

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
MEETING MINUTES OF DECEMBER 14, 2023

**PRESENT**

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

**VIA TELECONFERENCE:**

MICHAEL DRESSLER )

**ABSENT:**

RICHARD VOHDEN )

**CALL TO ORDER** 201<sup>ST</sup> meeting of the New Jersey Highlands Water Protection and Planning Council was called to order at 4:06pm at the Highlands Council Offices in Chester, NJ.

**ROLL CALL**

Roll call was taken. Member Vohden was absent. All other Council Members were present. Member Dressler was present via teleconference. *The following staff members were present: Ben Spinelli, Gabrielle Gallagher, James Humphries, Maryjude Haddock-Weiler, Kelley Curran, Allison Bittner, Ranji Persaud, Neda Hartman, Herb August, Annette Tagliareni, Carole Ann Diction, Tom Tagliareni, Karen Castanbas, Linda Acker, and Sarah Friend. Others present via teleconference: Jason Stypinski, Deputy Attorney General's (DAG's) office and Alexis Franklin, Associate Counsel, Governor's Authorities Unit (GAU).*

**OPEN PUBLIC MEETINGS ACT** was recited.

**PLEDGE OF ALLEGIANCE** was recited.

**CHAIRMAN'S REPORT**

Chair Richko announced that the Council is saying goodbye to Council Member Holtaway and read into the record the following resolution:

**Resolution – Commending Council Member Robert Holtaway for his Dedication and Service to the Highlands Water Protection and Planning Council**

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, Robert Holtaway was duly appointed by the Governor of the State of New Jersey to serve as a member of the Highlands Council in 2009 and has served without interruption for 14 years; and

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WHEREAS, Member Holtaway has been instrumental in advancing the goals of the Highlands Act, demonstrating unwavering commitment to the protection of the precious natural resources of the Highlands Region; and

WHEREAS, Member Holtaway has been instrumental in the Council's efforts to encourage economic sustainability in the Region being a member of the steering committee for the Economic Sustainability Plan and currently acting as a member of the County Coalition established to implement the plan; and

WHEREAS, during his tenure on the Council, Member Holtaway served on numerous committees including Budget and Finance (Chair), Treasurer from 2011 to 2023, HDC Bank Board Member from 2011 to the present becoming chair of the Bank Board in 2021. Member Holtaway has also been a member of the Regional Master Plan Amendment and Landowner Equity & Land Preservation Committees; and

WHEREAS, Member Holtaway has demonstrated a deep commitment to protection of the New Jersey Highlands, remaining consistently engaged on all matters brought before the Council for consideration;

NOW THEREFORE BE IT RESOLVED, that the Highlands Council hereby commends Council Member Holtaway for his dedication to the mission of the Highlands Council and his service to the people of the State of New Jersey in this capacity;

NOW THEREFORE BE IT FURTHER RESOLVED that the Highlands Council hereby authorizes its Executive Director to transmit this resolution recognizing Council Member Holtaway's significant contributions to the long-term protection of the New Jersey Highlands Region to Governor Philip D. Murphy and the sponsors of the Highlands Act.

Chairman Richko asked for a motion on the resolution.

*Member Francis moved the resolution. Member Van Abs seconded it.*

#### Council Comment

Chair Richko noted that Members Francis, Visioli, and himself were appointed to the Council 14 years ago. Chair Richko commented that Member Holtaway's knowledge of government, planning, and budgets was a great asset to this Council. Chair Richko concluded by saying that Member Holtaway was always the "voice of reason" on the Council.

All members expressed kind sentiments about Member Holtaway's service on the Council.

At this time, Chair Richko asked Members Francis and Visioli to join him to present Member Holtaway with a recognition plaque presented to Robert F. Holtaway in appreciation for your dedicated service to the New Jersey Highlands Water Protection and Planning Council and the residents of New Jersey - Council Member 2010-2023 - presented on December 14, 2023.

*All Council members were in favor of the resolution.*

Chair Richko then announced that he will assume the position of Budget & Finance Committee Chair until the Council Treasurer is elected in January and added that the Highlands Development Bank Credit Bank Chair will also be assigned soon. Chair Richko ended by wishing everyone a Happy and Healthy Holiday and New Year.

