

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF JULY 19, 2018

PRESENT

CARL J. RICHKO) CHAIR
KURT ALSTEDDE) VICE CHAIR
TIMOTHY P. DOUGHERTY) COUNCIL MEMBERS
MICHAEL R. DRESSLER)
MICHAEL FRANCIS)
ROBERT HOLTAWAY)
BRUCE JAMES)
MICHAEL SEBETICH)
JAMES VISIOLI)

VIA TELECONFERENCE

TRACY CARLUCCIO)

ABSENT

RICHARD VOHDEN)
ROBERT G. WALTON)

CALL TO ORDER 161ST meeting of the New Jersey Highlands Water Protection and Planning Council called to order at 4:04pm.

ROLL CALL

Roll call was taken. Members Vohden and Walton were absent. All other Council Members were present. *The following staff members were present: Margaret Nordstrom, John Maber, Kim Ball Kaiser, Maryjude Haddock-Weiler, Judy Thornton, Keri Green, Casey Ezyzyske, Christina Petagna, Carole Ann Diction, Drew Siglin, Rachel Posavetz, Ranji Persaud, Ralph Zagha, and Tom Tagliareni. Also present were Brian Wilton and Lauren Nathan-LaRusso via phone, Associate Counsels, Governor's Authorities Unit, and Jennifer Moriarty, Deputy Attorney General.*

OPEN PUBLIC MEETINGS ACT

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

PLEDGE OF ALLEGIANCE was then recited.

APPROVAL OF HIGHLANDS COUNCIL MINUTES OF MAY 17, 2018

Chair Richko asked for a motion on the Minutes of May 17, 2018.

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Member Dressler made a motion to approve the Minutes of May 17, 2018. Member Holtaway seconded it.

A roll call vote was taken. The Minutes of May 17, 2018 were APPROVED 10-0.

CHAIRMAN’S REPORT

Chair Richko thanked staff for their patience over the last couple of months during the HVAC renovation. As a follow up to Chair Richko’s committee announcements at the last meeting, Chair Richko announced the following designations for the Personnel Committee

Council Committees	Chair	Members
Personnel	Bruce James	Kurt Alstede Michael Dressler Carl Richko Jim Visioli

Chair Richko announced that Ms. Nordstrom and Vice Chair Alstede came up with a good idea to add an advisory board to the Highlands Council, called the “Agriculture Advisory Committee.” Vice Chair Alstede noted that in 2004 when the Council was first formed there was an agriculture committee that was active through the adoption of the Regional Master Plan. Vice Chair noted that in conversations with Ms. Nordstrom they thought it would be appropriate to reengage with some of the agriculture constituents throughout the region and are currently canvassing some constituents. Vice Chair Alstede noted that the staff hopes to have something for Council to review at its next meeting. Vice Chair Alstede reiterated that it would be an advisory committee (non-binding) as it would provide expertise to the Highlands staff.

Ms. Nordstrom added that this advisory board has been on her to-do list for a long time. Ms. Nordstrom further added that the Council needs to concentrate on preserving farming as an industry. Although the Council has expertise on the board, it would be useful to have a more diversified base to give insights on farming. Chair Richko announced that Governor’s Authorities Unit representative Lauren Nathan-LaRusso will be on maternity leave and that Brian Wilton will be our representative until she returns.

EXECUTIVE DIRECTOR’S REPORT

Ms. Nordstrom highlighted the following staff activities:

Municipal-Issued Exemptions:

- Califon Borough, Hunterdon County: Exemption 5 – 1 issued.
- Chester Township, Morris County: Exemption 4 – 1 issued.
- Jefferson Township, Morris County: Exemption 5 – 1 issued.
- Mahwah Township, Bergen County: Exemption 4 – 2 issued.
- Montville Township, Morris County: Exemption 5 – 1 issued.
- Oxford Township, Warren County: Exemption 2 – 1 issued.

