

**MINUTES**

**NEW JERSEY HIGHLANDS COUNCIL  
MEETING OF SEPTEMBER 15, 2005**

**PRESENT:**

JOHN WEINGART	)	CHAIRMAN
KURT ALSTED	)	COUNCIL MEMBERS
TRACY CARLUCCIO	)	
LOIS CUCCINELLO	)	
TIM DILLINGHAM	)	
JANICE KOVACH	)	
MIMI LETTS	)	
DEBBIE PASQUARELLI	)	
MIKAEL SALOVAARA	)	
JACK SCHRIER	)	
BEN SPINELLI	)	
EILEEN SWAN	)	
SCOTT WHITENACK	)	

**ABSENT:**

GLEN VETRANO

The following are the minutes from the New Jersey Highlands Council meeting which was held at 100 North Road (Route 513), Chester, New Jersey on September 15, 2005 at 10:00 a.m.

**CALL TO ORDER:**

The Chairman of the Council, Mr. John Weingart, called the sixteenth meeting of the New Jersey Highlands Water Protection and Planning Council to order at 10:15 a.m.

**ROLL CALL:** The members of the Council introduced themselves.

**PLEDGE OF ALLEGIANCE** was then recited.

**OPEN PUBLIC MEETINGS ACT:**

Chairman Weingart announced that the meeting was called in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6, and that the Highlands Council had sent written notice of the time, date and location of this meeting to pertinent newspapers of circulation throughout the State.

**APPROVAL OF MINUTES (August 18, 2005):**

Chairman Weingart asked if there was a motion to approve the minutes of August 18, 2005, Mr. Jack Schrier so moved, Ms. Eileen Swan seconded, with a request that her name be added to the list of members present on page 1 of the minutes, Mr. Tim Dillingham, Ms. Debbie Pasquarelli, and Ms. Tracy Carluccio abstained, APPROVED.

**CHAIRMAN'S REPORT:**

Chairman Weingart advised that he had nothing new to report and asked Mr. Adam Zellner to give the Executive Director's Report.

**EXECUTIVE DIRECTOR'S REPORT:**

Mr. Zellner introduced Ms. Gail Yazersky, the new transportation planner for the Highlands Council staff.

Regarding the second round of partnership meetings, Mr. Zellner advised that requests for assistance were made by municipalities related to the Council on Affordable Housing ("COAH"). He reported that staff has been invited by COAH to take part in the next round of partnerships.

Mr. Zellner noted that the Commissioner of Transportation, Mr. Jack Lettiere, also serves as President of the National Transportation Commissioner's Association, and last week he co-sponsored a conference on the relation between land use planning and transportation. Mr. Zellner thanked Mr. Lettiere for focusing on the Highlands process on a national level, and added that governments from 23 states have requested information on the Highlands process.

Mr. Zellner noted with regard to the upcoming election season, that Council members may receive requests to change the Highlands map. He reminded that private parties are not capable of changing the Act, and that growth is not being forced by the Act. He said that Council staff is always available to assist in responding to any incoming requests for clarification on the parameters of the Highlands Act.

Ms. Pasquarelli noted that she received a call the night before inquiring whether it was true that towns will be taken out of the preservation area. The caller heard that the Highlands staff was in meetings to decide which parcels will be removed. Ms. Pasquarelli thought that this type of rumor could possibly hamper preservation efforts.

Mr. Zellner said that a statement or white paper should be prepared and released by the staff to clarify that this is not happening.

Mr. Weingart then introduced Mr. Ralph Tiner, Regional Wetlands Coordinator from the U.S. Fish and Wildlife Service to give a power point presentation. Mr. Weingart advised that printed copies of Mr. Tiner's power point were located on the back table.

## **PRESENTATION (U.S. Fish and Wildlife Service):**

Mr. Tiner's power point presentation demonstrated that the U.S. Fish and Wildlife Service started mapping sensitive water resource areas across the country in 1974. He noted that the maps generated from early studies produced valuable information on wetlands and deepwater habitats. Their studies and data are currently being updated with 1995 digital photography, and initiatives to update the national wetland inventory maps in New Jersey have also commenced over the past couple years.

Mr. Tiner focused on the U.S. Fish and Wildlife Service's current techniques for developing new water resource data and watershed planning. He noted that wetland characterizations play a major role, and that new functional assessments are being conducted in the Hackensack Meadowlands watershed region.

