

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MINUTES OF THE MEETING OF APRIL 19, 2012

PRESENT

JIM RILEE)	CHAIRMAN
KURT ALSTEDDE)	VICE CHAIRMAN
TIMOTHY P. DOUGHERTY)	COUNCIL MEMBERS
MICHAEL R. DRESSLER)	
MICHAEL TFANK)	
MICHAEL FRANCIS)	
ROBERT HOLTAWAY)	
BRUCE JAMES)	
JAMES MENGUCCI)	
CARL RICHKO)	
MICHAEL SEBETICH)	
JAMES VISIOLI)	
RICHARD VOHDEN)	
ROBERT G. WALTON)	

VIA TELECONFERENCE

TRACY CARLUCCIO)

CALL TO ORDER

Chairman Rilee called the 113th meeting of the New Jersey Highlands Water Protection and Planning Council to order at 4:01pm.

ROLL CALL

Roll call was taken. Council Members Alstede, Dougherty and Richko were absent. Ms. Carluccio was present on teleconference.

OPEN PUBLIC MEETINGS ACT

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

PLEDGE OF ALLEGIANCE was then recited.

APPROVAL OF PARTIAL MINUTES OF MARCH 15, 2012

Mr. James introduced a motion to approve the partial minutes and Mr. Francis seconded it. All members present voted to approve. The partial minutes were APPROVED 11-0, with an abstention by Mr. Holtaway.

Mr. Richko was present at 4:03pm.

APPROVAL OF FULL MINUTES OF MARCH 15, 2012

Mr. Visioli introduced a motion to approve the full minutes and Mr. Francis seconded it. All members present voted to approve. The full minutes were APPROVED 12-0, with an abstention by Mr. Holtaway.

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Mr. Alstede was present at 4:05pm.

ACTING EXECUTIVE DIRECTOR'S REPORT

Chairman Rilee asked Dr. Van Abs for the Acting Executive Director's Report. Dr. Van Abs gave a brief summary update to the Council on Plan Conformance Petition reviews. He reported that to date 65 Petitions have been submitted (60 Municipalities and 5 Counties). Of these, 57 have been deemed administratively complete and posted to the Highlands Council website (including 2 Counties). Of these, 39 municipal Petitions and 2 county Petitions have been approved: Townships (23) – Allamuchy, Bedminster, Bethlehem, Byram, Chester, Denville, Franklin (Warren), Green, Hardyston, Holland, Lebanon, Lopatcong, Mahwah, Montville, Mount Olive, Oxford, Pohatcong, Rockaway, Sparta, Tewksbury, Washington (Morris), Washington (Warren), and West Milford; Boroughs (13) – Alpha, Bloomingdale, Bloomsbury, Califon, Glen Gardner, Hampton, High Bridge, Kinnelon, Lebanon, Mount Arlington, Ogdensburg, Ringwood and Wharton; Towns (3) – Clinton, Hackettstown, and Phillipsburg and Counties (2) – Passaic and Somerset

Dr. Van Abs then showed a map of the current Designated Highlands Centers in the Highlands region which are: the Townships of Byram, Lopatcong, Oxford, Phillipsburg, Pohatcong and Washington (Morris); the Boroughs of Alpha and Wharton; and the Town of Hackettstown.

Dr. Van Abs noted that at today's meeting Alexandria Township is seeking approval for their Petition regarding the Preservation Area. Should the Council approve this Petition, the Council will have approved 40 of the 60 municipal Petitions (62% of the total Petitions and nearly 75% of the complete Petitions). Dr. Van Abs further stated that the current Draft Consistency Reports in Municipal Review are (12): Townships of Clinton, Greenwich, Independence, Liberty, Pequannock, Randolph, Roxbury and Union; and the Boroughs of Far Hills, Morris Plains, Stanhope and Oakland. The Consistency Reports in Public Comment Period are (2): Harmony and Vernon Townships. Dr. Van Abs showed a map representing the Plan Conformance approvals to date.

Also displayed was a chart that showed the implementation status of approved Petitions to date.

Implementation Status (Approved Petitions)	#	Municipalities (New in red)
Total Approved Municipalities	39	
Planning Area Petition Ordinance	13	Alpha Boro, Bethlehem Twp, Byram Twp, Clinton Town, Hackettstown , Hampton Boro, High Bridge Boro, Holland Twp, Lebanon Boro, Lopatcong Twp Mahwah Twp, Oxford Twp , Phillipsburg Town.
Master Plan Re-examination Report	6	Bethlehem Twp , Byram Twp, Franklin Twp, Hackettstown , High Bridge Boro, Holland Twp
Checklist Ordinance	2	Hackettstown Town , Holland Twp
Environmental Resource Inventory	8	Alpha Boro , Byram Twp, Califon Boro, Franklin Twp, Hackettstown , High

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Implementation Status (Approved Petitions)	#	Municipalities (New in red)
		Bridge Boro, Lopatcong Twp, Phillipsburg
Highlands Master Plan Element	3	Califon Boro, Franklin Twp, High Bridge Boro
Highlands Land Use Ordinance	1	High Bridge Boro (w/ zoning map)

The slide with the above chart also indicated that Passaic County has adopted the Highlands ERI, the Master Plan Highlands Element, and the Land Development and Land/Facilities Regulations.

Dr. Van Abs concluded his presentation by showing the average amounts/awards for the Plan Conformance Grant and the Amended Grant Agreement Programs.

