

MINUTES OF THE MEETING OF THE
NJ FISH AND GAME COUNCIL

Central Region Office
Robbinsville, NJ
January 13, 2009

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

Councilman Dave Burke
Councilman Ed Kertz
Councilman John Messeroll
Councilman Robert Puskas
Councilman Dan Van Mater
Acting Chairwoman Jeanette Vreeland
Councilman Len Wolgast

Absent: Councilman Fred Hough
Councilwoman Jane Morton-Galetto

Division employees included: Director Dave Chanda, Assistant Director Larry Herrighty, Paulette Nelson, Tony Petrongolo, Tim Cussen, Jim Sciascia and Sue Predl.

Members of the public included representatives from the Federation of Sportsmen's Clubs and others.

The meeting was called to order at 1:06 pm by Acting Chairwoman Vreeland.

The flag salute and Pledge of Allegiance were completed.

In accordance with P.L. 1975, c.231 notice of this meeting was filed with and posted at the Office of the Secretary of State and sent to the designated newspapers of the Division, the Newark Star Ledger and The Press (Atlantic City) on January 5, 2009.

Roll call was taken.

Acting Chairwoman Vreeland noted the icy conditions in her area, adding it was good for the ice fisherman.

Acting Chairwoman Vreeland reflected on the recent passing of Councilman Dick Culp, and noted the recent death of Jim Ackerman, former Superintendent of the Rockport Pheasant Farm. Director Chanda added that Jim Oross, Technician at the Hackettstown Fish Hatchery had also recently passed away.

A letter was received from a resident of Mays Landing with regard to deer, and Acting Chairwoman Vreeland noted it would be discussed at the Game Committee Meeting. A second letter was received from the Future Farmers of America requesting the Division bring the fish display to their conference. This letter will be referred to Chief Barno.

Acting Chairwoman Vreeland reported on an e-mail message that she had received from a resident in Green Township. The town council there would like to contact Acting Chairwoman Vreeland with regard to bear hunting, adding that they definitely would like to see the bear hunting season open again because of problems they are having in their area.

The minutes of the December 2008 meeting were reviewed. **A motion was made by Councilman Van Mater, seconded by Councilman Burke to approve the minutes.** Councilman noted one change on page 2, paragraph 5, which should read Farm Bureau Convention, not Agriculture Convention. **A vote was taken with all in favor to approve the minutes as corrected.**

Director Chanda addressed the Council. He noted he would have to leave the meeting at 2:30, at which time Assistant Director Herrighty would sit in for him.

Director Chanda reported on the Raritan Sports Show that was held this past weekend. He noted that this was also the 20th anniversary of the Garden State Deer Classic. All seminars were well received, and he added that representatives from NOAA were in attendance to talk about the Magnuson Act that would create a saltwater registry. Implementation of this registry has been postponed until January 2010, and the fee requirement will start in January 2011. Division staff will be able to speak on this Act after approval from the Communications Office, which should be received by the end of the week. Plans are to have approximately 12 Division representatives available to review and answer questions on this matter.

As recently reported in the news, the budget has been reduced by one million dollars. Director Chanda noted that this was a reduction was expected, and had been previously budgeted for this past July.

This morning Director Chanda met with the new DEP Commissioner, Mark Mauriello. He has received the Council's letter regarding black bears, and will be sending a response. He also asked Director Chanda for an update on research and studies that are currently being done for bears.

Acting Chairwoman Vreeland asked if there has been any activity on appointments to the Fish and Game Council. Director Chanda noted no, and added that the Marine Fisheries Council also has appointments pending.

Councilman Wolgast noted a recent article in The Fisherman, which says that New Jersey should have a saltwater fishing license. He also asked if the one million dollar budget reduction came from the 4.2 million dollar appropriation, and Director Chanda noted that it had. The budget and some of the effects of these cuts was briefly reviewed and discussed.

There was no public comment on the agenda items for today.

Councilman Kertz reported for the Agriculture Committee. He noted that things are quiet at the moment.

