

MINUTES OF THE MEETING OF THE
NJ FISH AND GAME COUNCIL

Central Region Office
Robbinsville, NJ
October 20, 2009

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

Councilwoman Barbara Brummer
Councilman Dave Burke
Councilman John Messeroll
Councilman Robert Puskas
Councilman Dan Van Mater
Councilman Len Wolgast

Absent: Acting Chairwoman Jeanette Vreeland
Councilman Fred Hough
Councilman Ed Kertz

Division employees included: Director Dave Chanda, Assistant Director Larry Herrighty, Paulette Nelson, Lisa Barno, Tim Cussen, Tony Petrongolo, Raymond Porutski, Patrick Carr and Sue Predl.

Members of the public included representatives from the Farm Bureau and others.

The meeting was called to order at 10:16 am.

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 September 18, 2009.

Roll call was completed.

Minutes of the September 8, 2009 meeting were reviewed. **A motion was made by Councilman Burke, seconded by Councilman Van Mater to approve the minutes of the meeting as given. A vote was taken with all in favor, none opposed.**

Councilman Messeroll was serving at the Acting Chair for the meeting due to the absence of Acting Chairwoman Vreeland. He noted Federation events from the past month, adding that there are future activities on the schedule.

Assistant Director Herrighty noted that Director Chanda was held up in traffic, and would be delayed. He added that Chief Sciascia from the Bureau of Information and Education was going to give an updated report on license sales, but was out sick today. Last month, he reported that the sales of bow and arrow licenses had increased, and Assistant Director Herrighty noted the senior bow and arrow licenses also increased, and wondered if it could be due to crossbows now being allowed for use for hunting.

The public comment period on agenda items was opened. Barbara Sachau asked to call attention to the terrorism hunters cause due to the noise they create. She was asked to hold her comments until the end of the meeting, and was reminded that this public comment period was for only for agenda items that were to be discussed today. She asked to have on the record the public's objection to making room by cutting down trees and vegetation to create a savannah for quail hunting, as well as the raising of quail for hunting purposes.

Assistant Director Herrighty also noted an item that was not on the agenda because it came up after the agenda was posted. There was a lawsuit pending, and he suggested that Council may want to go into Executive Session to discuss this matter.

Councilman Puskas reported for the Agriculture Committee. He noted that due to the very wet weather, many farmers lost much of their hay and wheat crops. Farmers are currently preparing for the Fall harvest.

Councilman Puskas noted that he has been receiving many calls about Canada goose damage. The geese have been cleaning wheat off of the fields as soon as it comes up, and problems have been occurring earlier this year. Due to the costs of non-toxic shot, it has been hard to get shooters to assist on depredation permits. Assistant Director Herrighty added that he had e-mailed a letter to the Atlantic Flyway Council with these concerns, but no action was taken because the migratory breeding numbers are expected to be down in the Arctic. An August season for private ground has been discussed for next year, but Councilman Puskas explained why this would be too early in the season to control damage on later season crops.

Councilman Messeroll reported for the Legislative Committee. He gave a brief update of the bills that were discussed last month, noting that nothing will be moving until after the November election.

Councilwoman Brummer reported for the Endangered and Non-Game Species Committee. She noted that they had a Committee meeting a few weeks ago, and will be starting a sub-committee to try to develop a common platform with this Council on feral cats. Councilman Wolgast added that he had also attended that meeting, and distributed information on feral cats to the Committee. He had additional information for their members, and asked that the Assistant Director Herrighty see that it was forwarded to them. This matter was briefly discussed by Councilman Wolgast and Councilwoman Brummer.

Councilman Van Mater reported for the Federation. There was a state meeting this past Friday. A lawsuit regarding bears was filed on October 13th.

Councilman Van Mater noted a proposal to install a fly ash waste pipe at the Linden coal fire plant. He added that this was not favorable to the Federation.