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HDC Bank Credit Allocation & Purchase Update

- HDC Allocations
 - Lopatcong Township, Warren County, Block 90, Lots 13 and 16.01
 - 60.35 acres, residential - 26.25 HDCs.

In conclusion, Ms. Nordstrom noted that the full Council received in their packets the 2018 Land Preservation Status Report and encouraged Council to review it.

Vice Chair Alstede asked if an exemption 4 is a part of the delegated authority given to the municipality. Ms. Nordstrom noted that it is and the municipality reports to us the exemptions that they issue.

Chair Richko requested a motion to enter into closed session.

Member James made a motion and Member Visioli seconded it.

Resolution – Executive Session

Chair Richko announced that Council would enter into an executive session. Chair Richko asked Chief Counsel Maher to read into the record the resolution. Mr. Maher read the following resolution into the record:

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., permits the holding of closed sessions by public bodies in certain circumstances, and the Highlands Water Protection and Planning Council (“Council”) is of the opinion that those circumstances presently exist; and

WHEREAS, the Council will discuss personnel matters concerning a prospective employee within the meaning of N.J.S.A. 10:4-12(b)(8);

NOW, THEREFORE, BE IT RESOLVED, that the Council may enter into closed session at its public meeting of July 19, 2018 for that purpose. It is anticipated at this time that the nature of the closed session will be made public upon completion or resolution of the issues to be discussed, except any matter protected by the attorney-client privilege will not be disclosed.

There was no Council discussion.

A roll call vote was taken. The Resolution was approved 10-0.

Public portion of the meeting was temporarily dismissed at 4:14pm.

[EXECUTIVE SESSION]

Chair Richko resumed the New Jersey Highlands Water Protection and Planning Council meeting at 4:20pm.

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Resolution – Appointment of Executive Director

Chair Richko requested Personnel Chair Bruce James to announce the next resolution. Personnel Chair Bruce James read into the record the following resolution:

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act) empowers the Highlands Water Protection and Planning Council (Highlands Council) to appoint, retain and employ personnel as it may require without regard to the provisions of Title 11A of the New Jersey Statutes but within the limits of funds appropriated or otherwise made available for those purposes; and

WHEREAS, the Highlands Act authorizes the Highlands Council to conduct its business as needed, subject to the statute, to effectuate the purposes of the enabling legislation; and

WHEREAS, Section 5.g. of the Highlands Act provides for the Highlands Council's appointment of an Executive Director to serve, at the pleasure of the Council, as its chief administrative officer, and shall be a person qualified by training and experience to perform the duties of the office; and

WHEREAS, pursuant to the Highlands Act, the Highlands Council has adopted bylaws which provide for the appointment of an Executive Director whose duties are enumerated in said bylaws and who shall serve at the pleasure of the Council.

NOW, THEREFORE, BE IT RESOLVED

1. The Highlands Council hereby appoints Lisa J. Plevin as its Executive Director, at an annual basis of \$116,000.
2. The Executive Director is hereby authorized and directed to exercise all of the duties and responsibilities as set forth in the bylaws.

Chair Richko requested a motion on the resolution.

Member James made a motion and Member Visioli seconded it.

There was no Council discussion.

At this time, Chair Richko read into the record Ms. Plevin's biography:

Soon after graduating from Richard Stockton College with a B.S. in Environmental Science, Lisa joined the staff of Clean Water Action and over the next 6 years, her organizing and advocacy efforts helped pass NJ's landmark Clean Water Enforcement Act - the first state law to call for criminal penalties for violations of the Water Pollution Act. She accomplished this by bringing together a powerful coalition of 85 organizations, including labor unions, local chambers of commerce, and business organizations, to push for this important legislation.

In 1990, Lisa began her 16-year career with U.S. Senator Frank Lautenberg - first as Director of Constituent Services then as Director of Projects. She then served as Deputy Executive Director of Elizabeth Development Corporation (1999 to 2003), where she assisted in managing the non-profit economic development agency, including budget and project development and implementation.