The Vegetable Growers Convention will be held today through Thursday, and the Agriculture Convention will be held in Cherry Hill on February 10 and 11.

Councilman Kertz was addressed with several questions this past week. The first was whether or not the semi-wild season would be extended this year. Assistant Director Herrighty a change was made several years ago to extend the season to March 15. Secondly, he was asked with the pending crossbow season, if someone does not already have an archery license and want to take their hunter education course now, could they use the crossbow for their course. Director Chanda noted that this would still have to be worked out internally, and these matters still need to be addressed. This matter was briefly discussed, and Assistant Director Herrighty noted that no one is being encouraged to purchase a crossbow at this time in anticipation of the proposed changes, and that the hunter education course currently requires students bring either a long bow, a recurve bow or compound bow to class. There was additional discussion on this matter.

In the Central Region, Councilman Puskas reported that he is receiving many calls regarding goose damage to crops. He added that he is being asked if there will be a longer Canada goose hunting season, but has advised that this is out of the Council's hands. He noted that this seems to be the worst year ever for goose damage, with many fields being eroded because there is nothing to hold the soil during the rain.

There was no information to report for the Northern Region.

Councilman Messeroll reported for the Legislative Committee. He reviewed some of his notes. For bill A 3105, which would establish a new Department of Agriculture and Conservation he has noted as "under review". Also, A 3144 which would increase the membership of the Fish and Game Council, he has noted who from the Aquaculture Committee would be appointed to this Council. Councilman Messeroll also noted the following bills and the Committee's recommendations:

A 3252	Requires DEP to establish free recreational saltwater fishing registry.	Oppose free license but would assist in funding Marine Fisheries
A 3272	Authorizes black bear hunting permits and permit fees, and clarifies Fish and Game Council authority over bear hunting.	Support
A 3280	Expands calibers of rim-fire rifles permitted on State wildlife management target ranges.	Support, but can be done

regulatorily.

A 3379

Establishes, in the Division of Fish and Wildlife in DEP, a program to encourage school children to avoid drug use and appropriates \$200,000 therefor from Drug Enforcement and Demand Reduction Fund. (HOFNOD bill)

Support

These bills and any companion bills were what the Legislative Committee had reviewed.

One additional bill was pointed out by Legislative Liaison Paulette Nelson. Bill S 2335 authorizes the hunting of game animals every day of the week during the hunting season, and Committee suggested supporting this bill.

Councilman Messeroll asked for a vote on the above noted bills unless there were any comments or questions. Councilman Kertz noted that last month there had been an amendment to the proposed bill to reduce the safety zone to 150 feet for bow hunting, and asked if the amendment was regarding having a nocked arrow while in an elevated stand. It was noted that this was what the amendment was for. Councilman Wolgast asked if there was any elevation height requirement noted, but there is not. Assistant Director Herrighty also asked, if there was allowance made for the natural topography of the land in the language of the bill, but that was unknown. **A motion was made by Councilman Puskas, seconded by Councilman Wolgast to approve the recommendations made by the Legislative Committee with regard to the bills reviewed today. A vote was taken with all in favor, none opposed.**

New items were also reviewed. Bill A 595, which had a floor amendment, still needs to be heard by the full Assembly. Bill A 3105 and its companion bill have been withdrawn, and with some slight changes is now Bill A 3499. Bill A 3549 would authorize free licenses to members of the military and members of their immediate family. There was some discussion on the context of this proposed bill, and Legislative Liaison Nelson suggested that Council consider supporting this bill. Bill A 3551 would authorize free licenses to retired military personnel, and lastly Bill S 2387 which is similar to Bill A 3549.

It was also noted that the Legislature would be back in session next week, and things have been quiet this past month. Legislative Liaison Nelson reported she is hearing different comments on the Sunday hunting and 150' safety zone bills and their current status. Councilman Kertz asked if we were supporting Bill A 3551 and the Senate companion bill, and she noted this Council would be asked to support same when they take a position on it. Councilman Messeroll asked about the bills that would offer free licenses to members of the military, and these were also discussed.

There was no report from the Endangered and Non-Game Species Committee.