Mr. Tiner advised that remote sensing is the first level of assessment using satellite imagery and digital mapping information. The U.S. Fish and Wildlife Service began its assessment with the state map and then built from there.

He noted that some limitations of GIS data are scale and difficulty in feature recognition. Drier areas are more difficult to identify. Mr. Tiner said that if information is outdated due to landscape changes, it becomes more difficult to accurately assess water resources.

When assessing natural habitat integrity certain questions are posed, such as: how much wetland and open water exist vs. historic numbers; what the condition is of the remaining wetlands and waters; what the condition is of buffers and stream corridors; how much natural habitat is in a watershed; how much alteration has taken place; and where suitable sites for restoration are.

Mr. Tiner noted as to the question of what a natural habitat is, he said that it is forests -- open and undeveloped lands. The integrity of a natural habitat is the existence of an unbroken string of habitats.

Mr. Tiner advised there were 3 types of remotely sensed indices: 1) habitat extent indices, 2) habitat disturbance indices, and 3) composite index. Disturbance can be determined by studying rivers and stream corridors, buffers of lakes, and pond integrity. Dammed stream flow and channelized stream length are also analyzed.

Mr. Bill O'Hearn of the Highlands Coalition asked Mr. Tiner whether invasive species were considered as disturbances by the U.S. Fish and Wildlife Service in the study, and Mr. Tiner replied that that would be a separate analysis.

Mr. Tiner said the Nanticoke watershed along the Maryland-Delaware border was analyzed. It was determined that 41% of that watershed is natural habitat. 59% were areas of natural vegetation within the wetland buffer area. Mr. Tiner noted that wetland trend studies show an increase in ponds, and that many are manmade.

Mr. Tiner advised that headwater wetlands are crucial and that they are the origin of water for many public water supplies, generated by groundwater discharge. Mr. Tiner listed some causes for watershed erosion such as filling, channelization, pollution, runoff from adjacent lands such as impervious surfaces and cleared lands, as well as the removal of buffer vegetation.

Mr. Tiner advised that a correlation study was done to show what the Nanticoke watershed does in terms of generating water for public consumption.

He noted that field work is vital since all wetlands and connections between wetlands may not be represented accurately through GIS analysis alone. If areas are small in size, or are drier in nature, it would prove difficult to recognize them from GIS analysis.

Mr. Tiner noted the 3 techniques for watershed planning and monitoring: 1) Natural Habitat Integrity Indices (watershed assessment); 2) Wetland Characterization (inventory); and 3) Wetland Functional Assessment (evaluation). Each can be designed for status and trends analysis and reporting, and monitoring and evaluation.

Mr. Zellner then introduced Ms. Lisa Voyce, Principal Environmental Specialist, to speak briefly on how Mr. Tiner's presentation ties in with what the staff is working on.

Ms. Voyce advised that staff is currently working with Rutgers and USGS and that their primary focuses are on what data exists, information gaps, accuracy of information, and resource assessments. Ms. Voyce said that accurate data is integral to writing an effective plan. She further stressed the importance of analyzing headwater streams in order to protect them.

Mr. Tim Dillingham asked if the characterization assessment models have predictive aspects as to functionality and land use changes. Mr. Tiner replied that at this time they did not, and that the focus has been on what is present. However, existing growth models could be applied and potentially serve as a starting point.

Mr. Dillingham asked if the habitat integrity indices are based on populations that are utilizing wetlands as opposed to interior forests. Mr. Tiner replied that the indices focus only on the existence of habitat and are not tied to any particular species.

Mr. Tiner noted that the analyses are broad and do not pinpoint specific types of endangered species, but the data could be applied to a number of indices.

Mr. Ben Spinelli asked how Mr. Tiner's information establishes a baseline for planning efforts in the Highlands. Mr. Tiner said his work fits into numbers 2 and 3 of the planning and monitoring list. Each can be designed for status and trends analysis, reporting, and ultimately monitoring and evaluation.

Mr. Spinelli asked if there was a set of best management practices for farmers to help manage their fields. Mr. Tiner replied he did not have it available with him, but that it is published in a report by National Resource and Conservation Service.

Mr. Zellner said the Technical Advisory Committees have focused on many of the techniques that Mr. Spinelli is inquiring about and are spending time on details.

Mr. Steve Balzano noted this is an example of developing a characterization method that the Council could rely upon. It is systematic and scientifically supported.