Following this, Lisa returned to Senator Lautenberg's staff as Deputy State Director until 2010. Among her many responsibilities, Lisa served as his senior advisor and liaison on New Jersey and regional environmental issues, projects and organizations. Senator Lautenberg sponsored many critically important environmental laws and Lisa was proud to play a role in their advocacy.

Lisa then served as Chief of Staff for Region 2 of the U.S. Environmental Protection Agency

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(EPA), as an Appointee of President Obama, from 2010 until January 2017. She functioned as the liaison between the Regional Administrator and senior leadership of a 900-person regional office, working on a wide variety of environmental programs and projects impacting New Jersey and the entire Region.

Following EPA, Lisa undertook a timely project on behalf the New Jersey League of Conservation Voters Education Fund. She spearheaded a collaborative effort, with almost 30 New Jersey organizations, to develop an environmental transition planning guide, Environmental Agenda '18, which provides recommendations to the Governor on key environmental projects and policies.

Public Comment

Julia Somers, New Jersey Highlands Coalition – Ms. Somers thanked Ms. Nordstrom and delighted with Ms. Plevin's appointment.

Elliot Ruga, New Jersey Highlands Coalition – Mr. Ruga commented on Ms. Nordstrom's impeccable integrity and we were fortunate to have her. Mr. Ruga also commented that the Coalition looks forward to working with Ms. Plevin.

Eric Stiles, President & CEO, New Jersey Audubon – Mr. Stiles recognized and thanked Ms. Nordstrom on her achievement and service. Mr. Stiles also recognized Ms. Plevin as an outstanding choice for this position.

Wilma Frey, New Jersey Conservation Foundation – Ms. Frey thanked Ms. Nordstrom for her service and on her open space program. Ms. Frey also supports Ms. Plevin.

Ed Potasnak, New Jersey League of Conservation Voters – Mr. Potasnak thanked Ms. Nordstrom on her exemplary service. Mr. Potasnak supports Ms. Plevin appointment.

Deborah Post, Chester Township – Ms. Post commented on timing flexibility given to previous commenters and that in response to the previous commenter, landowners are part of the public. Ms. Post asked when Ms. Plevin would start. Ms. Nordstrom responded once the minutes go to the Governor's office, it will be 10 business days after that time that her appointment will be effective.

Zachary Cole, New Jersey Highlands Coalition – Mr. Cole spoke on behalf of Bill Kibler of the Raritan Headwaters Association. Mr. Kibler commented that Ms. Plevin has a well-balanced experience that will serve her well and he looks forward to working with Ms. Plevin. Mr. Cole looks forward to working with Ms. Plevin as well.

David Shope, Lebanon Township, NJ – Mr. Shope suggested that the Council have a co-Executive Director chosen by the NJ Builders Association.

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

At this time, there was applause and Chairman Richko congratulated Ms. Plevin and invited her to say a few words.

Ms. Plevin thanked the Council and appreciated their support. Ms. Plevin is excited to work with the Council members, Council staff, and all the stakeholders. She congratulated Ms. Nordstrom on her service and accomplishments. Ms. Plevin looks forward to continuing to work to protect New Jersey natural resources in her new role.

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Resolution – Approval to Extend the Fiscal Year Budgets 2018 at the Same Average Monthly Spending Level

Member Holtaway noted that because our budget is off schedule from the State's budget, a resolution is required in the interim.. This resolution will continue the monthly spending for the Council's operating and grants budgets for the next several months.

Chair Richko asked for motion on the resolution.

Member Holtaway made a motion and Member James seconded it.

There was no Council discussion.

Public Comment

Hank Klumpp, Tewksbury, NJ – Mr. Klumpp asked what the average monthly spending is for the budgets. Member Holtaway responded that the average monthly spending for the operating budget is \$202,856, and for the grants budget, it is \$22,906.68.

David Shope, Lebanon Township, NJ – Mr. Shope, as he discussed before and as a taxpayer, wants to know what the monthly itemized costs are for the Council, in particular the cost of renting the Council's space.