Councilman Messeroll reported for the Federation. He reviewed some of the activities from the Raritan Sports Show.

In the Central Region, they are working on the Convention that will be held on June 12, 13 and 14, 2009 at the Eatontown Sheraton. He reviewed some of the activities they are planning for that event.

The State Federation meeting will be held this Friday evening.

Acting Chairwoman Vreeland reported on Federation activities in the Northern Region. The Bergen County Federation is working on activities for the Rockland Sports Show, which will be held March 5 through 8.

In the Southern Region, Councilman Burke reported that he had attended the Atlantic and Cumberland County meetings. He noted that there is quite a bit of unhappiness with regard to the deer harvest in the lower part of Burlington County, and the Division will probably be receiving letters on this. He asked the clubs for harvest information at the meetings, and found that in Cumberland County they were within three deer when comparing the harvest from this year and last year. In Atlantic County, some of the clubs in the Eastern part of the county did very well, but once you crossed to the other side of the Mullica River to the New Gretna and Chatsworth areas, the clubs noted that the deer harvest was down and they were quite unhappy. They are also frustrated that the Game Code process is taking so long, but Councilman Burke explained the process that must be followed.

In Cumberland County, they discussed the possibility of rescheduling the quail stocking days during the early muzzleloader season, and they seemed to be in agreement so that it did not conflict with the early muzzleloader season.

Also, the Cumberland County Federation was asked if they had any interest in the upcoming Fish Forum at Batsto, and they would like to have an update on the status of Lake Audrey and any projects that may be occurring in South Jersey.

Councilman Burke commented that in the areas of South Jersey where the goal was for a population reduction in deer, the program seems to be working, however the hunters are unhappy. He added it would be interesting to see the final results when they come in, and also noted upcoming meetings where biologists from the Deer Project are scheduled to attend.

Councilman Wolgast asked about the Game Code process, and asked for an update of its current standing. Assistant Director Herrighty noted it is in the Office of Legal Affairs for review. The attorney working on it believes he can meet the deadline of trying to have this done by August, and talked about sending a summary document to the Governor's Office to have it approved. He further reviewed the steps to be followed before this can be published in the Register. Once published, the 60 day public comment period would begin, and after 15 days, the public meeting can be held. After this, comments would be summarized; the Council would consider the comments and vote on whether or not to adopt the proposals, then the Adoption Document would be sent back to Legal Affairs. After that, it would be sent to the Governor's Office, and then could be published. Councilman Wolgast asked about printing the Digest, and the Office of Legal Affairs has been made aware of this and the timeframe involved. There was additional discussion on this matter, and Councilman Wolgast asked if the Council should send a letter

requesting that this process be sped up. Assistant Director Herrightly suggested that a letter be sent to the Commissioner. After some additional discussion, **a motion was made by Councilman Puskas, seconded by Councilman Kertz to send a letter requesting the Game Code review be completed as soon as possible.** Councilman Kertz asked if it should also be copied to the Governor and Chief of Staff as well. After some additional discussion, **a vote was taken with all in favor, none opposed to send this letter to the Commissioner.**

Councilman Van Mater noted that he has been receiving complaints about the deer harvest numbers being down. Also, he had been asked why no bodies of water in Burlington County were included in the Winter trout stocking program. Director Chanda suggested that they attended the Batsto fish forum to discuss their concerns.

Councilman Burke asked about a letter that had been received last month regarding pheasant stocking, and Councilman Messeroll noted that he had spoken to the person who sent the letter at the sports show. Assistant Director Herrightly added that the gentleman is questioning the formula used for stocking which is 20 years old. When suggestions to change it were made Council chose not to move forward. He added that this could be re-addressed. Councilman Messeroll added that they had discussed quail habitat improvements and hunters who may come in to the state to hunt quail. Director Chanda noted that this would be a major undertaking, and there may not be enough staff to begin changing the program at this time. Councilman Messeroll noted that this should be discussed at the Game Committee. Councilman Burke asked that when letters such as this are received, he would like a note sent acknowledging that it was received, even if no action can be taken.