Ms. Mimi Letts said that wetlands can serve as flood water protection. She asked if Mr. Tiner's data could help to evaluate flood storage capacity. Mr. Tiner responded yes, in that the characterizations would aid to link the existing mapping information to wetlands landscape. All wetlands identified along rivers and streams are highlighted and potential for flood storage and stream flow maintenance. All are important for water quality.

Ms. Letts expressed concern about the Passaic River basin. Mr. Tiner said his information gives a good baseline to serve as a foundation to develop more extensive field work.

Mr. Weingart thanked Mr. Tiner for his presentation and opened a public comment period.

#### **PUBLIC COMMENT PERIOD:**

Ross Kushner, Pequannock River Coalition. Mr. Kushner provided copies of a letter to the Council with a map and photograph attached which focused on the importance of preserving the Pequannock River and its tributaries. Mr. Kushner stated that in recent years high water temperatures were responsible for a large number of fish kills. The Coalition initiated a temperature monitoring program in 1994 to determine the sources and extent of the problem. He cited that a study by the DEP identified that lack of sufficient water flow was to blame for 70% of the river's temperature problems. Mr. Kushner asked that the Council address the problem and urged that it should be a no-growth area. Mr. Weingart thanked him for his information and noted that staff would follow up.

Charles Forbes, Ringwood. Mr. Forbes is a small businessman who received a stop work order 13 months ago. His property is 10.3 acres of commercial land in Ringwood. He advised that he feels he is in a state of limbo. Mr. Forbes said that the 3% impervious cover limit can not be overcome on his site because of the 20% slope that a driveway would need to be built on. He added that pre-application meetings have been suspended, and that his plan was consistent but not exempt. Mr. Forbes stated that his plan was lawful and would have required no variances before the Act was enacted and asked for assistance. Mr. Weingart asked that Mr. Forbes speak with Council staff after the meeting.

Don Storms Sr., Tewksbury. Mr. Storms owns 310 acres in the preservation area. His farm is 158 acres. Mr. Storms applied for farmland preservation from SADC. He stated that he was approved at a low appraisal amount due to the Highlands Act. Mr. Storms said Plan A for his property was to preserve, and that Plan B was to develop. He expressed disappointment because he wanted to preserve it. Mr. Storms noted that Tewksbury has a 12 acre zoning and that he had to subdivide even though he didn't want to develop. He asked what could be done before August of 2007. Mr. Weingart said that the land should be valued at pre-Highlands Act value and that Mr. Storms might fall under the 12 acre zoning.

Mr. Dante Di Pirro suggested that Mr. Storm give his information to Mr. Tom Borden for follow up.

Bill O'Hearn, Highlands Coalition. Mr. O'Hearn expressed his support for Ross Kushner's comments regarding the Pequannock River. He also noted his appreciation for Commissioner Campbell's decision regarding the Eagle Ridge water allocation permit. He commended the Commissioner for using capacity of ground water budgets as a basis for denying the permit and thought that this was an important step.

Mr. Weingart then turned the meeting to the first resolution for consideration and asked Mr. Steve Balzano to give an overview.

**CONSIDERATION OF RESOLUTION – Alternate Forest Method (voting matter):**

Mr. Balzano stated that the criteria for delineation of forest raised concerns and that an updated and revised methodology has been identified and recommended for use.

Mr. Balzano advised that the original 16 point system would not be sufficient to capture all forest areas. The alternative method provides a provision of applying field testing and a revised point system which is more protective than the original system. Mr. Balzano reported that it is still 16 points, but that the order and valuations have been modified to enhance the level of protection.

Mr. Dillingham made a motion to adopt, Ms. Tracy Carluccio seconded the motion, Ms. Swan noted that in paragraph 4, line 3 that the repeat of the words "and protect" was a typo, and that the second instance should be deleted; she also noted that in paragraph 9, line 3, the word "an" should be deleted for clarification.

Mr. Weingart asked if any members of the public wished to comment on the resolution.

David Shope, Long Valley. Mr. Shope noted Mr. Balzano's reference to capturing forests through aerial photographs. Mr. Shope wondered what would be done with the information and what benefit it would serve to property owners.

Mr. Weingart noted no further public comments were received, on the prior motion made and seconded with the typographical changes requested, all were in favor, APPROVED.