Plan Conformance Grant Program: Following are the average amounts requested for reimbursement by municipalities that are participating in Plan Conformance grant activities:

<u>Towns</u>	<u>Base Amount</u>	<u>Average</u>	<u>Number</u>
Module 1	\$15,000	\$13,839	73
Module 2	\$10,000	\$ 6,963	72
Module 3	\$ 7,500	\$15,558	64
Module 4	\$ 2,000	\$ 3,160	63
Module 5	\$ 2,500	\$ 6,608	56
Module 6	\$ 5,000	\$ 4,440	53
<u>Module 7</u>	<u>\$ 8,000</u>	<u>\$ 7,549</u>	51
Subtotal	\$50,000	\$58,117	
<u>Response Costs</u>	<u>\$ 8,000</u>	<u>\$ 5,942</u>	37
Plan Conformance Cost	\$58,000	\$64,059	

Updated 4/16/2012

Plan Conformance Amended Grant Agreements: Following are the average award amounts for implementation plans based on approved Highlands Implementation Plan and Schedules:

<u>Implementation Plans</u>	<u>Average Amount</u>	<u>Number</u>
Highlands Center/Redevelopment Plan	\$22,632	19
Sustainable Economic Development Plan	\$16,250	16
Wastewater Management Plan	\$3,471	35
Stream Protection & Restoration Plan	\$28,893	27
Lake Management Planning	\$28,750	4
Water Use & Conservation Management Plan	\$58,000	15
Habitat Conservation & Management Plan	\$16,962	26
Agriculture Retention/Farm Preservation Plan	\$12,382	17

Updated 4/16/2012

CONSIDERATION OF RESOLUTION – APPROVAL OF SUBMITTAL FOR 2011 ANNUAL REPORT

Chairman Rilee introduced the Resolution. He noted that as an administrative matter, public comment is not required.

Mr. James made a motion to approve the Resolution and Mr. Walton seconded it.

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There was no Council discussion.

All members present voted on the Resolution. A roll call was taken. The Resolution was APPROVED by a vote of 13-0, with an abstention by Mr. Tfank.

CONSIDERATION OF RESOLUTION – PETITION FOR PLAN CONFORMANCE BY THE TOWNSHIP OF ALEXANDRIA, HUNTERDON COUNTY

Chairman Rilee announced that this Resolution was carried from the March 15, 2012 meeting, at which Mr. James made a motion to approve the Resolution for Alexandria Township and Mr. Tfank seconded it. No substantive changes have been made. The public hearing on this topic from March 15 may be relied upon. On April 11, 2012, Alexandria Township adopted a new resolution to Petition for Plan Conformance regarding the Preservation Area only, clarifying the matter discussed by Council on March 15.

- Dr. Van Abs concurred that Alexandria Township did submit a Petition Resolution on April 11, 2012 specifically for the Preservation Area only. A status of Alexandria Township Petition for Plan Conformance was displayed on the screen which read: Two Public Comments were received during the public comment period on Alexandria's Petition, which opened February 17, 2012 and closed March 2, 2012.
- Public Hearing was held and completed on March 15, 2012.
- Resolution introduced March 15, held to meeting of April 19.
- Alexandria Township adopted a revised Petition Resolution on April 11, 2012, regarding the Preservation Area only.

Chairman Rilee opened the meeting to public comment on Alexandria Township April 11, 2012 resolution to conform in the Preservation Area only. There was no public comment.

All members present voted on the Resolution. A roll call was taken. The Resolution was APPROVED by a vote of 14-0.

Mr. Dougherty was present at 4:13pm.

CONSIDERATION OF RESOLUTION – POSITION OF THE EXECUTIVE DIRECTOR

Chairman Rilee reported to the Council Members that the Personnel Committee submitted the name of Gene Feyl to become the next Executive Director of the Highlands Council. Chairman Rilee stated that he has known Mr. Feyl for over 12 years and strongly believes and has a high level of confidence that Mr. Feyl can not only perform the duties as Executive Director, but will excel in the position. Chairman Rilee spoke about Mr. Feyl's extensive management skills in both the private and public sectors to include: 30 years managing his own business; approximately 28 years in the public sector serving on the school board, as Councilman, Mayor and his current status as Freeholder. Chairman Rilee noted that Mr. Feyl's 11 years on his Township Planning Board along with his the other skills previously mentioned mean he will bring a wealth of knowledge from the management side and also

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the planning side. Chairman Rilee mentioned some of Mr. Feyl's accomplishments over the years, which included: started the first Open Space plan in Denville that eventually secured over 1,200 acres in open space acquisitions; was recognized by local environmental groups (such as POWWW) for his accomplishments; served on the NJ Clean Air Council, appointed by Governor McGreevey; and has served as Chair of the North Jersey Transportation Planning Authority, which allocates \$1.8 billion in Federal funding each year. Chairman Rilee added that Mr. Feyl is well versed to lead the Highlands Council Staff, deal with the public and advocates of varying and diverse opinions of the Highlands community and is capable of taking direction and performing the duties that this Council will require of him. Chairman Rilee also noted that the Personnel Committee was under a great deal of pressure imposed by the sudden resignation of Mr. Borden and the impending, planned retirement, of Dan Van Abs on June 1st. Chairman Rilee commented that without immediate action, Council would essentially be rudderless.

Chairman Rilee concluded by saying that once the Personnel Committee made its recommendation, every Council Members was called by a member of the committee and was informed of their choice. Mr. Feyl was asked to call and submit his resume to each member. Mr. Feyl was made available by telephone and email to each member of the Council to ask questions about his qualifications, experience and ability to perform the job of Executive Director. Every Council member had full access in the process.

Chairman Rilee introduced the Resolution to hire Gene Feyl as the next Executive Director of the Highlands Council with an annual salary of \$116,000. Chairman Rilee asked for a motion.

Mr. Francis made a motion on the Resolution. Mr. Alstede seconded it.

Chairman Rilee opened the meeting to the public for comments on this Resolution and reminded the public of the three-minute rule in place.

Public Comments

Jeff Tittel, Director of New Jersey Sierra Club – Mr. Tittel commented that he had heard more than a month ago that Gene Feyl would get the appointment for various reasons, not necessarily because of Highlands reasons, but because of Morris County political reasons. Mr. Tittel thinks there are many qualified people for this position even in the current Administration. Mr. Tittel commented that instead of doing an exhaustive search to look for the best person possible, this decision was made prior to any search, acceptance of resumes and action by this Council. Mr. Tittel further commented that the person who holds this position should have a background in planning (licensed would be preferable), background in natural resource management, parks and recreation, and understanding our water supply. Mr. Tittel noted that, though he recognized the impending retirement, Dan Van Abs has a perfect resume. Mr. Tittel also commented that Nancy Wittenberg of the Pinelands Commission was supported by many of the environmentalist when she was approved by the commission last year under this Administration. Mr. Tittel also noted that Ms. Wittenberg worked for the NJDEP and worked with the Builder's Association so he is not just looking for an environmentalist. Mr. Tittel concluded that he wants to make sure that the playing field is fair and level for all and that the Highlands is too important to play politics. It is about the water supply for future generations and for New Jersey's major industries (food processing, pharmaceutical or tourism). Mr. Tittel wished the Council would put this decision on hold and do a more exhaustive search for the people who live in the Highlands, to make

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sure the Council balances the needs of the communities and balances the water protection for everyone in New Jersey.