There was no report from the Bureau of Freshwater Fisheries, however, the Fisheries Committee was advised they would need to set a date for a meeting in February.

Principal Biologist Sue Predl was in attendance to present a Community Based Deer Management Permit from Watchung Reservation, Union County Department of Parks and Recreation. She reviewed the application for the Council, noting that two local clubs hunt both Township and private properties. They are requesting to extend the permit shotgun, permit muzzleloader and winter bow seasons through March 30, 2009. Principal Biologist Predl reviewed last year harvest information for the Council. Hunters would need a 2009 license, as well as firearm hunters needing a Zone 9 or Zone 13 permit. Results of the survey taken in 2003 showed that 86% of the respondents had deer damage, with 73% noting significant damage. The estimate of costs for damage was over 18 million dollars. It was also noted that they have been successful in reducing the amount of deer/vehicle accidents since the program has been in place, with 275 accidents reported in 2000, and 97 reported in 2006. In January 2008, an infrared survey was done in a portion of the town, and this showed over 30 deer per square mile. They would like to reduce this number to under 20 deer per square mile. Based on the information reviewed today, Principal Biologist Predl recommends approving the application with the requested season extensions. **A motion was made by Councilman Burke, seconded by Councilman Wolgast to accept the application as presented.** Councilman Kertz asked if they hunt these properties during the regular seasons, and it was noted that they do. He wondered if it was worth it for them to request the permit based on the amount of deer harvested in the extended times, and Principal Biologist Predl noted it was worth it to them. This matter was

further discussed. He also suggested that they consider having more than these two clubs to hunt the area during the regular seasons, which may eliminate the need for this permit, and Principal Biologist Predl added she will make that recommendation to them. Councilman Van Mater asked if the 2003 survey could be updated, and that too will be recommended. Councilman Kertz asked if the application for a Community Based Deer Management Permit could be amended to require that surveys be redone after a certain number of years. Principal Biologist Predl felt it could be requested that the township do a survey of residents on a regular basis. Councilman Messeroll asked if there was information available as to how many deer came from each of the areas approved for hunting rather than one total of the deer harvested on the permit. Principal Biologist Predl noted that she could provide this information. After some additional discussion, **a vote was taken with all in favor, none opposed to approve this application.**

Assistant Director Herrighty reported for the Bureau of Wildlife Management. He noted that the mid-Winter waterfowl survey has begun.

The year end bear tally sheet for 2008 was distributed. Assistant Director Herrighty briefly reviewed the report with the Council, noting the numbers have doubled or almost doubled compared to the numbers from 2007. This year, 37 bears were euthanized, compared to 19 in 2007. Also, in 2007, only seven farmers requested permits to shoot bears that were causing crop damage, and in 2008 this number increased to 20. Of the 50 permits issued for farm damage, 11 bears were euthanized in 2008 compared to two in 2007.

Assistant Director Herrighty had no additional deer harvest information to report at this time. He added that he has also been getting calls on the South Jersey, Burlington County area concerning the deer harvest.

Assistant Director Herrighty complimented Bureau of Information and Education Chief Sciascia and his staff for their work on the Deer Classic.

It was reported in the news that the State of New York, Department of Conservation would be closing their pheasant farm, and Assistant Director Herrighty had been contacted by them inquiring if we would want 9,000 pheasants. Since the birds offered were all breeders we were unable to take them since we are at capacity. Supervising Biologist Pat Carr has been working on an evaluation of operating the Game Farm, and it appears that there would be no fiscal benefit to closing the farm and purchasing the pheasants elsewhere.

This past season, 55,890 pheasants were stocked. They currently have 3,500 breeders at the farm.

As of last week, only seven feral pigs had been reported at the check station, though there are rumors that more have been harvested. No samples have been taken from any of the pigs reported. A special wildlife management permit will be issued to a golf course in the area to trap the pigs. The pigs will then be fit with a collar that will allow them to be tracked so that the pigs can be hunted after the end of the deer season.

