

MINUTES OF THE MEETING OF THE  
FISH AND GAME COUNCIL

Central Region Office  
Robbinsville, NJ  
July 10, 2007

The regular meeting of the New Jersey Fish and Game Council was held on the above date. In attendance were:

Acting Chairwoman Jeanette Vreeland  
Councilman Dave Burke  
Councilwoman Jane Morton-Galetto  
Councilman John Messeroll  
Councilman Robert Puskas  
Councilman Len Wolgast

Absent: Councilman Richard Culp  
Councilman Fred Hough  
Councilman Ed Kertz  
Councilman Dan VanMater

Division employees included: Director Dave Chanda, Larry Herrightly, Paulette Nelson, Jim Sciascia, Mark Dobelbower, Tony Petrongolo, Tim Cussen, Patrick Carr and Bob Papson.

Members of the public included Rob Winkel and others.

The meeting was called to order at 10:17 a.m.

The Flag Salute and Pledge of Allegiance were completed.

In accordance of P.L. 1975, c231, notice of this meeting was filed and posted at the Office of the Secretary of State and sent to the designated newspapers of the Division, the Newark Star Ledger and The Press (Atlantic City) on June 25, 2007.

**A motion was made by Councilman Messeroll, seconded by Councilman Puskas to approve the minutes of the June 2007 meeting.** There were two changes noted by Councilman Messeroll. The first being on page 7, paragraph 3, which should read "Roosevelt" Park, not Roselle Park. The second was on page 9, last paragraph, noting the NJ Ramp Guides does not mention the "Division", and this should read does not mention the Waterfowl Stamp Program. **A vote was taken with all in favor, none opposed, to accept the June 2007 minutes as corrected.**

At 10:25 a.m. the meeting went in to Executive Session.

The regular meeting resumed again at 11:23 a.m.

Acting Chairwoman Vreeland stated that there would be a change in the order of the reports to be given at the meeting.

Councilman Wolgast reported for the Game Committee, noting that the Committee recommends not going forward with the Department's recommended changes to the 2005 Comprehensive Bear Policy as written. The Committee suggested that there be trigger mechanisms linked to the reduction in category one bears. **A motion was made by Councilman Puskas, seconded by Councilman Messeroll to approve this. A vote was taken with all in favor, none opposed.**

At this time, Councilman Puskas had to leave the meeting. Bureau reports were given next, but due to the lack of a quorum from this point forward, no voting would take place.

Acting Chairwoman Vreeland asked that a letter be sent to Assistant Commissioner Cradic noting the lack of a quorum, and the shortage of representatives to the Council. Director Chanda noted that he would send this letter.

Acting Chairwoman Vreeland reported on the Bear Hunter Rights Coalition that she had attended recently in Ohio. She noted that New Jersey was listed on the docket for discussion. She shared additional information from her trip to the Coalition.

There was also discussion on how to get the point across or passed with regard to a bear hunt? Acting Chairwoman Vreeland noted that while scientific information is best, sometimes the shock factor was the best way to get attention to the problem.

Director Chanda reported that the budget has been signed by the Governor, and our appropriation is included in the budget. He feels that the Division should be okay financially for Fiscal Year 2008. He noted that a report would be given to the Finance Committee sometime around September.

Director Chanda reported at the last Council meeting that an exemption was received to the hiring freeze for the Bureau of Law Enforcement. Other positions now approved include 8 Wildlife Worker titles and 7 Fisheries titles for the Hackettstown and Pequest hatcheries, as well as the Lebanon field office. He noted that this is good news, and will help to take some of the pressure off of the employees currently in those bureaus. Some preliminary assessment was done, and with the pending retirements, the filling of these vacancies will still allow a balanced budget for Fiscal Year 2008. This may however, create a challenge for balancing the budget for Fiscal Year 2009.

Director Chanda also noted the efforts of the Bureau of Information and Education to promote hunting opportunities in New Jersey to non-resident sportsmen should also help to provide some additional income from non-resident license sales. He feels the non-resident license base is an area that needs to be looked at in the future.

Director Chanda added he had received an e-mail that Delaware has added a salt water fishing license to their requirements, noting that this is something New Jersey should be looking at.

It was reported that the Association of Fish and Wildlife Agencies Management Assistance Team (MAT) had completed their report. The team was here and met with Assistant Commissioner Cradic to review their findings, as well as having a separate meeting with senior staff. Director Chanda noted that the team made eleven primary suggestions to follow, including the filling of critical positions such as the Assistant Director titles. They recommended that the Division have a Workforce Planner, who would be someone to plan for future vacancies and set a training schedule

in advance so that personnel could be trained to perform the tasks of a position before the person currently in that position were to leave. He feels as though the Division is facing some challenges in the future. A report of the MAT team's findings will be presented at a later meeting.