Wilma Frey, New Jersey Conservation Foundation – Ms. Frey urged the Council to please postpone the vote on a new Executive Director. Ms. Frey commented that there must be a genuine broad search for a candidate who is qualified to lead one of the nation’s most impressive regional planning agencies. Ms. Frey stated that Council needs a national search to find the best qualified person to protect the Highlands region’s water and natural resources, not a political appointment. Ms. Frey commented that the Pinelands, Delaware Canal and State Planning Commissions employed an independent, transparent process to search for a qualified executive director, but understands this does not mean there was no politics involved. Ms. Frey stated some qualifications the candidate should have, including experience in regional planning and managing a competent staff with expertise and commitment in influencing the RMP, understanding the long-term future, critical nature of both water supply and water quality issues, appreciation and concern about the quality of both the natural and built environment and commitment to steward natural resources. Ms. Frey concluded that the residents of the Highlands and the rest of New Jersey deserve no less than a well-qualified executive director who is prepared by training, experience and commitment to protect the water quality and way of life in the Highlands by implementing the current carefully designed RMP. Ms. Frey submitted her comments for the record.

David Shope, owns property in Lebanon Township – Mr. Shope is in support of Council’s candidate and hopes that Mr. Feyl gets elected by the majority of the Council. Mr. Shope commented on the searches in the past for an executive director and other personnel for the Highlands Council which began first with Adam Zellner (NJDEP), first chair was John Weingart (NJDEP), second executive director Dante DiPirro (NJDEP) and that is where the searches seem to have ended up in the past. Mr. Shope concluded that this would be a refreshing change of direction if Council confirms Mr. Feyl today. Mr. Shope urged Council to move forward, take the vote and welcome Mr. Feyl to his new position.

Julia Somers, Executive Director of the New Jersey Highlands Coalition – Ms. Somers commented that a little over six weeks ago the Coalition started hearing rumors and shortly receiving phone calls from the Morris County Republican Committee that there was an effort to persuade Mr. Feyl to remove himself from the Freeholders race and that the best thing to happen to him was to be the Executive Director of the New Jersey Highlands Council. Ms. Somers commented that the Governor’s office referred to the Coalition as being “hysterical and overwrought” and since such time everything the Coalition said was going to happen appears to be completely unfolding. Ms. Somers does not believe Council is doing themselves or Mr. Feyl any favors and the Council should take this more serious. Ms. Somers further stated that for a position such as this Council should be doing exactly what the Pinelands Commission did very recently. The Pinelands Commission had a national search, advertised everywhere, invited members of their staff to apply for the position, set up a search committee that included a mayor, a staff member and a couple members of the Commission. The search committee interviewed 10 people, of which 3 were staff members, and two people were brought to the full Commission to be interviewed. Ms. Somers commented that Mr. Feyl will always be questioned and labeled as a political appointment because of this process. Ms. Somers believes it is nonsense to fill the position immediately because Council does not have the time to do a proper search. Ms. Somers stated that the Council was led by an expert and needs to be led by another expert in the RMP. Mr. Feyl may have some experience with transportation and clean air, but he does not have

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expertise in the kind of matters that need to be dealt with by the Council and certainly does not have the familiarity.

Deborah Post, property owner in Chester Township – Ms. Post commented that press has been full of spin that Mr. Feyl is a landowner advocate. Ms. Post noted the Star Ledger's article, which began "Landowners in the state's northwest region who feel the Highlands Act has treated them unfairly could get an ally Thursday if Morris County Freeholder Gene Feyl is named executive director of the Highlands Council." Ms. Post stated that the landowners have no more idea where Mr. Feyl stands on the Highlands than do the environmentalists. Ms. Post added that Mr. Tittel believes Mr. Feyl is a crony of the Governor, but Mr. Tittel has nothing to support his opinion. Ms. Post noted that Mr. Feyl's only known Highlands Act record is his role as a Morris County Freeholder but Morris County has never objected to the Highlands Act, and Morris County declined when asked to join in by Hunterdon and Warren Counties to actively seek regress to a vicious Act that has harmed many landowners. Ms. Post concluded that there is nothing in Mr. Feyl's Freeholder role or public service record to suggest either that there is great sympathy or concern for neither landowner's loss nor that he will gut the protections of the Highlands Act. Ms. Post added that the only hopeful thing she sees in Mr. Feyl's background is that he built a successful business before retiring into the life of public service and to have the government put their hands in the private citizen pockets and remove a lifetime of hard work is not right.

Jerry Kern, property owner in Pohatcong Township – Mr. Kern commented that he does not know Mr. Feyl and hears that Mr. Tittel and Ms. Somers do not like him so it leads Mr. Kern in one direction right away. Mr. Kern added that there is a possible chance that Mr. Feyl may be fair and that some fairness may be brought to this Highlands Council and that would be great to see. Mr. Kern hopes the Council votes yes.

David Peifer, Association of New Jersey Environmental Commission – Mr. Peifer commented that the process in front of Council is something that does not look very good and Council will have to live with the results of this decision and the people of New Jersey will also look at this decision for a long time. Mr. Peifer commented that certainly one would agree that a wide search should have been implemented which looked at professional qualifications and a process that was overt (see qualifications that Council was looking for, a coherent job description, a number of candidates interviewed and a decision and recommendation made by the Personnel Committee) with room for confidentiality. Mr. Peifer asked Council to re-examine what has been done and place a qualification list on-line and initiate a wide search as the world is watching and someday the water will be better or not.

Bill Kibler, Raritan Headwaters Association – Mr. Kibler commented that there is an old Confucius saying that if a person makes a mistake and does not correct it they make a second mistake. Mr. Kibler added that the Council is rushing to judgment on a candidate for Executive Director without any pretense of a real search. Mr. Kibler commented that there is an opportunity to correct that mistake and take a step back and do a real search for a qualified executive director similar to Dr. Van Abs qualifications as a good example. Mr. Kibler added that Council is going down a path of a bad decision and hopes Council will have the moral courage to recognize that and correct the mistake. Chairman Rilee responded that he did ask Dr. Dan Van Abs to stay a little longer.