Councilman Puskas asked about the feed for the pheasant farm, wondering if the price was locked in. Assistant Director Herrightly noted yes, it was a set price, and that this is put out to bid twice a year. He briefly reviewed this for the Council.

Information from the bear activity report was also discussed.

Chief Petrongolo reported for the Bureau of Land Management. He reported that 251 acres have been added to the wildlife management area system. One piece is adjacent to the Paulinskill Lake WMA in Sussex County, which added 217 acres with a 4 acre lake.

Chief Petrongolo noted that the Green Acres program has been very active lately. One other property not listed that was acquired before the end of the year was a 150 acre portion of Seabrook Farms in Salem County. This property is along the Mannington Creek, and will be an addition to the Salem River WMA. Curt Gellerman from the Green Acres Program also has a contract on another property in the area, which consists of 176 acres along the Mannington Creek.

Chief Petrongolo addressed Councilman Messeroll on the quail stocking program in the Greenwood and Peaslee WMAs. He reviewed the habitat management projects that are ongoing in these areas to support the program.

The Agriculture Lease Program for Wildlife Management Areas is moving forward. Chief Petrongolo gave a brief review to the Council. The program will generate income and provide in-kind work. Regional meetings are scheduled on the following dates:

Central Region	January 22 at the Assunpink Office
Northern Region	February 5 at the Pequest Office
Southern Region	February 10 at the Agriculture Convention

Councilman Puskas asked about the times of the meetings. The Central and Northern meetings are scheduled for 7 pm, and the Southern meeting will be at 2 pm.

A letter has been received from Jersey City with regard to trash problems at the Split Rock Reservoir. Chief Petrongolo has tried to contact their Municipal Utilities Authority without much success. He gave a review of the problems at that area. Chief Cussen from the Bureau of Law Enforcement asked what area the problem was occurring in, and Chief Petrongolo noted it was not on Fish and Wildlife property, but on Jersey City property located in the area of Charlottesville Road. Chief Petrongolo further reviewed that clean ups have been done in the past with the assistance of the Federation, and even though the area is gated, break-ins do occur and dumping continues. He felt that the area should be closed off, and more enforcement efforts are needed by the landowner. He added that the easement that was purchased with Green Acres funding needs to be open to public access for recreational use.

Chief Petrongolo reported that at the Absecon boat ramp, the floating dock on the downstream side has been installed. The Township Engineer is also doing a conceptual plan for additional parking, for which the Federal government will provide 75% funding. Chief Petrongolo will be

meeting with them to discuss the permit program to see how many permits were sold and where the monies for those permits were used.

The Harrisonville Lake dam restoration project has been completed, and the lake will be part of the stocking program this Spring.

Chief Petrongolo noted that there are significant maintenance issues when properties are acquired that have lakes with dams. However, he added that if we didn't have these lakes the fisheries resource would suffer, and he noted a new property we are acquiring at the Hyponex property at the Paulinskill Lake WMA. The property is approximately 50 acres in size, and has a 10 acre lake. Chief Petrongolo noted that the dam is a low hazard dam, and even though it needs some repair, the property would be a nice addition for us.

Shaw's Mill Lake at the Millville WMA has been lowered in anticipation of a dam renovation project that is due to begin this Winter.

Chief Petrongolo reported that volunteers from the Cumberland County Federation have installed some fish habitat structures in at Lake Audrey, but more information would be needed from Chief Barno on the long term plan for that area.

Councilman Puskas inquired as to who would be getting the monies from the agricultural leases, and Chief Petrongolo noted it would be the Division, and reviewed this for the Council. Acting Chairwoman Vreeland asked if woodcutting was being considered for the future, and Chief Petrongolo noted it was and reviewed this as well.

Councilman Messeroll asked why Hunterdon County was overseeing the hunting permits on the former Merck Property since it is part of the wildlife management area system. Chief Petrongolo noted that the property is adjacent to a Hunterdon County Park, and Hunterdon County agreed to manage the property in advance of our acquiring it. We have leased the property to Hunterdon County Parks, however, it is jointly managed and technically is not a wildlife management area. Chief Petrongolo briefed the Council on the agreement we have with them and some of the management plans that have occurred. There was further discussion on this matter. Councilman Puskas added that he had to acquire a hunting permit and a parking permit to be on the area, and Chief Petrongolo said he did not believe that this was the case but he would have to look in to it. Hunterdon County is not permitted to have different requirements for residents and non-residents who wanted to hunt on this property.

