriculture Legislative Annual Meeting
- Attended Warren County Environmental Advisory Committee – Warren County voted to recommend to its Commissioners to petition for Plan Conformance in the Preservation and Planning Areas with a caveat upon Warren County representation on Council
- Plan Conformance Committee was held and another one to be scheduled prior to Council’s April meeting to discuss Alpha Borough Amended Petition for Center Designation and Highlands Warehouse Policy
- Interest in Plan Conformance from Union Township (Hunterdon County), and Butler Borough, Harding Township, and Netcong Borough (Morris County)
- Agricultural Advisory Committee – met with NJRC&D and Foodshed Alliance
- Site Visit with SADC
- Municipal Average Value
- Sparta Mountain visit by science staff with DEP representatives
- Media Inquiries regarding warehouse guidelines and affordable housing
- Meetings with Senators Bucco, Oroho, Steinhardt and Assemblywoman Dunn; Senator Smith scheduled for March 21st
- Request for Qualifications – Affordable Housing – proposals due March 17, 2023
- Request for Proposals - Watershed Restoration and Protection Plans – extended to April 17, 2023 due to complexity of the project
- Council has a full staff - welcome Weston Strubert, GIS Specialist and Sarah Friend, Environmental Scientist

At this time, Chair Richko asked if any Council members had any comments or questions on the Executive Director’s report.

Council Comments

Member Sebetich commented on the Council’s science staff visit to Sparta Mountain and their report. Mr. Spinelli noted that staff have been asked to provide comments on what should or shouldn’t be done. These comments are due by the end of March and will be distributed to the full Council.

Chair Richko noted that CBT stands for Corporation Business Tax and he looks forward to hearing back regarding that request.

APPROVAL OF HIGHLANDS COUNCIL MINUTES OF JANUARY 19, 2023

Chairman Richko asked for a motion on the Council Minutes of January 19, 2023.

Member Sebetich made a motion to approve the Highlands Council Minutes of January 19, 2023. Member Francis seconded it.

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A roll call vote was taken. The Highlands Council Minutes of January 19, 2023 were APPROVED 10-0.

BUDGET & FINANCE COMMITTEE

Resolution –Approval of Fiscal Year 2023 Highlands Protection Fund Capital Budget for Plan Conformance Funding Grants

Committee Chair Holtaway reported that the Budget and Finance Committee is recommending the approval of four (4) grants totaling \$152,800. All grants are reimbursement-based with final budgeted amounts determined by approved scopes of work.

1. The County of Morris is requesting a grant of \$42,500 to cover the costs associated with survey work and engineering design of a stormwater treatment project. The project proposes to help address persistent harmful algal blooms (HABs) at the Shore Hills Beach Club property on Lake Hopatcong in Roxbury Township.
2. The County of Morris is also requesting a grant of \$80,300 to conduct a feasibility analysis and develop designs for an oxygenation system for Lake Hopatcong in an effort to reduce the occurrence of HABs.
3. Butler Borough is requesting a grant of \$15,000 to conduct an initial assessment.
4. Union Township is requesting a grant of \$15,000 for a Planning Area Petition grant to expand their plan conformance petition.

Chairman Richko asked for a motion on the resolution.

Member Francis moved the resolution. Member Holtaway seconded it.

Chair Richko asked if any representatives from Morris County would like to speak.

Joe Barilla, Morris County Planning Director – Mr. Barilla thanked the Council for their consideration. Mr. Barilla added that the grants will be a benefit for public health of the residents in the region, and also environmental and economic health for the communities around the lake.

Fred S. Lubnow, PhD, Princeton Hydro – Dr. Lubnow noted that when the HABs hit in 2019 what sustained the HABs was the internal phosphorus load and that is what Morris County is looking to address with the proposed project. Dr. Lubnow added that conventional aeration would not be the best way to address the HABs in Lake Hopatcong. There is an innovative technology called oxygenation to help keep the internal phosphorus loading under control with a potential side benefit of preserving trout habitat. Dr. Lubnow also added that this grant would cover all related diagnostic/study analysis and a similar system has been installed at Culver Lake.

Council Comment

Member Sebetich commented on the lake management planning. Member Sebetich asked if phosphorus data will be taken as part of the study. Dr. Lubnow responded that a detailed data analysis of phosphorus will be performed.

Public Comment

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There was no public comment.

A roll call vote was taken. The resolution was APPROVED 10-0.

AUDIT COMMITTEE

Resolution – Acceptance of Audit

Committee Chair Visioli stated that the Audit Committee met to discuss the Mercadien audit report, and the Committee agreed to move it to the full Council with its approval.

Chairman Richko asked for a motion on the resolution.

Member Visioli made a motion. Member Holtaway seconded it.

Council Comment

There was no Council comment.

Public Comment

There was no public comment.

A roll call vote was taken. The resolution was APPROVED 10-0.

OTHER BUSINESS:

Resolution – Approval of Submission of 2022 Annual Report

Chairman Richko asked for a motion on the resolution.

Member Van Abs moved the resolution. Member Holtaway seconded it.

Council Comment

There was no Council comment.

Public Comment

There was no public comment.

A roll call vote was taken. The resolution was APPROVED 10-0.

OLD/NEW BUSINESS:

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There was no old/new business.

Public Comment

Julia Somers, New Jersey Highlands Coalition – Ms. Somers appreciates the warehouse siting work that Council is doing and the fact that impervious cover is part of the consideration. She also believes that this work should be concluded prior to considering any center designations. Ms. Somers lastly noted that it is remarkable that Harding Township is considering conformance.

Chair Richko asked for a motion to adjourn the meeting.

Member Holtaway made a motion to adjourn the meeting. Member Dougherty seconded it. All were in favor. The meeting was adjourned at 4:33pm.

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: 4/20/2023

Name: Annette Tagliareni
Annette Tagliareni, Executive Assistant

| Vote on the Approval of Minutes | Motion | Second | Yes | No | Abstain | Absent |
|---------------------------------|--------|--------|-----|----|---------|--------|
| Councilmember Alstede | | | √ | | | |
| Councilmember Dougherty | | √ | √ | | | |
| Councilmember Dressler | | | | | √ | |
| Councilmember Francis | | | √ | | | |
| Councilmember Holtaway | | | | | | √ |
| Councilmember James | | | √ | | | |
| Councilmember Sebetich | √ | | √ | | | |
| Councilmember Van Abs | | | √ | | | |
| Councilmember Visioli | | | √ | | | |
| Councilmember Vohden | | | √ | | | |
| Chairman Richko | | | √ | | | |