

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
MEETING MINUTES OF JULY 20, 2023

**PRESENT**

CARL J. RICHKO ) CHAIR  
KURT ALSTEDE ) VICE CHAIR  
MICHAEL FRANCIS ) COUNCIL MEMBERS  
BRUCE JAMES )  
DANIEL J. VAN ABS, PhD )  
JAMES VISIOLI )  
RICHARD VOHDEN )

**VIA TELECONFERENCE:**

MICHAEL DRESSLER )

**ABSENT:**

TIMOTHY DOUGHERTY )  
ROBERT HOLTAWAY )  
MICHAEL SEBETICH, PhD )

**CALL TO ORDER** 198<sup>TH</sup> meeting of the New Jersey Highlands Water Protection and Planning Council was called to order at 4:06pm at the Highlands Council Offices in Chester, NJ.

**ROLL CALL**

Roll call was taken. Members Dougherty, Holtaway, and Sebetich were absent. All other Council Members were present. Member Dressler was present via teleconference. *The following staff members were present: Ben Spinelli, Gabrielle Gallagher, James Humphries, Maryjude Haddock-Weiler, Kelley Curran, Casey Ezyzskoe, Ranji Persaud, Neda Hartman, Annette Tagliareni, Carole Ann Dicton, Tom Tagliareni, Mikaela Henning, and Roberta Burkhart. Others present via teleconference: Jason Kane, Deputy Attorney General's (DAG's) office and Thomas F. Holl, Associate Counsel, Governor's Authorities Unit (GAU).*

**OPEN PUBLIC MEETINGS ACT** was recited.

**PLEDGE OF ALLEGIANCE** was recited.

**CHAIRMAN'S REPORT**

There was no Chairman's report.

**EXECUTIVE DIRECTOR'S REPORT**

Mr. Spinelli provided several updates on:

- Policy Standards for Warehousing in the Highlands Region
- Affordable Housing Contract
- Regional Master Plan (RMP) updating process
- Highlands budget request for additional staff

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
MEETING MINUTES OF JULY 20, 2023

- Dedicated source of funding to reinvigorate the Highlands Open Space programs in conjunction with Highlands Conservation Act (HCA) grant
- Meeting with NJDEP Deputy Commissioner & new Director at GAU
- Council appointments
- Requests for proposals (RFP) and grant programs:
  - a. Watershed Restoration & Protection Plans RFP – awards for Council’s consideration at today’s meeting
  - b. RFP to Develop an Open Space and Recreation Plan for the New Jersey Highlands Region – issued July 13, 2023, proposals due October 6, 2023
  - c. Sustainable Agricultural Grant – proposals due August 11, 2023
- New municipal stormwater permit (MS4) requirements and Highlands Council support
- Climate Guidance document with NJ Future
- HAB Monitoring – Highlands’ science staff working with Montclair State University
- Municipal Plan Conformance Engagement:
  - Sparta Township
  - Harding Township
  - Mendham Township
  - Roxbury Township
  - Bernardsville Borough
  - Peapack-Gladstone Borough
- Watershed Moratorium Aid Memorandum

At this time, Mr. Spinelli provided staff announcements: Welcoming our summer intern, Mikaela Henning and Communications Specialist, Roberta Burkhart, and congratulating Maryjude Haddock-Weiler on becoming a grandmother.

Lastly, Mr. Spinelli thanked Highlands staff and Council members for their support and dedication.

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

Council Comments

Member Van Abs asked if there is a sense of what the obligation of funds may be in the next six months for MS4 permits for conforming municipalities. Mr. Spinelli responded that it is hard to say and hopes to get a stormwater engineer on staff to support our constituent municipalities and help reduce costs. Mr. Spinelli noted that Council has engaged Stormwater Compliance Solutions, LLC to put together a template scope of work for the new/modified MS4 requirements that Highlands municipalities can use when requesting grant funding. It was noted that the funding NJDEP will provide will not be enough for Highlands municipalities and Mr. Spinelli added that at this time we are unsure if all 88 municipalities will request additional funding from the Highlands Council. Member Van Abs added that Council should be thinking about priorities regarding our funding to municipalities.