**CONSIDERATION OF RESOLUTION – Meeting schedule changes (voting matter):**

Mr. Weingart advised that the second resolution for consideration was for revision to the Council's regular meeting schedule through the end of 2005. He noted there are five meetings remaining in 2005, that the Council would not be meeting during the League of Municipalities week, and that two meetings will begin at 4:00 p.m. instead of 10:00 a.m.

Ms. Letts made a motion to approve, Mr. Kurt Alstede seconded, Ms. Debbie Pasquarelli requested that the 4:00 p.m. meeting on December 15<sup>th</sup> be changed to 10:00 a.m. since it would prevent her from attending her last meeting as Councilwoman, Mr. Scott Whitenack suggested the December 1<sup>st</sup> meeting be at 4:00 p.m. instead of the December 15<sup>th</sup> meeting. Mr. Weingart noted there were no other conflicts, and on the prior motion made and seconded with the suggested revision, all were in favor, APPROVED.

**COMMITTEE REPORTS:**

Mr. Weingart then reported on the **Plan Development Committee**. He advised that the committee met on August 18<sup>th</sup>, and also met earlier that morning before the Council meeting, and has discussed grant distribution procedures, policies regarding opting-in to the Highlands Regional Master Plan, sewer capacity assumptions, and a draft memorandum of understanding with the State Planning Commission.

Mr. Weingart advised that as the staff moves forward with preparing the plan, there are policy issues which will arise increasingly frequently, and the committee and full Council will be faced with making decisions on these issues.

Mr. Weingart noted that discussions in the committee about the process for towns opting-in to the Highlands Regional Master Plan have centered on (1) whether a town can choose to opt-in for only part of the area within the Planning Area or must opt-in for all of its land in that Area; and (2) whether towns have to adopt both the preservation aspects of the plan and development aspects to opt in or can choose to just adopt all of the preservation aspects.

For (1), the committee feels a town must bring its plans and ordinances for all its land area within the Planning Area to opt in. For (2), the committee believes more discussion is needed but leans toward a recommendation that a town not have to accept development recommended in the Regional Master Plan in order to opt in.

Mr. Weingart further noted that the committee has asked the staff to provide it with drafts of both a resolution that could provide the Council's policy on opting-in to the plan, and a white paper on the subject which could be distributed to municipalities and the rest of the interested public for comment and discussion prior to any action by the Council

Ms. Swan said for clarification purposes as to towns' ability to partially opt-in to the plan, whether that meant part of a municipality wanted to opt-in and another part of the same municipality did not, that that was not possible. Mr. Weingart replied that was correct and that was what the committee was recommending.

Ms. Letts asked for example if a large area in Parsippany could opt-in, but because it is not contiguous it cannot opt-in.

Mr. Zellner clarified. He stated that it would separate geography and the physical makeup of the town vs. the policies. A town cannot pick a certain portion of its geography and have that piece of the municipality opt-in, and another piece not opt-in. Either the entire town opts-in to the plan or not. Mr. Zellner noted that when a town opts-in, that the mandatory environmental elements of the plan must be considered to be consistent, but conversely, a town does not have to consider the growth aspects, for example the underlying zoning can remain supreme recognizing that there is a relationship between environmental regulations that the town would look to adopt, and the potential build out of those areas. Mr. Zellner said that a town does not have to agree with the suggested redevelopment areas of the plan in order to be consistent and receive benefits.

Mr. Schrier reiterated what Ms. Letts was pointing out about municipalities wanting to partially opt-in because provisions as to contiguosity are a problem for towns that are partially in the preservation area and partially in the planning area.

Mr. Dante Di Pirro said for clarification, when a town opts-in, it does not mean that they are being added to the preservation area. They are opting-in to the Regional Master Plan in order to protect their resources because the town may be in a planning area.

Mr. Dillingham said that the distinction between preservation and planning areas are not based solely on geography. Compliance with the environmental standards may then apply to development in specific areas that are being identified as development areas.

Mr. Di Pirro advised that towns will consider environmental impacts and decide what areas are appropriate for protection. He referred to the data Mr. Tiner spoke of outlining sensitive areas for protection along with the Council's development of data on natural resources. The information will yield areas which require significant protection. This will give towns the assurance that areas that need preservation will receive it by opting-in to the plan. With the appropriate standards in place, growth can still occur.