Elliot Ruga, Senior Policy Analyst for the New Jersey Highlands Coalition – Mr. Ruga commented that he hopes the Council is aware that water in the State of New Jersey is owned by the people. It is not only a natural resource, but is a valuable commodity given to the state to manage and

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protect. The Highlands, Mr. Ruga stated, according to the Council's own research which was very comprehensive, recognized that that state is losing water quantity and we are degrading its quality and soon we are not going to have much left. Mr. Ruga commented that the cost of the water in New Jersey is the fourth lowest in the country and that is because there is so little treatment that has to be done to the water in the Highlands to bring it up to drinking water standards. So when the day comes in 10 to 25 years when New Jersey has to pay to have this water treated because there is not enough for residents and businesses, what is going to be the answer? Mr. Rugga acknowledged that the Highlands Act, Highlands Council and the Highlands Regional Master Plan are controversial, but said these are questions that our government has to look at and respond to. Mr. Ruga concluded that we are looking to Council to protect the water so it is there for us and hope they take that responsibility very seriously.

Kate Millsaps, New Jersey Sierra Club – Ms. Millsaps commented that the Highlands Act clearly established the Highlands Council as an independent body, not under the Governor's influence or that of the NJDEP. Ms. Millsaps commented that with this vote the Council risks losing that transparency and independence. Ms. Millsaps urges Council to hold the vote and begin a thorough national search for the most qualified candidate and if in a month, after advertising nationally, interviewing several candidates and it is still Gene Feyl well then we have gone through the process and it was transparent, open and he must be the best candidate for the position. Ms. Millsaps concluded that no in-depth search has been applied and other candidates were told that the position was filled when they applied.

John Thonet, Thonet Associates – Mr. Thonet commented that he had submitted his resume for consideration and received a written reply from Chairman Rilee that the Council had received a recommendation. Mr. Thonet wishes this Council the very best moving forward and also wishes the new Executive Director the same. Mr. Thonet hopes that going forward, if Council needs help with any particular problems regarding the implementation of the Highlands Act that he will be available.

Council Comments

Mr. James asked if Council discussion on this personnel matter should be open or closed in executive session. Chairman Rilee was advised by the Attorney General's office that the matter may be discussed publicly. Mr. Jablonski, Deputy Attorney General, serving as legal counsel to the Council, responded that it is appropriate to conduct the discussion in a public session. Also when asked by the Council, Mr. Feyl had no objection to the discussion.

Mr. Richko raised questions about the procedure and if Mr. Feyl was the only person interviewed. Chairman Rilee responded that Mr. Feyl was the only candidate interviewed. Mr. Richko asked who interviewed Mr. Feyl. Chairman Rilee responded that the Personnel Committee knew Mr. Feyl from different levels of government and independently contacted Mr. Feyl after the Committee had his resume and discussed it. Mr. Richko asked if there was a formal interview and Chairman Rilee responded that there was no formal interview. Mr. Richko commented that if an elected official (Mayor, Freeholder, Councilperson) in a town needed to hire a county administrator, town manager or superintendent of schools there would be an extensive search, while this Council is in charge of a RMP which protects 64% of the state's water supply and Council is recommending someone with no formal process. Mr. Richko further commented that the present Administration is backing plans (i.e., Strategic Planning Incentive, Waiver Rule and Permit Extension Act) that will promote development and sprawl in the Highlands and Mr. Richko can only assume that a person being pushed by the Governor's office will be on board to do the same thing. Because of this Mr. Richko cannot vote for Mr. Feyl.

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Mr. Dressler commented that he spoke with Mr. Feyl and found him to be an outstanding man with a resume that is exemplary in government service and that shows he has worked at all levels and has done a terrific job. Mr. Dressler had a couple of questions/comments. Mr. Dressler asked how many resumes were accepted on this application for Executive Director. Chairman Rilee responded that the only resumes he has seen were from Mr. Feyl and Mr. Thonet. Mr. Dressler asked if there was a reason why Mr. Thonet's was not accepted and he had no interview. Chairman Rilee responded that it came too late in the process. Mr. Dressler asked if members of the Personnel Committee read Mr. Thonet's resume. Chairman Rilee responded that the members of the Committee did read Mr. Thonet's resume. Chairman Rilee commented that Mr. Thonet had some real-life experience and was also a member of the Highlands Coalition and on face value had qualifications. Mr. Dressler asked when the Personnel Committee was doing their search was there any consideration of expertise in environmental areas, planning areas of the Highlands Council, knowledge of the Highlands Act itself. Chairman Rilee responded that the Committee felt the process was forced upon them to be expedited. With Dr. Dan Van Abs leaving, there is nobody else after Dr. Van Abs to run this staff so Council is down two leaders and have until June 1st, about six weeks from today, to get someone in place to have any kind of time to work with Dr. Van Abs and Council is still short handed. Mr. Dressler commented that this was a position that resulted from this Council. Chairman Rilee responded that he did not ask Mr. Borden to resign. Mr. Dressler commented that Mr. Borden's resignation took place as a direct result of the firing of Ms. Swan and the Council is in this position because of an action that the Council took so an expedited search took place on one resume. Chairman Rilee responded when the Council got to that point, time was of the essence and the Committee did not have the time or ability so made Mr. Feyl available to all members. Mr. Dressler concluded that the process was short-circuited because of the June first deadline. Mr. Rilee disagreed with that characterization of the situation, but said the June first deadline had an impact on the process. Mr. Dressler asked for confirmation that another resume was received after Mr. Feyl's that did merit consideration, because it included appropriate qualifications, and that candidate could have been interviewed. Mr. Rilee replied that the other resume was not taken into consideration. Mr. Dressler commented that he has a problem with the process taken here as he had with the process regarding Ms. Swan's firing. Mr. Dressler commented that when he joined this Council eight months ago he had an Executive Director that he could lean on, learn the ropes of the Highlands Council and he was comfortable with learning those from the Executive Director. Mr. Dressler believes he needs this moving forward and that Mr. Feyl does not have that expertise so will be voting no.