Chief Sciascia reported for the Bureau of Information and Education. He spoke about the recent sports show, noting that this year the Division's display was located on the main floor and he felt that worked well since the traffic flow had to go right past it. The promoter's of the show will continue to have the Division on the main floor if the space is not sold and it is available.

The Bureau is currently reviewing activities from the past year, and doing evaluations of programs and planning for the coming year.

Plans for black bear education for the coming year have been finalized. In addition to past activities, they are looking at creating a television public service announcement. Also, they will be running 10 second bear education slots at a movie theatre chain in North Jersey. Chief Sciascia noted that this is a good area that goes from Central North Jersey to West Milford, and PSAs will run for four months starting in the early spring.

Bear Biologist Michelle Ruggerio has been talking to chain store retailers to encourage their buyers to carry bear resistant trash cans in their stores, and Chief Sciascia briefed the Council on her efforts.

At the last meeting, a graph was distributed that showed numbers of graduates from the Hunter Education Program. Chief Sciascia noted that the numbers are back up to the levels that were seen nine to ten years ago, and while this is encouraging, there is still room for improvement. They are looking to hold more classes during the day and evening hours, hoping to be able to meet the demand for anyone wanting to take their hunter education course.

Marketing promotions are being planned to boost license sales. Chief Sciascia reviewed some of the ideas in place, including reviewing work done with the Recreational Boating and Fishing Foundation to determine whether or not we will participate in their promotion again this year. He will also be meeting with Bob Longcor from the Division to review license sales data to see if they can narrow down the areas where they should be reaching out to license buyers. After determining the focus areas, a plan will be laid out for this year's promotional activities.

Chief Sciascia also addressed the Wildlife Conservation Corps Program. He felt that the potential is not being met for using these volunteers, and there is a need to have a volunteer manager. There had been previous discussion on developing a professional service contract, and he has spoken with Margaret O'Gorman from Conserve Wildlife Foundation, which has an interest in competing for the professional service contract since they already have someone who manages their volunteers. Within the next two months, Chief Sciascia is hoping to have a Request For Proposals (RFP) developed which will be sent to Conserve Wildlife and other potential volunteer management contractors. There was additional discussion on the importance of having someone in place to manage the volunteer program.

Acting Chairwoman Vreeland asked about the plans for the archery range at the Black River WMA. Chief Sciascia advised that he was at the Archery Trade Association Summit Meeting, and there is still interest from the Easton Sports Development Foundation in supporting the park. There are tentative meetings scheduled for February, and he should have more information available by March. Chief Sciascia spoke about one regional archery park already in place in South Dakota, and a second that is underway in Florida. He added that New Jersey is still being viewed as the preferred location for the eastern regional archery facility. Councilman Messeroll asked if the Black River WMA was still the area of choice, and Chief Sciascia noted that the noise from the adjacent firearm ranges could pose a potential problem if the facility is developed as an Olympic training facility and stated we were looking at other potential park sites in the same area but have not yet ruled out Black River. Councilman Messeroll asked why not consider the Assunpink WMA, but Chief Sciascia noted the concentration of schools and population centers near Morris County make Black River WMA an attractive site for potential sponsors.

Assunpink may not have the same potential for use because of its location in relation to schools and population centers. He hopes to have a better sense of where we stand within the next month and a half.

Chief Cussen reported for the Bureau of Law Enforcement. He noted the recent retirement of Deputy Chief Joe Meyer, and Lieutenant Investigator Karl Yunghans on December 31, 2008. Together, they had 50 years of combined service, and were both fine people who will be missed.

Newly hired Conservation Officer Jordan Holmes is in his third day at the Morris County Police Academy. Brian Tomlin, the other newly hired officer will start at the Gloucester County Police Academy in early March. Both will be done in June, and will go on to complete their Field Training Officer Program. They should be patrolling on their own by the Fall.