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

Resolution – Acceptance of Audit Report

Member Dougherty commented that the committee agreed that the audit is fine and their recommendation was to accept the audit.

Chair Richko asked for motion on the resolution.

Member Dougherty made a motion and Member James seconded it.

There was no Council discussion.

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

Affordable Housing Committee

Member Visioli reported that the committee met on June 8, 2018. Member Visioli reported that Ms. Nordstrom attended a conference at which the Council's role in affordable housing was discussed. Mr. Visioli stated that a Highlands Affordable Housing Transfer Program does not presently exist,

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and no such program is feasible until some mechanism is in place to allocate regional need. Member Visioli reported that the committee would meet as needed.

Plan Conformance Committee

Member Dressler reported that the committee held a meeting today with representatives from Kinnelon Borough. The committee discussed the Kinnelon Shelter/Community Center and recreational fields. Kinnelon Borough has worked closely with staff and there is an open comment period until Sunday, July 22, 2018. The committee was impressed with the plan. Once the public comment period concludes, the committee will meet again and the full Council will take action at its August meeting.

Regional Master Plan Amendment Committee

- Committee Chair Alstede reported that new members to the committee include Council Chair Richko and Member Dressler. The committee met recently to review some additional comments from stakeholders that were considered and resulted in some working edits to the Monitoring Program Recommendation Report (MPRR). The committee feels confident and are unanimous that we are ready to move forward. Committee Chair Alstede emphasized that the MPRR is a report that includes recommendations. It is not an amendment but a guidance document. Committee Chair Alstede reviewed the history of both the MPRR and Amendment procedure noting both had been brought forward for Council consideration last October but no vote was ever taken and that the committee feels it's time to get these items moving again.

Committee Chair Alstede reported that the procedure document would be forwarded to the full Council to review again, present for discussion and a vote, and take action at Council's next meeting.

At this time, Chair Richko announced a special resolution and read it into the record:

Resolution – Commending Margaret Nordstrom for her Leadership and Dedication to the Highlands Council and its Mission as Executive Director, 2014-2018

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

WHEREAS, the Highlands Act empowers the Highlands Council to appoint an Executive Director to serve, at the pleasure of the Council, as its chief administrative officer; and

WHEREAS, the Executive Director plays a vital role in implementing policies established by the Highlands Council, identifying new initiatives, and managing and providing leadership to the staff of the Highlands Council; and

WHEREAS, Margaret Nordstrom has worked in senior management positions for the Highlands Council for 6 years and two months: she was first appointed as the Highlands Council's Deputy Executive Director in June 2012, then served as its Acting Executive Director beginning in April 2014, and was finally appointed Executive Director in October 2014; and

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WHEREAS, Ms. Nordstrom brought to the Highlands Council a wide breadth of experience working with State, County and local officials, having served for 12 years as a member of Morris County Board of Freeholders and having served as a member of the governing body of the Washington Township (Morris) from 1991 to 2002;

WHEREAS, over the course of nearly four years as Executive Director, Ms. Nordstrom has ably assisted the Highlands Council and has led the Highlands Council staff in its mission to implement the goals of the Highlands Act and the Highlands Regional Master Plan; and

WHEREAS, Ms. Nordstrom's commitment and dedication to the mission of the Highlands Council has served to guide its efforts and established the tone for all Council activities; and

WHEREAS, Ms. Nordstrom has sought to encourage significant public participation in the Council's operations and has endeavored to involve all stakeholders in Council initiatives; and

WHEREAS, Ms. Nordstrom was the driving force behind the establishment, by rule-making, of a new and highly successful Open Space Program; in doing so, she brought considerable experience in land preservation from her earlier roles as an elected official on the County and local levels; and

WHEREAS, the Open Space Program has two components; one, a matching grant program, is the first-ever Highlands Council land preservation grant program; the other component, the HDC Purchase Program, pays landowners for development rights; both programs have contributed millions of dollars toward the land preservation and landowner equity goals of the Regional Master Plan; and