Also discussed at the meeting were that grant applications were due by the end of the month, an update on the Federation's website by Jim Soden, and the 75th Federation Convention was being planned for next June at the Meadowlands Sheraton.

It was also noted that the Governor's Surf Fishing Tournament was a success.

Councilman Burke reported for the Waterfowl Stamp Committee. The met on October 13, where they presented an award to Don Wilkinson for all his past work with the Committee. Don is a retired Division employee, who most recently worked in the Environmental Review section.

The Committee discussed increasing the stamp fee to \$10.00, but the New Jersey Waterfowler's are opposed to this. Councilman Burke noted that they asked that a survey be done with the waterfowl hunters to gauge the level of support for this type of increase.

Councilman Burke noted the Committee had recommended the purchase of 75 acres in Lawrence Township, Cumberland County, and he added that to date, 16,184 acres have been purchased with waterfowl stamp monies.

Assistant Director Herrightly noted he has talked to Principal Biologist Ted Nichols about doing a survey, and this idea is being worked on.

Chief Barno reported for the Bureau of Freshwater Fisheries. She noted that members had been sent copies of the comments that were received regarding the Fish Code, as well as a summary of the comments from the public hearing that was held on September 8, 2009.

Chief Barno noted that there were comments at the public hearing on the reduction of possession of herring from 35 to 10, and after some discussion, all three attendees were in favor of this proposal.

A total of seven written comments were received. They were:

1. Three in favor of Alexauken Creek being relisted for trout stocking.
2. Two opposed to, two in favor of relocating the Trout Conservation Area (TCA) Pequannock River.
3. One comment in favor the making the Musconetcong TCA year round, not seasonal
4. Two in favor of making the TCA on the Pequannock River a live trout stream
5. Comments were received in favor the removal of the TCA on the East Branch of the Paulinskill River
6. Three comments were made at the public hearing in favor of the reduced alewife herring limit
7. One comment in favor of the reduced limit of American shad from six to three.

No other late comments are expected to be received.

Councilman Burke asked about the comments received regarding the Pequannock. Chief Barno noted that there were concerns regarding access to the Trout Conservation Area (TCA), as well as concerns about a local park and users of that area for fishing access. Chief Barno reviewed the letters for Councilman Burke, noting that there concerns about children who fish at the park, and them not knowing about the TCA regulations. Flow issues were also of concern, as well as this area being a seasonal TCA which has conservation regulations in the summer, and these were reviewed by Chief Barno. She noted that the TCA is a 1.8 mile stretch as proposed, and a suggestion was received that it be started further downstream at the railroad trestle, which would cut off ½ to .7 mile of streamline. There was some further discussion regarding this matter, and Assistant Director Herrightly asked if Chief Barno's recommendation was to compromise or remove the park area from the TCA. She felt that they could make a compromise for this area, and continue to monitor the use of the park, and readdress this matter at a later time if necessary. **A motion was made by Councilman Puskas remove the park from the Trout Conservation Area** (Chief Barno clarified that this would be to move the start point to the area of the railroad trestle). There was some review of the area, and Chief Barno noted that most fishing activity is catch and release, and the fish are mostly brown trout which are naturally reproducing. **The motion was seconded by Councilman Van Mater. A vote was taken with all in favor, none opposed.** Councilman Messeroll noted that this change was make for section N.J.A.C. 7:25-6 of the Fish Code.

Councilman Burke made a motion to accept the balance of the changes to the Fish Code as recommended. The motion was seconded by Councilman Puskas. Chief Barno reminded Council that when the proposal was put in place Rock Brook would be removed upon adoption, however, they would like to continue to monitor the area. **Councilman Burke added this to his motion. A vote was taken with all in favor, none opposed.**

Chief Barno reviewed some of the highlights from the Bureau for the last month, including the Fall trout stocking program that is now completed. She noted that the fish were so large that they had to be loaded in to the stocking trucks by hand. Winter trout stocking will take place November 23 through 25.