Chairman Richko reported that we are a 15-member Council with only 11 members and doing what we can to encourage the governor’s office to act on appointments.

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
MEETING MINUTES OF JULY 20, 2023

**APPROVAL OF HIGHLANDS COUNCIL MINUTES OF MAY 18, 2023**

Chairman Richko asked for a motion on the Council Minutes of May 18, 2023.

*Member Van Abs made a motion to approve the Highlands Council Minutes of May 18, 2023. Member James seconded it.*

*A roll call vote was taken. The Highlands Council Minutes of May 18, 2023 were APPROVED 8-0.*

**BUDGET & FINANCE COMMITTEE**

Committee Member Visioli reported that the Budget and Finance Committee met on July 10, 2023, via Zoom and recommended the following resolutions for Council's consideration. The first resolution is to extend the Fiscal Year 2023 General Operating and Protection Fund Budgets at the same average monthly spending level. This resolution is considered by the Council every year.

**RESOLUTION – Approval to Extend the Fiscal Year 2023 Budgets at the Same Average Monthly Spending Level**

Chairman Richko asked for a motion on the resolution.

*Member Visioli moved the resolution. Member James seconded it.*

Council Comment

There was no Council Comment.

Public Comment

There was no public comment.

*A roll call vote was taken. The resolution was APPROVED 8-0.*

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

Chairman Richko asked for a motion on the resolution.

*Member Visioli moved the resolution. Member James seconded it.*

Council Comment

There was no Council Comment.

Public Comment

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
MEETING MINUTES OF JULY 20, 2023

There was no public comment.

*A roll call vote was taken. The resolution was APPROVED 8-0.*

**PRESENTATION – Update on Highlands Council Funded Watershed Management Plans**

At this time Science Manager, Kelley Curran introduced Chris Mikolajczyk, Senior Manager at Princeton Hydro, who provided the Council with an update on municipal and county watershed planning projects being completed through the Plan Conformance grant program. The presentation is available on the Council's website: [www.nj.gov/njhighlands/about/calend/2023/jul20/preso\\_jul20.pdf](http://www.nj.gov/njhighlands/about/calend/2023/jul20/preso_jul20.pdf)

Council Comment

Member Van Abs asked about the critical issues identified through the lake/watershed plans and for the consultant's assessment of the feasibility of addressing those issues from a landscape management prospective.

Mr. Mikolajczyk responded that the plans are focused on pollutant loads (primarily nitrogen, phosphorus, and suspended solids) that promote eutrophication in the lakes (i.e., HABs and invasive species growth), and where they are coming from, primarily stormwater or septic loading. Regarding feasibility, plans are laid out and geared towards 5-, 10- and 20-year priorities and, where possible, identify potential funding sources for project implementation.

There was continued discussion regarding nitrogen in this process and the process itself.

Council Richko commented that when Council started this process back in 2019, the lake commissions were thrilled with preserving the water quality for their private and public lakes. Council Richko added that Council protects the watersheds, and they protect their lakes.

Mr. Mikolajczyk also mentioned that the NJDEP is taking note of this regional approach to watershed management planning and these plans are helping municipalities and counties qualify for federal 319(h) pass-through grants, which are administered in the state by NJDEP.

Chair Richko thanked Mr. Mikolajczyk.

*At this time, Chair Richko clarified that the previous resolution approving Plan Conformance grants included a Stormwater Management Planning grant for West Milford Township in the amount of \$82,250 and an Initial Assessment Grant for Mendham Township in the amount of \$15,000.*

Chair Richko then invited West Milford's representative, Bob Rieder, to comment.

**Bob Rieder, West Milford Township Engineer** – Mr. Rieder thanked the Council for passing the resolution. Mr. Rieder noted that this is a good step in helping the Township maintain compliance and having a plan in place to make it actionable in the future.