During this reporting period, officers recorded a total of 8,390 hours of duty. This was further broken down to include 3,872 hours for deer hunting, 1,113 for marine resources, 793 for small game hunting, 113 for wildlife management area patrol, 24 for non-game and endangered species patrol and 10 for bear patrol investigation.

A total of 6,274 field inspections were made, resulting in 352 summonses, 37 warnings and no criminal arrests. The summonses included 214 for deer hunting, 48 for hunting, 19 for waterfowl hunting, 22 for wildlife management area violations and 23 for marine recreation violations.

In the Northern Region, Lieutenant Applegate and CO Holmes investigated a report of a hunter who claimed to have lost his hunting license during the six day firearm season. This report was received from the Readington Township Police Department. Further investigation showed the individual had shot a deer earlier in the week without a valid license, as his license privileges were suspended. With cooperation from the Readington Township PD, the gun that had been hidden in the woods by this individual was recovered. Appropriate summonses were issued.

In the Central Region, CO Szulecki had located a tree stand that was within 450 feet of a residence prior to the start of the six day firearm season. He left a safety zone sign and a note for the hunter advising that they were too close to this home and should move their stand. On the opening day of the season, CO Szulecki was called to the residence in question, and observed someone hunting from the tree stand in question. Below the stand were the crumbled note and safety zone sign. The individual was issued summonses for hunting within 450 feet of a home and for littering.

In the Southern Region, CO Stites received information that an individual was shooting deer from an ATV. He later received additional information that the subject in question also drove a white van and would be armed with a .223 rifle. With assistance from Lt. Honachefsky and DCO Bowen they monitored a farm where this person was reported to be. Monitoring continued every night during the six day firearm season, and on the final day of the season, shots were heard well after dark. They could see someone spotlighting from an ATV in the field. After pursuing the individual both on foot and by vehicle, a felony stop was made. The individual did possess a loaded .223 caliber rifle, and was arrested and transported to the New Jersey State

Police Barracks. The individual had been killing deer and transporting them to New York City. Numerous charges were filed.

In the Marine Region, CO's Scott, Soell and Swift were patrolling the Barnegat Light Inlet on October 27, 2008. They observed the charter boat F/V Mary M III, and having had previous violations with this vessel in the past, decided to make an inspection. An individual on the boat was seen picking up a plastic bag and walking in to the cabin, and ignored the officers when they advised the person to stop. After inspecting the vessel, the bag in question was recovered, and it contained many undersized black sea bass. There were also many coolers on the boat in addition to the main boat box. All of the fish on the boat were measured and counted, and there were many violations for over the legal limit or possession of undersized fish. All eight patrons on the boat were issued appropriate summonses.

Also in the Southern Region, information was received on three convicted felons who were not allowed to possess firearms but were hunting. All three were apprehended and criminally charged.

The Training Unit has been quite busy. All nine new CO's have completed their basic course.

Lt. Williamson was a guest instructor at Morris County Community College. He is trying to reach out to students who may be interested in seeking a career in wildlife law enforcement.

The Training Unit also conducted training using the Prism Weapons Simulator. Chief Cussen gave a review of the way this interactive system works for the Council, and reported that all participants did well.

Assistant Director Herrighty briefed the Council on a recent problem that was investigated by the Bureau of Law Enforcement at the request of Deputy Commissioner Watson. There were concerns regarding waterfowl hunters on the Delaware River who were hunting off the islands on the river and shooting in the direction of Riverside Drive in Trenton. Details of the case were reviewed for the Council by Chief Cussen and Assistant Director Herrighty, as well as discussion regarding situations like this where the islands are located on the river between two states. Lt. Lacroix and CO Maseo were recognized for their good work on this case.