Mr. Holtaway commented that haste makes waste and if it is worth doing, it is worth doing right. Mr. Holtaway understands that there is a lot of pressure brought on by Dr. Van Abs' retirement on June 1st. Mr. Holtaway spoke at length with Mr. Feyl, had a good conversation and Mr. Feyl may well be qualified, but Mr. Holtaway commented that there is a process and a public expectation and that this process needs to be consistent with the nature and open process of government. Mr. Holtaway further commented that this process does not meet his standards to uphold the law and the Council is short-changing the people of the Highlands and the State of New Jersey by not doing an open and thorough search. Mr. Holtaway thinks there probably is a staff member that can take over and Council is jumping to the pressure and this process deserves a true open process.

Mr. Alstede commented that he has been with the Council for every executive search and what makes this different from any other search is that the environmental community is against this candidate. Mr. Alstede spoke about past executive directors, their qualifications and/or lack of environmental expertise, the timeframe of those searches and how quickly they happened. Mr. Alstede further commented that Mr. Feyl has a strong resume, he is abundantly qualified, has tremendous management

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skills and will do a fine job running this Council and running this office and has no reservations. Mr. Alstede concluded that the only reason this is an issue this time is because the environmental community is concerned about Mr. Feyl and not having a candidate that they can influence in choosing.

Mr. Holtaway commented that Council does not need to be forced into the same practices and processes of the past.

Mr. Visioli commented that he listened to the public, the Council comments and he received 72 emails from different people and he received phone calls from Chairman Rilee, Mr. Alstede and Mr. Feyl. Mr. Visioli respects Mr. Feyl for his accomplishments but plans to vote objectively.

Ms. Carluccio commented on the process. Ms. Carluccio served on the Personnel Committee since the inception of the Council and the Council is at an important point in the development and implementation of the RMP. Ms. Carluccio commented that there were several candidates for the position when Mr. DiPirro and Ms. Swan interviewed. The positions were advertised and there was a search done and Ms. Carluccio cannot vote for Mr. Feyl because Council has not done even a minimal search, which was done in the past. Council should advertise and do a national search. Council has created a manufactured crisis, and it is beyond ironic that the statement made that Council needs to move quickly because Ms. Swan was fired and Mr. Borden resigned, as a result by the action of this Council. Ms. Carluccio feels strongly that there are people on the Highlands staff who would be able to fulfill this position. Ms. Carluccio concluded that Council should back up, look at the various positions, which are currently open (Executive Director, Deputy Director and Chief Counsel) and how best to go forward and there are decisions being made that she is not privy to and we need to fix this problem that this Council has made for itself. Ms. Carluccio opposes making this decision today and hiring Mr. Feyl and Council needs to do a comprehensive analysis on the needs of the Council.

Mr. Vohden commends the Personnel Committee for so quickly making a choice of a very qualified candidate. Mr. Vohden commented that this is a political committee and we are all political appointments. He plans to vote yes. Mr. Vohden commented that he was nominated in 2010 and was just confirmed this year. Mr. Vohden commented that there is a committee member in the fourth year of their expired term and there is a nominee sitting on the side who is being blocked for politically motivated reasons and he will be glad when that seat is assigned.

Mr. Dougherty asked if, after the Council receives all Council comments, Council would be able to interview Mr. Feyl today? Mr. Dougherty commented that whenever someone is hired the process is simple and when you are hiring anyone there is a process (CFO, Business Administrators). The fact that the decision was made is not the issue; it is the process of the decision. Mr. Dougherty has many questions and stated if the process is flawed than the candidate is not given a fair shake. Mr. Dougherty thought that the public could ask questions, Council members would have the ability to ask Mr. Feyl questions publicly and get his position on record and whether this process should be in a private session or not. Chairman Rilee responded that the committee afforded the Council members the opportunity to ask questions prior to this meeting. Mr. Dougherty commented that he would want it to be on the record. Mr. Dougherty commented that the people of the State of New Jersey have the right to know who will be representing the Highlands as the Executive Director of one of the most precious resources of the State of New Jersey, which is water. Chairman Rilee responded that he assumed and had hoped that there would be a question or two at the meeting, but that Council would not be starting from scratch. Mr. Dougherty commented that he has legitimate questions for Mr. Feyl.

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Mr. Dougherty cannot vote until he has on public record Mr. Feyl's position on various topics. Chairman Rilee allowed Mr. Walton to speak and would return back to Mr. Dougherty.

Mr. Dougherty left the meeting temporarily at 5:15pm.

Mr. Walton commented on two points: 1) Mr. Thonet's resume was received via email on Wednesday, April 11th at 11:35pm which was way past the time the Committee made their selection and it was too late for the Committee to reconsider. 2) Council is not hiring a member of the Council. Council is selecting an Executive Director. Mr. Walton said the candidate is being considered to dutifully administer the will of this Council. He further clarified, if the Council says 'jump,' he will jump; if the Council says 'pave over the Highlands,' he will pave it over; if the Council says 'tear down every impervious surface and plant grass,' he will plant grass. Mr. Walton has every confidence that Mr. Feyl will be an effective executive director and does not need to know his personal opinions on open space, etc. Mr. Walton concluded by saying that the candidate will do the will of this Council and will answer to this Council.

Mr. Dougherty returned to the meeting at 5:16pm.

Mr. Dressler left the meeting temporarily at 5:17pm.

Chairman Rilee commented that Council is not hiring Mr. Feyl on his opinions on COAH or open space. Mr. Feyl is being hired to do what Council asks him to do. There was continued discussion between Mr. Dougherty and Chairman Rilee about whether Mr. Feyl should be asked questions by the Council for the record. Mr. Vohden added that the candidate does not need to have a PhD to fulfill this position. Mr. Vohden commented that the Council makes the decisions and Council needs to have the knowledge. The Executive Director needs to administer and carry out Council's message to the public. Mr. Vohden added that the Council was appointed to make the proper decisions and the executive director is intermediary and it is not important to have all of this knowledge.

Mr. Richko commented that he cannot decide if he is in an episode of the Twilight Zone, a Marx Brothers movie or a documentary on bad government or bad politics. Mr. Richko urged Council to talk about reality, which is that Mr. Feyl is a direct appointment by the Governor and will take his direction from the Governor.

Mr. Dressler returned to the meeting at 5:19pm.

Chairman Rilee objected to Mr. Richko's comment.