Director Chanda noted that he needs to meet with Assistant Commissioner Cradic regarding a reduction in rent for the Trenton office space. The office has been realigned, and since less space is being utilized, fees should be reduced.

Acting Chairwoman Vreeland asked if the September Council meeting date would present a conflict for Director Chanda, as it did last year? He did not think so, but noted that if he is away, Bureau Chief Herrighty would be able to sit in his place.

Acting Chairwoman Vreeland asked all Council members to be sure to call in to Debbie Zook of the Director's Office if they would not be available to attend scheduled meetings.

There was no report from the Agriculture Committee.

Councilman Messeroll reported for the Legislative Committee. He noted that recent legislative item that would put the Fish and Game Council under the supervision of the Director of Fish and Wildlife. He felt as though this would present a conflict, since the Fish and Game Council chooses and makes recommendation on who should be in the position of Director. Legislative Liaison Paulette Nelson said she was not aware of this matter, and would look in to it.

Legislative Liaison Paulette Nelson noted that the Legislature is out for the Summer through the elections in November. She does not expect anything to move before November.

An update of the Assembly and Senate bills as voted on at the last meeting was handed out to the Council. The only activity was the Marine Sciences Consortium bill, but Council had voted to take no position on this bill.

Acting Chairwoman Vreeland asked about the bill regarding firearms in parks? There was no activity on that at this time.

Councilwoman Galetto reported for the Endangered and Non-Game Species Committee. She noted that they did not have a Committee meeting last month, and suggested that Council just refer to the monthly report for any Bureau activities that had occurred.

Councilman Wolgast asked for a clarification on the programs' stand on the feral cat issue? There was some discussion on this matter, and Director Chanda noted that he would meet with Bureau Chief Jenkins as to what his program is doing regarding this matter. Bureau Chief Herrighty noted that he had collaborated with Chief Jenkins on a response to comments on this issue received during the public comment period for the re-adoption of Chapter 25. Chief Herrighty gave an explanation of the matter, noting that it is a very complicated issue, since there are laws against abandoning cats. He did not know how this law affects trap-neuter-release programs. He suggested that the Deputy Attorney Generals from various departments would have to meet to discuss the matter if this division requests a formal written opinion.

Acting Chairwoman Vreeland reported for the Federation. The Convention was held recently. She noted that at meeting it was decided to take more political action through letters and correspondence. Some of the highlights of the activities held during the Convention were noted, including a falconry demonstration by staff from Medieval Times, as well as tours of the Rockport and Hackettstown WMAs. She noted that Division staff did a great job.

Director Chanda noted that he had been at the business meeting and the banquet, and noted that many key leaders from all over the state were in attendance. He thanked the Federation for the invitation to attend.

Principal Biologist Robert Papon gave the report for Freshwater Fisheries. He reported that the Fish Code was now at the Office of Legal Affairs awaiting review.

Staff have begun the major stream sampling season, which runs July through mid-September. This will allow for an inventory update of the streams, as well as fill in any gaps in the existing data. This will also help with the assessment and classification of freshwater streams in New Jersey. In addition, there will be a Non-Game fish project that will sample several waters for the presence of any species of concern.

Staff recently met with personnel from the Arthur Brisbane Child Treatment Center in Farmingdale regarding a decline in fish due to past pollution. Various habitats were electro fished, and good numbers of largemouth bass, bluegill sunfish, pumpkinseed sunfish, black crappie and American eels were found. The populations appeared healthy, with varied year classes represented. The manager of the facility was approached about opening the lake to public fishing, but that is not a possibility, even on a limited basis.

Recent flooding in the Catskills on June 27 resulted in a reddish turbidity on the Delaware River. This spread from the New York state line to the Delaware Water Gap, and eventually made its way downstream to Trenton. There was no fish kill as a result of this, and the river cleared by July the 4<sup>th</sup> weekend.

At the Hackettstown Hatchery, staff completed the 2" walleye fingerling stocking at Canistear Lake, Greenwood Lake and Lake Hopatcong. A surplus of 105,000 fish went to the Delaware River.

Smallmouth bass stockings were completed.

The Northern pike stockings were completed on eight lakes and rivers. There was a surplus of 16,512 Northern pike that were shipped to Fish and Wildlife in Massachusetts.

There were 74 fishing derbies completed to date.

Staff distributed 780,000 fathead minnows and gambusia to County Mosquito Commissions to assist with mosquito control.