Councilman Wolgast asked about the law regarding releasing exotic animals, noting it would seem that the trap, neuter and return program for feral cats would be illegal. He noted that this Council has sent a resolution to the former Commissioner regarding feral cats, and felt it should be sent to the current Commissioner along with a copy of the law. Former Chief of Law Enforcement Rob Winkle was in attendance, and noted it was 7:25-4.2 (b) of the Administrative Code. Assistant Director Herrighty added the problem with cats is that they are a domestic animal. He referenced problems that they had when trying to solve the problem of the feral pigs, since they have been classified as both a domestic animal and wildlife. He reviewed the details of this matter with the Council. Assistant Director Herrighty referenced the area of Title 23, that tasks the Fish and Game Council to create a list and classify animals, and felt perhaps it was time for Council to explore this option. Chief Cussen added that they may want to talk to the Deputy Attorney General's Office to get an opinion on this matter. Discussion continued on this topic.

Councilman Wolgast felt the intent of the law was to keep the exotics from impacting native wildlife. Chief Cussen said that he would forward this to the DAG's office. There was some additional discussion relative to feral cats.

Assistant Director Herrighty briefed the Council on an opinion they had asked the DAG for several years ago regarding municipal ordinances effecting tidal lands. It had not been addressed, and he was contacted as to whether or not we would still like an opinion on this matter. Assistant Directory Herrighty advised that yes, we would and also brought up the issue of different municipalities that restrict hunting and/or charge for hunting permits.

Councilman Puskas referenced a call he had received regarding the new law about having firearms in a vehicle. The law was targeted towards gangs and gang violence, and they were concerned about having a firearm in the vehicle for hunting purposes, and could they be in violation of this law if they were to be stopped. Chief Cussen noted that 2C of the code covers someone who has a valid firearms license to be in possession to and from hunting, the range or the gunsmith. There was additional discussion on this and some of the areas of concern, especially for someone who did not possess a firearms identification card. Chief Cussen will look further into this matter.

Councilman Messeroll asked if there were any shooting incidents this past season. Chief Cussen noted three minor incidents that occurred.

Old and new business was discussed. The date for the Fisheries Committee meeting will be determined after Councilman Messeroll speaks with Chief Barno.

Acting Chairwoman Vreeland asked about appointments to the Council, wondering if a letter should be sent to the Governor. Assistant Director Herrighty advised that he could inquire about this, and that it did come up at a recent staff meeting that someone from the Marine Council had asked about appointments and they had to resubmit paperwork. Councilman Messeroll he would contact Meredith DeMarco regarding these appointments.

Members were reminded of the upcoming Federation and Vegetable Growers meetings.

The public comment period was reopened. Janet Pizar from Millburn addressed the Council on the distance sampling done for the Community Based Deer Management Permit Application from Essex County. She felt that there were discrepancies in the deer per square mile, referencing two different documents that listed this information, and asked for a clarification of this matter. Assistant Director Herrighty noted that he was not prepared to answer this question, and she should contact Principal Biologist Predl who received this information. Additionally, she questioned why 19 deer outside the boundary submitted by the Parks system were included in these numbers. Assistant Herrighty noted his thoughts on how the sampling may have been done, but again referred Ms. Pizar to contact Principal Biologist Predl for more details. Ms. Pizar shared her thoughts on the infrared survey and how she felt population numbers should be estimated with the Council. She added that DiVincenzo's goal is to remove 100 deer, but if he reaches his goal early he will continue to cull deer until the permit expires at the end of February, and she felt he was looking at total extermination of the deer in the Reservation. Ms. Pizar

added that she found it very disturbing that more attention was not paid to what this ultimate plan will do. She also wanted to know why this application was approved since she felt they did not comply with the required 120 day application period before culling was to begin. Assistant Director Herrighty noted that this was not the case, adding that his staff has been in contact with Essex County for several months on this matter. Ms. Pizar also questioned the public opinion survey requirement for applications, and was advised that there is none. The rule requires a resolution be passed by the municipal governing body. Ms. Pizar again expressed her opinion that the deer would be eliminated in this area, but was advised that the staff and Council would disagree with this

There were no additional public comments.

A motion was made by Councilman Messeroll, seconded by Councilman Puskas to adjourn. Meeting adjourned at 4:06 pm.