Mr. Sebetich commented that he assumed that Mr. Feyl has good political credentials, but the process is flawed. The Council should expand the Personnel Committee as it is too narrow and get resumes from other qualified people and open it up. Mr. Sebetich commented that this is a pre-determined decision, as was heard weeks ago, and does not think it should be pre-determined. Mr. Sebetich agrees with Mr. Richko that the Governor's office is directing the focus of this Council and Council needs to vote independently. Mr. Sebetich plans to vote no.

Mr. Francis believes that the Personnel Committee is operating within the rules and boundaries in a timely and as accurately as possible fashion. Mr. Francis expects that the Council's Executive Director will take his direction for the Council and Mr. Feyl will be nothing short of what we expect.

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Chairman Rilee asked if any other members would like to speak.

Mr. Dressler asked if the position was advertised. Chairman Rilee responded that the position was not advertised. Mr. Dressler asked Dr. Van Abs if he would consider staying a month or two months longer so that an exhausted search for an executive director could take place. Dr. Van Abs responded that it is a very difficult question to answer and would rather not answer tonight. Dr. Van Abs added that his reason for leaving the Highlands Council for retiring was made last fall, as the Council is aware, and the decision was made for reasons that are completely personal in nature and have nothing to do with the Highlands Council.

Chairman Rilee commented that he does not think the Council needs to open up questions to Mr. Feyl. Mr. Dougherty asked for more clarification on the process and if the Council expects him to make a decision on a couple of texts and an email he does not think it is proper. Chairman Rilee said having questions and Mr. Feyl's responses in the public record does not matter as Mr. Feyl will be taking direction from Council. There was further discussion by Mr. Dougherty on his concerns on the process and Mr. Feyl's background on water resource, planning and master planning and not being able to ask him questions and also if someone may come up from Trenton to temporarily be available for staffing purposes.

Mr. Vohden asked if the Act gives Council the responsibility. Mr. Alstede added that the Act states that "the council shall appoint an executive director, who shall be the chief administrative officer thereof. The executive direction shall serve at the pleasure of the council, and shall be a person qualified by training and experience to perform the duties of the office."

Mr. James commented that the last thing he would ever want is the Governor appointing someone temporarily here. Mr. James added that we are all political appointments and anyone who thinks this is not political is absolutely lying to the public or lying to themselves. Mr. James commented that the person that Council hires is going to serve at the pleasure of this Council, which means if next week someone is not doing their job, the next meeting they can be fired. Mr. James added that the candidate is going to have to be responsible and responsive to this Council. Mr. James is not looking to change the RMP or do anything necessarily differently to what has been done. Mr. James' only concern on this appointment is that the individual has the administrative experience to run this office, not what his opinion is on anything. Mr. James added that he has big shoes to fill and that is how he will be voting.

Mr. Dougherty added that he does not make appointments on just a resume until he has the opportunity to ask questions. Mr. Dougherty commented that he is entitled to have his opinion and the citizens of New Jersey have a right because it is their water and if there are predisposed issues of development and not protecting what the Act says to protect and someone is going to be in a position of authority that circumvents that, then he has the right to ask questions of his beliefs. Mr. Dougherty wants on the record that the Chairman is not allowing him to ask Mr. Feyl questions publicly.

Chairman Rilee commented that there have been many comments on the process and giving up our votes to the Governor and insinuating that he may do so. Chairman Rilee supports the Governor and will support him again, but it does not mean that everything he wants he will necessarily get. Chairman Rilee said it at a town hall meeting, a council meeting at his town two years ago, said it at the last meeting and will say it again. Chairman Rilee commented that many shots are being taken at the

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Governor unfairly. Gene Feyl is more than capable to do the job Council is asking of him and if Mr. Feyl does not do the job, Council has recourse.

All members present voted on the Resolution. A roll call was taken. The Resolution was APPROVED by a vote of 8-7.

Chairman Rilee introduced Mr. Feyl to make any comments. Chairman Rilee reminded the Council that Mr. Feyl does not assume his position immediately. The minutes need to be approved by the Governor before he can take the position, worst case scenario there is a 10 day waiting period, but that has yet to be addressed.

Mr. Feyl thanked the members who voted for him and who did not vote for him. Mr. Feyl commits to the Council that he will dedicate every waking hour to the Council, to earn the confidence of those that voted for him and to change the hearts of those that did not vote for him. Mr. Feyl believes it is his obligation as Executive Director to bring forces together, bring people together and to bring the entire Highlands region together so we are all rowing in the same direction. Mr. Feyl added that he is a student of Stephen Covey. He cited Covey's The Third Alternative which stresses the importance of understanding it's not my way or your way, but our way. Mr. Feyl reiterated what Chairman Rilee said that the day the Council tells him he is not doing the job the Council wants, all they have to do is ask and he is gone. Mr. Feyl added that he is in place to execute what Council tells him to execute. Mr. Feyl commented that as Executive Director one of the things he would like to do is to draw some consensus on where the Council wishes to go; as Ms. Carluccio indicated the Council has matured and it is a newer era. It is time for some self-examination and self-evaluation as to what Council sees. Mr. Feyl acknowledged that earlier Mr. Richko reminded him very strongly that Council is responsible for two-thirds of the state's drinking water supply. Mr. Feyl stated that he was aware of that, read the law and read most of the RMP and it was a sobering thought and rather sobering responsibility. Mr. Feyl said he gets it and takes it very seriously.

Mr. Dougherty left the meeting temporarily at 5:39pm.

As a past member of the Clean Air Council he also sees the relationship between clean water and clean air and. As good stewards, the Council can be advocates for the Highlands through many different ways and the Council needs enhanced communications to talk about the successes in the Highlands and the great things that are happening. The Council needs to encourage people to come here and get the word out about what a tremendous resource and asset we have in the Highlands. Mr. Feyl commented that there are many areas of uncertainty that we are facing and the Council will tell him how to respond. COAH is certainly an area of uncertainty; at some point, by law, we are going to reexamine the RMP; an improving economy it is going to put development pressures on the region. He also noted that the Council would have to interface with the state strategic plan and all the plans that preceded it. Mr. Feyl noted that he was not big on top-down planning generally, but feels the strategic plan is a workable plan that pushes development into the cities. Mr. Feyl does not think COAH is an evil agency, but has earned a reputation as such because Regional Contribution Agreements (RCA) were removed; they should be a tool to address COAH liabilities. The cities want the housing. Mr. Feyl also knows the Council needs to continue to look at landowner equity and compensation. Mr. Feyl noted that the meeting was taking place just a couple of days before Earth Day and as we celebrate these resources this is a reminder to the Council that all these things that we tamper with, we are obligated to protect. Mr. Feyl believes the Highlands Act and the work of the

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Council puts New Jersey way ahead of most states and that it is positive legislation and provides a means for a sustainable future for New Jersey and its residents.