WHEREAS, based on Ms. Nordstrom's efforts, the Highlands Council has been designated lead state agency for the multi-million dollar Federal Highlands Conservation Act Grant program, which has secured millions of dollars more each year for land preservation in the Highlands region now and in the future; and

WHEREAS, Ms. Nordstrom has overseen the first-ever review of the Highlands Regional Master Plan, ensuring the widest public input; through her efforts, there now is a foundation and framework for future improvements to implementation of the Highlands Regional Master Plan; and

WHEREAS, Ms. Nordstrom has many other accomplishments that distinguish her tenure as Executive Director, that her accomplishments have significantly contributed to furthering the goals of the Highlands Act and the Highlands Regional Master Plan, and have left a solid foundation for future activities of the Highlands Council; and

WHEREAS, the Highlands Council wishes to publicly and formally acknowledge Ms. Nordstrom's accomplishments as Executive Director, and the legacy she leaves to the future of the Highlands Council and the Highlands region generally;

NOW, THEREFORE, BE IT RESOLVED that the Highlands Council hereby commends Margaret Nordstrom for her outstanding service as Executive Director of the Highlands Council and her service to the people of the State of New Jersey;

NOW, THEREFORE, BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to Governor Philip D. Murphy and to the sponsors of the Highlands Act recognizing Ms. Nordstrom's achievements as Executive Director of the Highlands Council from 2014 to 2018.

At this time, there was applause.

Chair Richko asked for motion on the resolution.

Member Francis made a motion and Member Holtaway seconded it.

Council Comments

At this time, the following members commended Margaret on her service:

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Members Holtaway, Dougherty, Francis, Dressler, Sebetich, James, Alstede, and Chair Richko.

Ms. Nordstrom responded that when she took this job she said “this is my dream job” and it has been. Ms. Nordstrom further commented that it has been a privilege and thanks the Council for the opportunity. Ms. Nordstrom also thanked her incredible staff.

At this time, there was applause.

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

Chair Richko opened the meeting to the public for any other comments.

Public Comment

Ed Wengryn, New Jersey Farm Bureau – Mr. Wengryn appreciates the creation of the Agriculture Advisory Board and looks forward to working with Council on that. Mr. Wengryn commended Ms. Nordstrom for her open-door leadership and sharing of ideas. Mr. Wengryn looks forward to continuing that working relationship with Ms. Plevin.

Hank Klumpp, Tewksbury, NJ – Mr. Klumpp congratulated Ms. Nordstrom on her service and wished the best to Ms. Plevin on her appointment. Mr. Klumpp also commented on Bob Smith’s proposed water tax and his promise to compensate landowner equity when the Highlands Act was passed.

Member Dressler responded that Council is doing what they can do on this topic.

Deborah Post, Chester Township – Ms. Post commented regarding affordable housing opportunities on her property in Chester Township for 299 units.

David Shope, Lebanon Township, NJ – Mr. Shope commented on information that he has submitted in the past regarding comments made if the Act was not passed, as well as information regarding the forestry report. Mr. Shope would like Council to share all his information to the new Executive Director.

George Cassa, Califon – Mr. Cassa had questions regarding the tracking of Highlands delegated exemptions and redevelopment project. Mr. Cassa was asked to call staff member Maryjude Haddock-Weiler to discuss his questions.

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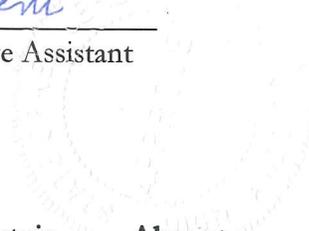
Member Holtaway made a motion to adjourn the meeting. Member James seconded it. All were in favor. The meeting was adjourned at 5:20pm.

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: 8-16-18

Name: Annette Tagliareni
Annette Tagliareni, Executive Assistant



**Vote on the Approval of
The Minutes**

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