At the Hackettstown Hatchery, staff have been draining ponds and preparing for the 2010 program. Chief Barno noted that 80 percent of the systems will be shut-down for the first time since 1997, adding that this should result in a savings not only for staff time, but also for utility bills.

The 2010 issue of the Freshwater Fishing Digest is being reviewed, and there is a target date of mid-December for its release.

The five year angler survey is going to be done soon.

Chief Barno reviewed a program that Principal Biologist Pat Hamilton attended on her own time in New York, where they were doing a Northern snakehead reclamation project.

Inventories of the Musconetcong and Alloway lakes are scheduled.

Councilman Burke noted a program done at the Forsythe Refuge with cooperation from the Atlantic County Federation where they are collecting and recycling fishing line.

Director Chanda arrived, and gave a review of his activities this past month, including attending the Waterfowl Stamp Committee meeting where Don Wilkinson was recognized for his work.

Internal reviews of the agency by the United States Fish and Wildlife Service (USFWS) on civil rights were conducted, and the agency did well.

He met with energy officials regarding access to Yard's Creek, which was shut down after the 9/11 attacks. They are willing to work with us on this matter to see if some of the are can be opened again for hunting.

The climate was a point of discussion at the Northeast Director's meeting. There was also a climate workshop held in New Jersey, which was attended by Congressman Rush Holt and Senator Frank Lautenberg. Director Chanda reviewed how this would help the Division focus on projects for the future.

The annual Governor's Surf Fishing Tournament had almost 1,000 participants. The Governor and the Commissioner were both in attendance.

The National Watchable Wildlife Conference was hosted by New Jersey and held in Avalon. Principal Biologist Laurie Pettigrew worked on the updated field guide that is now available.

A spending plan meeting was held recently. Director Chanda added that at the Finance Committee meeting last month, it was noted that the Division was on pace with funding to carry through the end of the fiscal year as long as no other budget cuts were made. Councilman Messeroll questioned if the cuts to the funding for the Marine Fisheries were going to be able to be made up or taken from another source. Director Chanda noted that the Chair of the Marine Council wrote a letter to the State Treasurer explaining the reason for the excess monies in their budget. Since some of these monies covered salaries for shellfisheries and law enforcement work, they are trying to cover these costs.

Councilman Wolgast reported for the Game Committee. He noted that they would be having a meeting on November 10, 2009 regarding changes to the next Game Code. He added that they may want to consider switching the opening day of the six-day firearm deer season to a Saturday, which is what New York has done. He explained that this would give more people the opportunity at the beginning of the season, rather than at the end, since most people are not working on Saturday.

It was noted that some rabbit hunters were not aware of the earlier opening to the rabbit season. He explained that some hunters wanted the extension added to the end of the season.

Comments were made on the firearms seasons that run into February, and that this time should be considered to give days back to the bow hunters since the addition of the crossbow and Sunday hunting would help with harvest numbers.

Councilman Wolgast also suggested that the Earn-A-Buck (EAB) restrictions be lifted for youth hunters. He noted a situation that he was involved with where a first time hunter had to pass on the first three deer they saw because of the EAB requirement, and he did not want new hunters to be discouraged. Assistant Director Herrighty noted that Principal Biologist Kandoth of the Deer Project had already forwarded this suggestion to him.

Assistant Director Herrighty added that also discussed at the State Federation meeting were the consideration of some new types of traps for trapping, and moving the White Oak Branch WMA from Deer Management Zone 25 to Zone 65. These issues will be discussed at the project leaders scheduled for Thursday.

Councilman Burke asked about an inquiry that was made to him to consider extending the regular coyote season through March 15 to coincide with the permit coyote season, noting an overlap of the two seasons already exists. Councilman Wolgast explained it was noted that this could be problem for Law Enforcement during the deer seasons since you are not allow to hunt deer using dogs.