Mr. Dougherty returned to the meeting at 5:40pm.

Mr. Feyl noted that he will put the Council first, New Jersey first and the residents of the Highlands region ahead of all his other concerns. Mr. Feyl thanks the Council for their confidence and looks forward to serving this Council and is available as this evolves and the minutes are approved. Mr. Feyl would also like to see the Council on social media to take us to the next level.

Mr. Mengucci left the meeting at 5:44pm.

Council Comment

Mr. Dougherty commented on another matter regarding Tennessee Gas Pipeline regarding Lake Lookover and Mr. Dougherty needs to find out if there are any testing records on any chemicals/pollutants that they may have picked up. Mr. Dougherty would like a report on who is doing the testing, when the testing was done and if we have the authority to have a test done ourselves by an expert.

Chairman Rilee asked Dr. Van Abs to look into this and Dr. Van Abs responded that he will respond to Council if there is anything emergent.

Mr. Visioli commented that he believes Council is here to facilitate and support the Highlands Act and in order to give the Highlands Council more authority, Council could at this time require a resolution that certain revisions and conditions be met. Mr. Visioli listed the conditions: 1) that any revisions to the existing organizational chart would be approved by the full Highlands Council; 2) that any new hires to be approved by the full Highlands Council; 3) before Highlands Council approves any new and/or revised job descriptions, the Highland Council is to receive resumes of all qualified candidates for open positions and the Council reserves the right to interview those candidates after the Personnel Committee has done their job; 4) there shall be no Deputy Attorney General overseeing the Highlands activities, but rather a full Chief Counsel and a Deputy Executive Director who will advise the Council and be dedicated to our service and who fully understands the Act. Mr. Visioli noted that his reasoning for that is because the Deputy Attorney General has other responsibilities assigned by the state and would not be in the Highlands Council office on a daily basis. Mr. Visioli made a motion to add these revisions/conditions to the resolution, which will help support our newly elected Executive Director moving forward. Mr. Dressler seconded it.

Chairman Rilee commented that there is a process in place in our Bylaws. Chairman Rilee read a portion of Section 5 of the Bylaws. Chairman Rilee believes that there are checks and balances in place in the Bylaws. Mr. Visioli responded that if the Council wants more authority and if we are here to support the newly elected Executive Director this is what Council should do. Chairman Rilee asked why these were not submitted to Council. Chairman Rilee suggested that the list be submitted to Dr. Van Abs or Ms. Tagliareni to distribute to the full Council and see if these items are already being addressed. Mr. Visioli stated that his proposal is intended to assist this Council and Mr. Feyl.

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Mr. Vohden asked if there is a process to revise the Bylaws. Mr. Alstede commented that Council has put on hold the Executive Director's authorities resolution and the Council needs to discuss what we want the new Executive Director to do and it is appropriate, but we cannot do this now.

Mr. Dressler asked when the interviewing process will be for a Chief Counsel. Chairman Rilee said that the Personnel Committee has not yet discussed. Mr. Dressler went on to say so every day we have the Deputy Attorney General present Council has a conflict of interest.

Chairman Rilee said that this should have been submitted to the Council ahead of time for consideration. Mr. Visioli responded that this is not restricting the Executive Director at all, it is an effort to help and assist him and the staff.

Mr. Alstede asked how long Council extended the resolution that gave certain authority to the Executive Director. Dr. Van Abs confirmed from the minutes that the resolution was extended by the Highlands Council for 90 days, at the meeting of March 15, 2012.

Mr. Dressler asked for a timeline on the interviewing process for a Chief Counsel. Chairman Rilee said he will discuss with the Personnel Committee within the next week. Mr. Dressler asked Chairman Rilee, as an attorney on this Council, he would like to have some input on that decision. Chairman Rilee responded that the Personnel Committee will discuss it and if they feel it is necessary the Committee will reach out to him.

Ms. Carluccio commented that when Council extended the status quo with the Executive Director oversight, Council allowed broad power to be carried out by the Executive Director. That means that the new Executive Director has the broad power to fully change how we implement the RMP and it may mean that Council should revisit this at the next meeting rather sooner than later. Ms. Carluccio supports Mr. Visioli's resolution and because the new Executive Director has powers under the current Bylaws and through the standard operating procedures that the new Executive Director probably is not as familiar with as the former Executive Director and the Council should revisit this with each new Executive Director. It is better to put these restrictions in place and if Council cannot succeed in getting enough votes to pass this resolution Ms. Carluccio would like to ask that the new Executive Director voluntarily say that he will not be letting go of any existing staff before Council deals with this process and nothing should happen in the meantime and should keep things in place until Council can address this issue and take back some of the responsibility to the hands of the Council.

Chairman Rilee finds this to be a change of substance, have not been given, not on the agenda and is not sure if it is appropriate to bring up at this time.

Mr. Jablonski brought attention to Council that under Section 10 of the Council's Bylaws there is set up procedures for amending the Bylaws.

Mr. Visioli responded that he is not looking to change the Bylaws at all but is suggesting that Resolution 2012-13 be supplemented with the conditions cited before because there is no requirement that Council has a Chief Counsel and the new Executive Director could change the organizational chart to leave out that person and that is his reasoning behind some of the suggested points made earlier.

Mr. Vohden commented that he would like to amend this motion to discuss each item individually. Mr. Dougherty responded that perhaps Council should have a vote.

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There was further discussion on whether to take a vote on the motion given by Mr. Visioli. A roll call vote to table Mr. Visioli's motion was taken. All members present voted. The result was 7-7. As the motion did not receive the required 8 minimum votes, it was not approved.