Ms. Pasquarelli asked for a timeline of when these matters will be occurring between the present and June of 2006 when the plan is adopted.

Mr. Balzano noted that staff has prepared a power point presentation outlining the timeline.



Mr. Schrier said that by opting-in, towns are entitled to substantial benefits as if they had been put into the preservation area, but they are not subjected to limited development.

Mr. Weingart then asked Ms. Lois Cuccinello to give the report on the Interagency Committee.

Ms. Cuccinello advised that the **Interagency Committee** met on September 1<sup>st</sup>. The roles of the Council on Affordable Housing and the State Planning Commission were analyzed. She advised that a draft joint letter will be sent to municipalities to advise them that the Council and COAH will work together to assist them in addressing their obligations utilizing innovative approaches. The letter is in draft and is in the process of being revised.

Ms. Cuccinello noted that the committee is also drafting a Memorandum of Understanding with the State Planning Commission which dovetails what the Highlands Council is doing. To that end, if a town opts-in to the Regional Master Plan, it is guaranteed State Plan conformance. The Council asks that the State Planning Commission acts in concert with the Council.

Ms. Cuccinello also advised that the committee has requested that a designate from COAH be assigned to deal solely with Highlands issues. It is felt that COAH should have someone fully familiar with what is occurring in the Highlands so that there is consistent interaction.

Ms. Cuccinello noted that the committee report was provided to the members in their meeting packets. Within the report is a section pertaining to the draft letter to the Office of Smart Growth regarding State TDR Rules, as well as a section providing status on the comments the Council provided to the DEP regarding Phase II Highlands Rules.

Mr. Borden noted that as with the letter regarding Green Acres, the comment period expires tomorrow, and therefore those letters need to be sent out.

Mr. Di Pirro advised that the letters clarify what is in the Act. Ms. Pasquarelli noted that the inter-relation between COAH Rules and the State Planning Commission, and the potential policy decision of opting-in, outlining that municipalities will not be required to accept growth recommendations would be monumental in resolving misconceptions.

Mr. Weingart then asked Mr. Balzano to give his power point demonstration.

#### **PRESENTATION:**

Mr. Balzano's presentation gave an overview on status and process in terms of meeting schedule deadlines.

He advised that three policy issues have been noted: 1) Mandatory/Voluntary Standards; 2) Sewer Capacity; and 3) Partial Opt-In. These will provide direction with regard to methodologies and how they affect work flow.

Mr. Balzano reported there are 9 months left until the Highlands Regional Master Plan will be adopted. He said that a mission statement has been completed which states: "This comprehensive approach ...should be guided in heart, mind, and spirit, by the abiding and generously given commitment to protecting the incomparable water resources and natural beauty of the NJ Highlands so as to preserve them intact, in trust, forever..."

Mr. Balzano advised that the scoping phase will be completed on October 1<sup>st</sup>; the technical reporting will be completed by January; a draft Regional Master Plan will be completed by March 1; and plan adoption will be June 15, 2006.

Mr. Balzano reported that the goals of the plan break down into three parts: 1) Elements of the Master Plan; 2) Technical Documentation; and 3) Implementation Framework.

Mr. Balzano described the issues that come into consideration as to keeping on schedule. He noted that the need to make decisions is very important and that the fear of making the wrong decision and so thereby not making any decision, is worse than making a bad decision. He said that it would be better to decide and later find out what the problems are with the decision and then take corrective measures to alter the impacts of the decision.

Mr. Balzano referred to the map that Mr. Tiner spoke of in his presentation, and advised that the Highlands map will be more complex. He said that the preliminary land capability model will cause a high number of decisions to be made, and may be overwhelming at times as the issues are very complex and interrelated.

Mr. Balzano advised that there are essentially two phases. Phase A entails working out as much as possible by June, and that Phase B would be the period after June, which would deal with all the things there simply wasn't enough time to get to.

Mr. Balzano said that wastewater capacity is based upon a complex decision tree in itself. There are two sources of capacity analysis: treatment facilities available, and individual project review. Policy decisions and individual projects should be vetted through committee work and then be presented to the full Council for decision.

Mr. Balzano reiterated that the partial opt-in question is crucial. He said it should be stressed that if towns don't opt-in, they will lose water resources and the goals of the Act are therefore not achieved.

Mr. Weingart agreed and noted that meetings from this time forward would prove critical.