Principal Biologist Sue Predl was in attendance to present two applications for community based deer management permits. The first application was from Watchung Borough in Somerset County. They would again be hiring Deer Management Systems to hunt on 12 private and five borough owned properties. She reviewed that since they began utilizing this program in 2003-2004 season, they have culled 785 deer. The borough will also issue up to 50 permits to hunt their properties, at a cost of \$50.00, but not had more than 13 applicants. In 2008, a survey was done that showed 40% of respondents had severe deer damage to their properties. The 344 responses received totaled over one million dollars in estimated damages. The amount of deer-vehicle collisions is now down to 15, compared to the original 45 that had occurred. An infrared survey done in 2006 showed a total of 44 deer per square mile They are hoping to be able to do another infrared survey in the Spring. Principal Biologist Predl recommended that the Council approve this application. **A motion was made by Councilman Burke, seconded by Councilman Van Mater to approve the application for a Community Based Deer Management Permit for Watchung Borough.** Councilman Messeroll added that this would include them being allowed to use unplugged firearms, no hunter orange requirement, and shooting outside of designated hunting times. **A vote was taken with all in favor, none opposed.**

The second application was received from the City of Summit in Union County, who also would be hiring Deer Management Systems. They would be utilizing three private properties, as well as County property that includes a portion of the Watchung Reservation. They would be shooting in daylight hours, using unplugged shotguns, and shooting from elevated treestands. They have reduced their deer-vehicle collisions from 18 to approximately six. A survey was sent out with a newsletter, but only 36 responses were received. Of those responses, all properties had deer damage, with a total amount of \$122,000 in damages being reported. A forward

looking infrared survey done in March, 2008 showed that there were 88 deer per square mile in an area with no open space. The Reeves-Reed Arboretum that falls within this area has been totally fenced, and cattle guards were added, to keep the deer out and prevent damage. There is an estimated 2 million dollars of damage in this area due to the deer population. Principal Biologist Predl recommended that the Council approve this application, noting that she had suggested that a survey be sent to homeowners independent of their newsletter to obtain more accurate data from the residents. **A motion was made by Councilman Van Mater, seconded by Councilman Puskas to approve the application for a Community Based Deer Management Permit for the City of Summit. A vote was taken with all in favor, none opposed.**

Principal Biologist Predl noted that an application from Bernards Township was pending. It was also discussed that Princeton Borough may also be filing, asking permission to hire White Buffalo. Applications for the South Mountain and Watchung Reservations should also be coming.

Assistant Director Herrighty noted a meeting that was held with staff from the Delaware Water Gap National Recreation Area. There was some concern that Sunday bow hunters may cross on to their property from Division owned properties. A poster was created and sent to local license agents explaining which areas were open for Sunday hunting. Assistant Director also inquired about the fertility control program in Princeton, and Principal Biologist Predl noted that property access is an issue and the program has come to a halt.

A meeting was held with staff from the Delaware Water Gap to help to clarify our boundaries and their property with regard to Sunday bow hunting. A poster has been created and sent to license agents, as well as information posted on the Division's website with regard to the Sunday bow hunting on private lands and WMA's.

Assistant Director Herrighty also noted that a clarification was sent to check stations of what information was necessary to be provided by hunters checking in late deer. In some cases, the deer had already been taken to the butcher because of the warm weather temperatures, and this information should help answers any questions that may arise. Councilman Wolgast asked about the status of the call deer check reporting system. Assistant Director Herrighty noted that the code is already set to allow such a program, and the details that need to be worked out with Automated Licensing Systems (ALS), it could hopefully be done within a year or two. He briefly explained how the program may be done should this idea be implemented.

Councilman Van Mater asked if the tooth collection program was going to continue during this deer season, and Assistant Director Herrighty advised that it was. Teeth collected during last year's season are at the lab for data analysis.