Mr. Alstede stated that if a vote to table results in a tie, the Council then votes on the resolution. Chairman Rilee turned to Mr. Jablonski asking whether or not it was appropriate to move forward on this matter without advertising. Chairman Rilee is shocked that Council is moving forward on this. Mr. Dressler removed his second and Mr. Visioli removed his motion on the resolution. Chairman Rilee commented that this will be on next month's agenda. Chairman Rilee asked that Mr. Visioli provide a copy of the resolution to staff for distribution to the Council members.

Chairman Rilee opened the meeting for public comments.

Mr. Alstede left the meeting at 6:10pm.

Public Comments

Jerry Kern, property owner in Pohatcong Township – Mr. Kern congratulated the new Executive Director and hopes he brings some fairness to this Council. Mr. Kern also commented that he learned something today that the Highlands has the cheapest water and his concern was if the water has to be treated then it will cost money and the alternative was to steal his land. Mr. Kern also added that Mr. Dressler made a comment at the last meeting for Council to have a discussion on landowner equity and compensation and was surprised there was no mention of that today and Mr. Kern would like to follow up on that and extend the appraisals for the value of the property before any expiration and would hope that this Council jumps on that to assure landowners that there is some hope.

Deborah Post, owns property in Chester Township – Ms. Post commented on Mr. Shope pummeling this Council on data regarding the viability of agriculture for several years now. The reality of farming is expensive in dense NJ, which has a farm population averaging over 60 years of age who can no longer turn a profit at what they used to do. Ms. Post further commented on agri-tourism and how it does not work for everyone. Ms. Post refers to a quote "we can still farm," which in her opinion is just a mean-spirited clueless attempt to push the crucial question of agricultural viability and landowner compensating under the rug. Ms. Post submitted her comments for the record.

Julia Somers, Executive Director of the New Jersey Highlands Coalition – Ms. Somers congratulated Mr. Feyl and the Highlands Coalition looks forward to working with him and helping him in any way they can. Ms. Somers also commented on the nonsense about the Council being all powerful and able to approve appraisals. Ms. Somers commented that the things we are talking about the Council can ask the State Legislature or Governor to provide Council with more money to help with TDR. The appraisal system is current and is still providing two appraisals, but none of that rests with Council. Council cannot do that and anyone who thinks they can has been misled. Ms. Somers feels it is really unfortunate if Council allows it to happen. Ms. Somers further stated that it is not Council's job nor does Council have the power to do that and Council is not doing themselves a favor by allowing this misinformation to continue because people will point a finger to the Council when the Council cannot do anything to help them. Ms. Somers urged the Council to please do not let that happen.

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Hank Klumpp, owns property in Tewksbury Township – Mr. Klumpp commented that for eight years he has asked for the scientific study that put his farm in the Preservation Area. Mr. Klumpp commented on Senator Smith’s statement in the Courier News on March 24, 2012 that Ms. Swan balanced the interests of landowners in the Highlands Region with the need to protect the 860,000 acre land that supplied drinking water to people. Mr. Klumpp commented that Ms. Swan did nothing for him and people waste the water. Mr. Klumpp also stated that the Act has changed his family’s life and left him with land that has no equity and restrictions that make operating extremely difficult. Mr. Klumpp submitted his comments for the records.

David Shope, owns property in Lebanon Township – Mr. Shope commented that he attends the New Jersey Water Supply Authority meetings regularly and their agency is in but not of NJDEP and they have someone from the Attorney General’s office, so if you want to save a few bucks you can call the DAG office and they will send you somebody. Mr. Shope commented that the RMP was passed by one vote, in fact Ms. Carluccio voted against it so the RMP squeaked through and is not written in stone and is subject to be changed by law from time to time and now is the time to take a look at it.¹ Mr. Shope also mentioned the previous Executive Directors came sliding through with no opportunity to talk to them at all. Mr. Shope commented that Senator Smith said in March 2004 that when it comes to landowner compensation, he will “show you the money.” At the last meeting Mr. Dressler wanted to have the Council look into agricultural liability and the subject was raised tonight by Ms. Post and he hopes that this does not slip under the rug. Mr. Shope requested that Mr. Dressler’s request not go unanswered. Mr. Shope added that the environmentalists are really eco-socialists. If you want a park, buy it. Don’t make a park out of what is my land without purchasing it. Mr. Shope finds it interesting that prior Council gave the past Executive Director unlimited powers, which Mr. Alstede objected to, and Council now wants to clip his wings before he has a chance to fly.

Jerry Kern, property owner in Pohatcong Township – Mr. Kern wanted to add about the bylaw issue and found it very disturbing especially when Council was talking procedure. Mr. Kern also asked if the Council changed the Bylaws. Chairman Rilee responded that the bylaws have not been changed.

Mr. Dressler commented in an effort to educate the gentlemen that he did bring the issue of agriculture viability up at the last meeting and he will continue to push and ask Chairman Rilee to put on the agenda a Council discussion on how to compensate the property owners and that has not changed. Mr. Dressler stated that he does not control the agenda and asked Chairman Rilee to put on the agenda how Council can properly compensate the property owners that are being affected.

The meeting ended with a discussion between Council Members Vohden, Tfrank, Francis, Dressler, Walton and Chairman Rilee on the TDR Program, its viability, the motivation and compensating the property owners. Mr. Walton commented that the Council needs to place a priority on how to compensate and make that the priority effort, its first and foremost function. The Council should sell the TDR Program to any community that will listen so Council can make this a viable effort and make it our first responsibility to sell this TDR Program. Mr. Walton added that this power should be given to the new Executive Director to find out how Council can compensate the landowners with a fair deed restriction that would be used on every property.

¹ (Note: Resolution #2008-27 was approved by a vote of 9-5; Ms. Carluccio did vote no.)

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Chairman Rilee said he appreciates all the comments and feels everyone made great points. He believes that Council can all agree that compensation for property owners is important, and in getting to that end there are some viable options through TDR funding and other such things. Chairman Rilee stated that it is very important moving forward that the new Executive Director start addressing those items first and foremost on our agenda. Chairman Rilee will make this a priority, but cautioned members and the public not to expect the Council will get to it at the next meeting, but should get to it by the following meeting.

Mr. Walton made a motion to adjourn the meeting. Mr. Tfank seconded it. The meeting was adjourned at 6:32pm.

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: 5/17/12

Name: Annette Tagliareni
Annette Tagliareni, Executive Assistant

Vote on the Approval of These Minutes

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