The Hackettstown Hatchery is down one additional person with the transfer of Senior Wildlife Worker Amy Schweitzer to the Wildlife Control Unit.

At the Pequest Trout Hatchery, they are on schedule with fish for the Fall trout stocking.

The aerial lift has been condemned by OSHA. Plans are in place to replace it.

The air conditioning is down in the Administration building.

Gasoline fuel tanks are being replaced.

Councilman Wolgast commented on Shawn Crouse's presentation last night about invasive species at the New Jersey Outdoor Women's League, and the excellent job that he did.

Staff have stocked the Round Valley Reservoir with 100,000 alewife.

Senior Biologist Shawn Crouse attended the Bio-Blitz at the Watchung Reservation in Union County.

Staff electro fished several tributaries as part of a brook trout distribution study.

Chief Larry Herrighty gave the report for the Bureau of Wildlife Management. He distributed the bear activity summary handout as well as a copy of the current hot issues regarding bears.

Chief Herrighty reported that the re-adoption of the Game Code is at the Governor's Office, as well as the Commissioner's Office. The deadline for it to go to the Office of Legislative Affairs is Thursday, so that it can be readied for publication in the August the 6<sup>th</sup>, 2007 New Jersey Register. Things are on schedule as long as it does not get held up. Chief Herrighty reviewed some additional information regarding this matter.

Two new bear technicians have been hired from within the Division. One is Amy Schweitzer from Fisheries, and the other is Joe Burke from Lands Management. The \$850,000 budget appropriation was received for non-lethal management of bears.

The Wildlife Control Unit continues to work in Middletown on coyote problems. A forty-pound male was caught recently. There was no testing for rabies, since Dr. Roscoe felt that it was not necessary. Chief Herrighty recommends that his staff pull out from Middletown since there is not too much activity.

Staff are scheduled to attend the Atlantic Flyway Council meeting next week. More information will be available regarding the September Canada goose season at that time.

One additional item that Chief Herrighty reported on was the recent retirement of Research Scientist Joe Penkala. Supervising Biologist Patrick Carr has stepped in to complete his job duties.

Chief Jim Sciascia gave the report for the Bureau of Information and Education. He reported that hunter education classes have slowed down, but so far this year 1,321 students have graduated, compared to 934 students at this same time last year. Additionally, 1,891 course completion certificates have been issued, compared to 1,335 for the same time last year.

Chief Sciascia distributed a draft copy of a letter to the Commissioner from the Council supporting the proposed archery park. Chief Sciascia will be meeting with Assistant Commissioner Cradic this Thursday to discuss this matter.

The new Bear Education Biologist started July 9, 2007. The revised bear education budget for Fiscal Year 2008 has been reduced to \$240,000 and out of this \$135,000 will go to fund public service announcements. This leaves \$45,000 after salaries for bear education. There is a need for a lot of public programming to help to get the word out on bear education and information.

The Freedom Fest at the Horse Park of New Jersey begins today. The Division will have an information booth at Freedom Fest as well as exhibits in the tent at the Sussex County Fair, which begins on August 3, 2007

Councilman Wolgast had a question on the archery park, and what was holding it up at the Commissioner's office? Chief Sciascia noted that he was not sure, and he hopes that the letter from Council would help to get a response from the Commissioner's office with regard to their position on this matter.

Councilman Messeroll noted that the Raritan Sports Show and Deer Classic was having its 25<sup>th</sup> anniversary this year. The Show has been reduced to three days, and will run on a Friday, Saturday and Sunday schedule. Chief Sciascia noted that the reduced show schedule may actually benefit the Division for staffing purposes.

Chief Anthony Petrongolo gave the report for the Bureau of Land Management. He noted that the Absecon boat ramp project has been completed. It is now a much improved facility. There should be an addition of a new floating dock some time this Fall. It appears as though they may not be requiring any access permit this year.

The forest inventory at the Hay Road area of the Stafford Forge WMA has been completed. It will need to be modified due to the recent forest fire.

The bids opened yesterday for the creating of a fire break along Route 539 in the Greenwood Forest WMA. This will be helpful for habitat improvement as well as creating a strategic fire break.

Chief Petrongolo noted that people think the recent forest fire at the Stafford Forge WMA was a good thing, however, in our opinion this is not the natural way to manage the forest. The fire actually killed the trees, it did not just burn the under story. In the future, it is hoped that the canopy can be opened up and the under story maintained through controlled burn activities.

Personnel are working with staff from the Bureau of Forest Management to complete inventories at the Sparta Mountain WMA. They are developing a combination game and non-game plan.