Assistant Director Herrighty noted that in the monthly report, it was reported that Senior Biologist Dan Roberts met with personnel from the Washington Crossing State Park about opening more property for deer hunting. The Division of Parks also acquired the Goat Hill Reservation Boy Scout Camp, and that area has been opened for bow hunting.

The bear tally report was distributed. It was noted that things had slowed down in September, with the Category One reports increasing only by 1%, Category Two calls 2% and Category Three, which includes bear sightings, calls increased by 32%.

Research Scientist Pat Carr reported that the Fall research trapping of bears has been completed. In the Spring, 73 bears were caught and tagged, and tissue samples taken. They were hoping for a goal of 80 bears for the Fall program, but fell just short of that number. He noted that the mast crop production of acorns was abundant this year, and most bears are showing up in areas where there is not good habitat. He added that there was a bear caught twice in Parsippany, which is an area that does not have good bear habitat. Councilman Wolgast acknowledged that this year's mast crop played a roll in the bear report numbers. It was also noted that the final report from East Stroudsburg and the draft DNA report had not yet been received. The study being done by Rutgers on the bear trash cans in West Milford is not completed yet, but Principal Biologist Kelcey Burgess will be speaking to the professor regarding obtaining the raw data.

Research Biologist Pat Carr credited Senior Wildlife Biologist Joe Leskie from the Deer Project with developing and implementing the mast survey that was done, and gave a brief review of the program.

Assistant Director Herrightly noted a lawsuit filed by an individual who lives next to the Paulinskill Lake WMA. The individual is an organic farmer, and was suing based on his concern for lead deposition in the area. This suit was heard, and the Division won this case.

Councilman Wolgast mentioned that he was fairly certain a lawsuit would be coming from Burlington County with regard to the feral cat issue. Assistant Director Herrightly added that this was also brought up at the Endangered and Non-Game Species Council Meeting.

There will be a meeting tomorrow with the United States Department of Agriculture (USDA), Department of Health, and the Department of Agriculture to review a Memorandum of Understanding regarding wildlife management and control issues.

To date, 67,000 pheasants are on hand at the Rockport Game Farm. Of these, 3,000 will be kept for future use as breeders.

A film crew will be in New Jersey next week to work with personnel from the Waterfowl Project doing a television show for Ducks Unlimited on hunting and research management along the Delaware Bay.

As discussed recently at the State Federation meeting, staff will be doing a survey on increasing the fees for waterfowl stamps. Deer hunters will also be surveyed regarding quality deer management and antler point restrictions (APR). An evening seminar is also being planned to cover the pros and cons of APR. A general archery survey on crossbows and Sunday bow hunting is also being planned.

Assistant Director Herrightly noted some recent newspaper articles that reported Gonacon has been moved from experimental to licensed status by the Environmental Protection Agency

(EPA). He added that this would not affect New Jersey, because the labeling states it can not be used without the State's approval, and briefed the Council on the use of this product.

The use of Ova Control for geese has been licensed by the EPA for New Jersey. Assistant Director Herrightly added that Council has had the authority to regulate control for geese since 2000. He briefed the Council on the use of Ova-G (geese) and explained why it is not practical for use.

Councilman Burke was contacted by someone regarding hunting at the Atlantic County Technical Center of the FAA, where they had heard the FAA was going to change their rules for hunting. Assistant Director Herrightly noted he would check on this.

The meeting broke for lunch at 11:58 am, and resumed again at 1:01 pm.

Chief Petrongolo reported for the Bureau of Land Management. During this past month, 49 acres were added to the wildlife management area system. He noted that Curt Gellerman from the Green Acres Program has 7 million dollars of land offerings at present, but there is only 2 million dollars available for use. He has asked Chief Petrongolo and the Bureau to prioritize the available properties for what they may want.

He noted a recent acquisition of 12 acres to the Higbee Beach WMA, adding that it is globally important because it is a bird migration stopover.