#### **EXECUTIVE DIRECTOR'S REPORT**

Mr. Spinelli provided several updates:

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- During November, Council staff attended the New Jersey League of Municipalities convention and thanked staff for attending to engage all constituents and special thanks to Carole Diction for coordinating this effort.
- Staff continues to assist our municipalities in meeting Stormwater issues regarding the MS4 permits.
- The Borough of Mountain Lakes Council voted to proceed with Highlands conformance in the Planning Area.
- Staff met with the Governor's office and the Fair Share Housing Center regarding our upcoming work on affordable housing plans for Round 4.
- Open Space & Recreation Plans RFP – received seven (7) responses and will interview five (5) respondents. Council will consider a recommendation to award a contract in the coming year.
- Forestry – The Highlands Council is no longer pursuing the creation of recommended supplemental Highlands Region Best Management Practices (BMPs) and gave a history and update on this topic. Council staff met with the Commissioner of the New Jersey Department of Environmental Protection (NJDEP), Assistant Commissioners and Division heads and agreed that we would discontinue our current efforts and provide the NJDEP with our work products for reference if/when they consider updating the 1995 statewide BMPs.

Mr. Spinelli then congratulated Council Member Holtaway on his retirement. Lastly, Mr. Spinelli wished everyone a Happy Holiday and Happy, Healthy New Year.

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

Council Comments

There were no Council comments.

**APPROVAL OF HIGHLANDS COUNCIL MINUTES OF OCTOBER 19, 2023**

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

*Vice Chair Alstede made a motion to approve the Highlands Council Minutes of October 19, 2023. Member Visioli seconded it.*

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

**BUDGET & FINANCE COMMITTEE**

Committee Chair Holtaway provided his Budget & Finance Committee report:

The Budget and Finance Committee is recommending the approval of three (3) grants totaling \$118,600. All grants are reimbursement-based with final budgeted amounts determined by approved scopes of work.

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1. Green Township in Sussex County is requesting a grant in the amount of \$40,000 to update its Master Plan Land Use Element. The Township last completed a Master Plan update in 2005, with reexaminations in 2008 and 2018. The 2018 Reexamination made recommendations to update the Township's Land Use Element as much changed since 2005. The proposed Master Plan update will include an updated Land Use Element, as well as the Climate Change Related Hazard Vulnerability Assessment.
2. Kinnelon Borough in Morris County is requesting a grant in the amount of \$30,000 to update its Master Plan Land Use Element. The Borough completed a Master Plan Reexamination Report in December 2022, which recommended that a Climate Change Hazard Vulnerability Study be completed as part of the update.
3. Morris County is requesting a grant in the amount of \$48,600 to conduct a Floristic Inventory and Assessment at two of their facilities over a two-year period: In 2024, Mount Hope Historical County Park (444 acres) in Wharton, and in 2025, Hedden County Park (420 acres) in Randolph. The data collected will serve as a baseline inventory for long-term planning, monitoring, and stewardship efforts.

**Resolution – Approval of Fiscal Year 2024 Highlands Protection Fund Capital Budget for Plan Conformance Funding Grants**

Chairman Richko asked for a motion on the resolution.

*Member Holtaway moved the resolution. Member James 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 – Open Space Partnership Program, Approval of Extension of Time, County of Passaic (Applicant)**

Regional Planner/Land Preservation Coordinator Allison Bittner reported that Passaic County is requesting an extension to complete a preservation project in Wanaque Borough as part of the Highlands Open Space Partnership Funding program. The project was originally approved in November 2020 and the Council later approved an extension to December 31, 2023. The County is requesting another year extension (December 31, 2024) as the acquisition is transitioning from a purchase in fee to a conservation easement and additional time is needed to negotiate with the property owner. The proposed amount of this project is \$44,500; Highlands Council will provide 50% or \$22,250. The property will be used to support the Highlands rail trail, which is a bike and pedestrian pathway.

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Chairman Richko asked for a motion on the resolution.

*Member Holtaway moved the resolution. Member Sebetich 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.*

**Resolution – Requesting an Allocation of a Portion of the New Jersey Watershed Moratorium Aid for Highlands Municipalities That Qualify but Are Not Currently Receiving Aid**

Mr. Spinelli reported that the Council staff received an inquiry regarding the status of Watershed Moratorium Aid for Highlands Municipalities, specifically, a question about municipalities in the region that do not currently receive any annual allocation from this program (Ringwood Borough, Harmony Township and Wanaque Township). The estimated investment for the specified Highlands municipalities would total \$450,000. This resolution would direct the Council to pursue whatever mechanism is needed to advocate for either an administrative or legislative remedy to direct additional Watershed Moratorium Aid to the Highlands municipalities that have not been receiving payments.

Chairman Richko asked for a motion on the resolution.

*Member Van Abs moved the resolution. Member James seconded it.*

Council Comment

Member Van Abs commented that this should be addressed and there is language in the Highlands Act that the Governor can make a simple designation to the Board that deals with this issue by selecting three (3) Highlands Council members to resolve it. Member Van Abs added that putting this in resolution formally makes a lot of sense.

Public Comment

There was no public comment.