Ms. Pasquarelli asked Mr. Balzano about sewer wastewater capacity analysis. Mr. Balzano replied that staff is analyzing existing capacity and the data gaps. He noted that necessary information is being collected.

Mr. Weingart then opened a public comment session.

**PUBLIC COMMENTS:**

David Shope, Long Valley. Mr. Shope asked about Green Acres funding changes, and money being provided for loss of property equity. He noted that in the case of the Pinelands approximately twenty years ago, some property owners are just now being compensated.

Robert Frey, Hopatcong Township, Farmer. Mr. Frey asked what the costs are for land capability analyses and wondered what the ultimate effects on agriculture will be. He said that farmers such as he are worried about viability. Mr. Frey thought that the state should pay for preservation.

Doug Williams, Flanders. Mr. Flanders spoke to Mr. MacDonald in May. He noted that his property is being affected and he asked to be kept informed of decisions being made as they occur and what they mean in relation to his property. He feels that he needs more information relative to his property.

Mr. Di Pirro offered to meet with Mr. Flanders after the meeting to discuss any questions he has.

Monique Purcell, Department of Agriculture. Ms. Purcell noted concerns over opting-in to the plan. She stated the Department has had concerns from the very beginning because it is important to consider the overall impacts on towns in planning areas who opt-in that don't want growth. Ms. Purcell wants information on what the realities are of opting-in.

Ross Kushner, Pequannock River Coalition. Mr. Kushner noted that water capacity issues are complex. He stated he has had experience in that area and noted that clear river and stream flow data exists. He mentioned Ringwood Creek as a perfect model. He advised that limited groundwater in that area ends up as surface water runoff. Mr. Kushner asked the Council to analyze that data.

Mr. Di Pirro reported that regarding severable exemptions, the Council sent a letter to the DEP asking that they consider them. He suggested providing Mr. Kushner a copy of the letter if he desired one.

Ms. Pasquarelli would like a decision to be made on the question of severable exemptions.

Mr. Di Pirro noted the status is that the Department has provided the public a copy of their basis for septic standards in the rules and the issue will need to be resolved before

the rules can be repropose. The technical issue involved is that the Act specifically recognizes certain exemptions and operates from the frame of reference of a lot -- so that if a lot pre-existed, it has certain protections. Severable exemption generally does not create a new lot and it is not a sub-division. Therefore, the Act didn't directly speak to what happens to "contracts" as it relates to portions of a lot. The issue is more complex than just a policy one and whether there should be protection; the issue is how to treat what is not directly addressed in the statute. The staff and Council's recommendation for where there existed settled expectations created prior to the time of the Act, the Council recommended to the Department consideration those issues, and asked that they be recognized when the Department repropose the rules.

Ms. Swan asked what to do in the interim, and Mr. Di Pirro replied that staff wants to coordinate with those who are doing severable exemptions at SADC, and also discuss easement and restrictions with Green Acres so that policies coordinate with the Council.

Mr. Zellner reported that staff is engaged in open dialogue and interagency coordination. Staff has been pushing for issues to be resolved as it goes forward. He reminded that as the rules are repropose, there will be another round of public comment period.

Mr. Di Pirro advised that he believes the Department has issued the septic support documents but staff haven't received them yet.

Mr. Alstede asked whether DEP has suspended pre-application meetings. Mr. Di Pirro said they have been suspended due to lack of staff, but DEP is taking oral requests for information via telephone. Mr. Weyl said he had not heard this before and will follow up.

Mr. Alstede asked if the DEP staff at the Chester office could do pre-application meetings because he believes the Council has a responsibility to follow up and help people who have legitimate plans but are simply caught up in delays due to these issues.

Mr. Weingart advised that the Council would attempt to get pertinent information on these problems for the next meeting, and asked if there was a motion to go into executive session.

**EXECUTIVE SESSION:**

Mr. Schrier made a motion for Executive Session, Ms. Pasquarelli and Ms. Swan seconded, all were in favor, APPROVED at 1:10 p.m.

Ms Letts made a motion to reconvene, seconded by Mr. Schrier, all were in favor and the meeting reconvened at 2:10 p.m.

Chairman Weingart reported that during Executive Session the Council discussed policy issues and pending litigation.

**ADJOURN:**

Mr. Spinelli made a motion to adjourn, Mr. Mikael Salovaara seconded, all were in favor, and the meeting ADJOURNED at 2:15 p.m.