The Waddell's property was closed on last month. Chief Petrongolo described how this would add 2 miles of riverfront property along the Musconetcong River. This acquisition is a cooperative with NJ Audubon and the State Agricultural Development Committee.

Bids packages were received last week to develop at boat ramp at Oyster Creek. This property was purchased in 1990, and this will be a cooperative program with the Ocean Township in Ocean County. The bid will be awarded this week, and construction will begin as soon as possible.

Statewide work on habitat projects continues.

Next week, bids will go out for a 25 acres timber harvest project at the Flatbrook WMA. Staff is working with the Ruffed Grouse Society on this.

An agreement is being developed with Stockton State College for use of the Ponder Lodge property. They are now in charge of maintaining the buildings on the property. When a lease is developed, it will come before the Council for their approval and any recommendations, then go on to the Commissioner and State House Commission. Chief Petrongolo added that this process could take a while. There was some brief discussion on what the colleges use would be, and what the Division may require for access.

Regional Superintendent Ray Porutski presented the proposed pheasant and quail stocking schedule for the 2009 season. He thanked Supervising Biologist Dan Ferrigno for his assistance

with developing this list. Working with a baseline of 55,000 pheasants and 11,000 quail, he noted that this year's and next year's schedules would be based on a 17 day stocking, rather than 15 days as it has been for the past several years. The calendar and holiday schedule would allow for two extra days. One other change was no stocking on November 30 or December 1, which was the week prior to the six-day firearm deer season, as requested by the Council. He added that this had also been done many years ago. **A motion was made by Councilman Puskas, seconded by Councilman Burke to approve the 2009 Pheasant and Quail Stocking Schedule as presented.** Regional Superintendent added that if there are extra birds available, they will be mixed in and a news release can be prepared if the numbers are significant. **A vote was taken with all in favor, none opposed.**

Chief Cussen reported for the Bureau of Law Enforcement. He noted that officers reported a total of 6322.5 hours of duty during this reporting period. Those hours included 1250.5 for marine resources, 832 for deer hunting, 611 for freshwater fishing and 413.5 for wildlife management area patrols.

A total of 4,638 field inspections were conducted, resulting in 430 summonses, 31 warnings and 5 criminal arrests. (Chief Cussen asked the Council to please correct their copy of the monthly report that showed 0 criminal arrests). The summonses issued were 68 for freshwater fishing violations, 43 deer hunting violations, 102 wildlife management area violations, 28 marine commercial violations, 136 marine recreational violations and 2 Endangered and Non-Game species violations.

Chief Cussen noted a recent matter involving a party boat two weeks ago. Officers had received information that they were not adhering to the current bag and size limits for black sea bass. Upon inspection, the vessel was found to be over the daily limit by 613 fish, and of those 400 were undersized. There were 15 patrons onboard the boat. Lieutenant Canale, Officer Nicklow and Officer Snellbaker assisted with this patrol.

Councilwoman Brummer inquired as to what the hours listed for Endangered and Non-Game Species work was for. Chief Cussen noted that was for alligators that were being possessed without the proper permits.

Assistant Director Herrightly asked Chief Cussen to report on a recent incident that involved a bear and a bow hunter. Two Saturdays ago, a hunter was participating in a deer drive at the Walpack Center on the Delaware Water Gap National Recreation Area. As he drove toward the other hunters, he encountered two bears approximately 45 feet away. One of the bears charged him, and he raised his arms and yelled. When the bear was within six feet of him, he fired at it using his compound bow. The bear continued toward the hunter, and he used his bow to push the bear away. The bear continued to travel, and went 70 yards before it expired. The hunter immediately contacted staff of the National Park Service, and they contacted Fish and Wildlife. An investigation by our law enforcement officers verified the incident. The bear has been sent to the pathology lab to wound verification, and results are pending. Assistant Director Herrightly added that this is considered to be a Category One incident, and no charges will be filed.