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

**OLD/NEW BUSINESS:**

Member Francis reported that Hopatcong Borough passed the State's perfluoroalkyl substances (PFAS) standards.

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Chair Richko opened the meeting for any public comment.

Public Comment

**Elliott Ruga, NJ Highlands Coalition** - Mr. Ruga spoke in support of the Forestry BMPs.

**Andy Bennett, Consulting Forester** – Mr. Bennett spoke in opposition to the Forestry BMPs.

**Timothy McKenna, NY/NJ Trail Conference** – Mr. McKenna spoke in support of the Forestry BMPs.

**Nancy Roberts-Lawler, Lebanon Twp. Environmental and Open Space Commission** – Ms. Roberts-Lawler spoke in opposition to the Forestry BMPs. Ms. Roberts-Lawler submitted her comments for the record.

**Wilma Frey, Tewksbury Resident** – Ms. Frey spoke in support of the Forestry BMPs.

**Laura Oltman, Pohatcong Resident** – Ms. Oltman spoke in support of the Forestry BMPs.

**Richard Kelsky, New Jersey Resident** – Mr. Kelsky spoke in opposition to the Forestry BMPs. Mr. Kelsky submitted his comments for the record.

**George Cassa, Highlands Coalition, Member** – Mr. Cassa spoke in support of the Forestry BMPs.

**Emile DeVito, NJ Conservation Foundation** – Mr. DeVito spoke in support of the Forestry BMPs.

**Pete Buist, Vernon Township Resident** – Mr. Buist spoke in opposition to the Forestry BMPs.

**Steve Spinelli, Kinnelon Resident** – Mr. Spinelli spoke in opposition to the Forestry BMPs.

**Ken Dolsky, NJ Forest Watch** – Mr. Dolsky spoke in support of the Forestry BMPs.

**Sharon Wander, Environmental Consultant** – Ms. Wander spoke in support of the Forestry BMPs.

**Michael Casello** – Mr. Casello spoke in opposition to the Forestry BMPs.

**Bill Kibler, Raritan Headwaters Association** – Mr. Kibler spoke in support of the Forestry BMPs.

**Dylan Medici, Rockaway Twp. Resident, New Jersey Highlands Coalition** - Mr. Medici spoke in support of the Forestry BMPs.

**Julia Somers, NJ Highland Coalition** – Ms. Somers spoke in support of the Forestry BMPs.

**Brian Kirkpatrick, Past President, NJ Wildlife Society** – Mr. Kirkpatrick spoke in opposition to the Forestry BMPs.

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**Sylvia Solaun, NJ Forest Watch** - Ms. Solaun spoke in support of the Forestry BMPs. Ms. Solaun submitted her comments for the record.

**Dale Durling, Sr., Former Mayor, Frelinghuysen Twp.** – Mr. Durling spoke in opposition to the Forestry BMPs.

**Mike Fee, Forestry Consultant** - Mr. Fee spoke in opposition to the Forestry BMPs.

**Bruce Headley, Jefferson Twp. Resident** - Mr. Headley spoke in opposition to the Forestry BMPs.

**Dwight Hiscano, Summit, NJ – NJ Highlands Coalition, Summit Conservancy** – Mr. Hiscano spoke in opposition of the Forestry BMPs

**Doug Tavella, Forestry Consultant** - Mr. Tavella spoke in opposition to the Forestry BMPs.

**Ed Wengryn, NJ Farm Bureau** – Mr. Wengryn thanked Mr. Holtaway for his service on the Highlands Council.

**Hank Klumpp, Tewksbury, NJ** – Mr. Klumpp spoke in opposition to the Forestry BMPs.

**Dan Gerard, Vernon Township Resident** – Mr. Gerard spoke in opposition to the Forestry BMPs.

**Chris Reiner, Byram Twp. Resident** – Mr. Reiner spoke in opposition to the Forestry BMPs.

**Stewart Mabb, Hopatcong Twp. Resident** – Mr. Mabb spoke in opposition to the Forestry BMPs.

**Michele Smith, Vernon Township** – Ms. Smith spoke in opposition to the Forestry BMPs.

Chair Richko asked for a motion to adjourn the meeting.

*Member Holtaway a motion to adjourn the meeting. Member Sebetich seconded it. All were in favor. The meeting was adjourned at 6:08pm.*

**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: 1/18/2024

Name: Annette Tagliareni  
Annette Tagliareni, Executive Assistant

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<b>Vote on the Approval of Minutes</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Councilmember Alstede	√		√			
Councilmember Dougherty			√			
Councilmember Dressler						√
Councilmember Francis			√			
Councilmember James						√
Councilmember Sebetich			√			
Councilmember Van Abs		√	√			
Councilmember Visioli			√			
Councilmember Vohden			√			
Chairman Richko			√			