**RESOLUTION – Approval of Contracts to Develop or Update Watershed Restoration and Protection Plans within the New Jersey Highlands Region**

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
MEETING MINUTES OF JULY 20, 2023

*At this time, Chief Counsel, Gabrielle Gallagher, noted that one of the proposals included in the resolution (Rutgers) will have to be considered at the next Council meeting due to a lack of sufficient eligible voting Council members. Of the eight (8) voting Council members present, one must recuse due to a conflict of interest.*

**PRESENTATION – Request for Proposals: Watershed Restoration & Protection Plans**

Ms. Curran introduced Water Resources Management Specialist Casey Ezyske to present staff's recommendations regarding the Request for Proposals for Watershed Restoration and Protection Plans. Following Ms. Ezyske's review of the recommended projects, Director of Planning, Science & GIS James Humphries noted that the total investment for these projects is a not-to-exceed amount of \$747,477. Mr. Humphries also noted that these awards are reimbursement based and payable only after Council staff's review and approval of deliverables. The presentation is available on the Council's website: [www.nj.gov/njhighlands/about/calend/2023/jul20/preso\\_jul20.pdf](http://www.nj.gov/njhighlands/about/calend/2023/jul20/preso_jul20.pdf) (scroll to slide 21).

Chair Richko invited representatives to provide comments regarding their proposals.

**Laura Craig, Engineering and Land Planning Associates, Inc. (E&LP)** – Ms. Craig thanked the Council for the opportunity to help Pohatcong Township identify ways to improve their water quality in two creeks and one river that flow through the Township. Ms. Craig noted that E&LP took a smaller approach to the RFP partly because the plan would ultimately be the responsibility of one municipality and more likely to see action and help them identify funding sources including capital funding.

**Chris Obropta, Rutgers Cooperative Extension Water Resources Program (Rutgers)** – Dr. Obropta thanked the Council for the opportunity. Dr. Obropta proposed a model to analyze as many towns as possible. Dr. Obropta noted that they have had great success in putting together plans and then leveraging the plans to get funding from NJDEP 319(h) grants and others to implement the projects.

**Chris Mikolajczyk, Princeton Hydro** – Mr. Mikolajczyk commented that Princeton Hydro took a combined approach with individual municipalities, but multiple watersheds based on the impact(s) to lakes.

Mr. Spinelli commented that if we had in-house personnel and resources, this work could be done by staff. Due to limited staff and budget, engaging outside contractors to work on our behalf is one way we can accomplish what the Highlands Council is tasked to do. A large part of the Highlands will be covered with these three (3) awards.

Chair Richko added that Mr. Spinelli made a great point and noted that \$747,477 would go far with in-house staff salaries.

*Gabrielle Gallagher emphasized that the Rutgers proposal will carry over to our next Council meeting. When asked for a motion to vote, Council will be voting on the E&LP and Princeton Hydro proposals.*

Chairman Richko asked for a motion on the resolution.

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

Council Comment

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
MEETING MINUTES OF JULY 20, 2023

There was no Council Comment.

Public Comment

There was no public comment.

*A roll call vote was taken. The resolution was APPROVED 8-0.*

**OLD/NEW BUSINESS:**

There was no old/new business.

Chair Richko opened the meeting for any public comment.

Public Comment

**Dylan Medici, resident of Byram and Manager of Outreach and Education, New Jersey Highlands Coalition** - Mr. Medici commented on a Consistency Determination Highlands staff provided on a project in Mine Hill Township regarding a subwatershed with severe deficit of net water availability. After reading the applicant's site-specific mitigation plan and municipal-based Water Use Conservation Management Plan, the Coalition was appreciative of the Council's determination. Mr. Medici also commented on warehousing in the region.

Chair Richko asked for a motion to adjourn the meeting.

*Member James made a motion to adjourn the meeting. Member Van Abs seconded it. All were in favor. The meeting was adjourned at 4:58pm.*

**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: 9/22/2023

Name: Annette Tagliareni  
Annette Tagliareni, Executive Assistant

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
MEETING MINUTES OF JULY 20, 2023

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