Councilman Wolgast had a question on the management plan at the Greenwood Forest WMA and the reintroduction of the red coated woodpecker? Chief Petrongolo noted that yes, it was in the plan, and gave an explanation. He also noted that there may not be sufficient acreage at the Stafford Forge WMA and that the Greenwood Forest WMA would be the better choice so that it can be managed properly.

Chief Mark Dobelbower, along with Captain Tim Cussen, gave the report for the Bureau of Law Enforcement. Chief Dobelbower noted that fishing activities have slowed due to the extreme heat, but violations at night on wildlife management areas have increased. To date, staff have issued 450 summonses, 30 warnings and made one arrest as a result of 6,797 inspections.

Chief Dobelbower noted a recent incident at the Colliers Mills WMA where Officer Sean McManus investigated a motor vehicle accident that was caused by illegal off-road activity. One serious injury resulted from this accident, and that person was transported to the hospital by a friend. The driver of the truck left the vehicle and went home, telling his father that he had allowed a stranger to drive his truck, and that person had wrecked the truck and left it in the field. After some investigative work, Officer McManus was able to get the story on what had happened, as well as seeing a cell phone video that was taken by one of the three individuals who had been in the truck. The driver is facing quite a few charges, including criminal charges.

The Marine Unit has been writing many summonses, and inland personnel have been assisting that unit.

Staff have been working on bear related investigations and bear sweep activities. Chief Dobelbower noted that Captain Cussen has been handling the bear issues, including sweeps, investigations and complaints, and has been a great value to Chief Dobelbower. Captain Cussen then gave an update of bear related activities, including four major sweeps to date in nine communities, covering four counties. Two additional minor sweeps covered additional communities. Most visits were well received, and to date 2,687 households have been visited, with 73 verbal and seven written warnings being issued. Most of the warnings were a result of improper storage of trash or improper storage of bird food. Five additional sweeps will be completed this summer. Captain Cussen gave an explanation of how the sweeps work and who is involved, and noted that 469.5 hours have been spent on bear sweeps as of this time. Officers have also been in touch with 28 summer residence camps.

Captain Cussen noted that there have been 20 investigations regarding illegal feeding of bears, and one summons was issued to a Dunkin Donuts in West Milford where the bears were getting in to their dumpster. Staff is now checking commercial establishments, strip malls and deli's for proper disposal of trash in their dumpsters.

Staff have been investigating one bear shooting in Denville with assistance from the Denville Police Department. Two other incidents of bear shootings in Sussex County are being investigated.

Councilman Burke questioned where the hours spent on bear activities were listed in the monthly report? Chief Dobelbower noted that they are listed and combined with activities listed as "other" on the Bureau's monthly report, but the officers list it specifically on their monthly logs.

Councilman Wolgast noted that he has heard of the anti-hunters putting urine into the traps, and was their any attempt to stop them? It was noted that yes, they were aware and attempts are being made to stop this type of activity.

Councilman Burke questioned what would result in a warning being issued regarding household trash? Captain Cussen noted that it is usually a result of loose trash, and that homeowner is spoken

to and staff usually checks back with them in 10 days. He gave a further explanation of what would necessitate a warning to be issued.

Acting Chairwoman Vreeland had a question regarding the bear proof trash can distribution? Captain Cussen explained they do a survey of the homeowners while doing their sweeps as to who keeps their trash inside, who uses bear proof containers and how many put their trash out the night before pickup. He noted that in the areas where they have the most problems, 30 to 40 percent of the homeowners have bear proof containers, and more than 50 percent keep their trash indoors. They only problem with keeping the trash indoors is that the bear may try to get in to get to the trash.

Acting Chairwoman Vreeland also asked if the same amount of cooperation was received from the local police departments with regard to bear calls as would be received for other types of violations? Captain Cussen noted that yes, a lot cooperation has been received. She also asked if cooperation was received with issues of tampering of the traps, and Captain Cussen explained that cooperation has been received. He further explained the types of incidents where local cooperation has been received, noting a recent incident in Vernon where an officer had to destroy a bear last week that had broken into a house, and that officer's wife had been accosted at work by someone who was unhappy that the bear had been destroyed.

Councilman Messeroll asked if Captain Cussen was advising homeowners not to keep their trash inside? Captain Cussen noted that the best method is for homeowners to upgrade what they are doing to the next level of protection if what they are doing is not working.

There were no further questions.

Acting Chairwoman asked if there was any public comment, and there was none.

Councilman Burke asked that the meeting be adjourned. Councilman Messeroll reminded members of the Estuary Enhancement Program coming up on September 23<sup>rd</sup>. The meeting concluded at 12:46 p.m.