One newspaper did report that the hunter came between a sow and her cub, but Chief Cussen from the Bureau of Law Enforcement noted that this information was not in his report, it was just reported that there were two bears together. Assistant Director Herrighty added that this was uncommon for black bears, and was more commonly a grizzly bear behavior.

Councilman Puskas inquired about the bear sweeps. He was advised that sweeps had been planned, but were cancelled at the last minute due to circumstances beyond our control.

Councilman Van Mater advised Chief Cussen of information given to him about the amount of ATV activity on a wildlife management area in Lacey Township off of Route 539, and how it impacts Sunday hunting. Chief Cussen explained that officers are doing more hunting patrols on Sunday's now that hunting is legal, where they used to use this time for ATV patrols and bear sweeps. He was advised to have the hunter contact law enforcement of the times and dates when this is seen occurring.

Councilman Wolgast. asked if there had been conflicts between the rabbit hunters and bow hunters. Chief Cussen noted that there have been a few, and gave a brief explanation to the Council. Yesterday, at the Clinton WMA, there was an incident where a rabbit hunter's beagle kept roaming into the impact area at the trap shooting range.

Assistant Director Herrighty reported that Senior Biologist Leskie called some of the larger check stations in the Southern Region approximately two weeks into the season and did a random harvest survey. He found that 25% of the deer harvested were taken with crossbows, and 17% were taken on a Sunday.

Councilman Messeroll asked if anyone had old business to discuss. There was no old business to discuss.

New business was also discussed. Councilman Puskas asked if it could be considered to make the buck stubs good for harvesting antlered deer, but without season specifications. This would allow the hunter to purchase up to three buck stubs to use for whichever season they chose. Councilman Burke suggested that they be issued to be valid on a certain date. Assistant Director Herrighty noted that Principal Biologist Kandoth from the Deer Project did a presentation several months ago at the request of the State Federation Deer Committee on hunters and the percentage of how many take one, two or more bucks, and it was a very low percentage. He added that this could be presented to the Council Game Committee as well.

The public comment period was opened. Janet Pizar came forward, and gave a handout of information to Director Chanda. She asked to address the bear incident, adding that she had talked to a bear biologist in Alaska and they had verified what Assistant Director Herrighty had said about bear behavior. Ms. Pizar then questioned if the hunter slowly backed away from the bear, and she was advised by Chief Cussen that he had. She felt the hunters' response was key.

Ms. Pizar noted that in July, Acting Chairwoman Vreeland had advised he that questions would not be taken at the Council meetings and should be put in writing. She asked to go on record that she had hand delivered a letters today for Director Chanda, Assistant Director Herrighty and

Acting Chairwoman Vreeland adding that she is still waiting for a response to her April, August and September letters. She noted someone else had written a letter in September, and had a response within three weeks.

Ms. Pizar asked if the in-kind services of farmers in the new program would be included in future monthly reports. Councilman Messeroll asked what type of information she was referring to. She asked if work requirements as listed in their contracts would be reported when it was done.

Ms. Pizar inquired as to the farmer bear depredation permits being one permit for one bear, and now changed to one permit with a time limit and no restrictions on amount of bears to be taken. Assistant Director Herrighty advised that this had been instituted several years ago.

Ms. Pizar asked to thank the Division and the personnel from the Wildlife Control Unit for their work in catching and freeing a bear from a pretzel container that was stuck on its head in Hope recently.

Barbara Sauchau was next to comment. She stated that the public wants the opportunity to comment on Memorandums Of Understanding that are developed. She asked to be notified when something is to be signed. She felt that State employees alone should not make the agreements.

Ms. Sauchau then asked who had shot the window in the front of the Central Region Office. She was advised that the window was not shot, but a stone had accidentally gone through it.

She directed a comment to Assistant Director Herrighty on the phone in deer check that was mentioned today, which he said was in place in the Game Code. Ms. Sauchau stated that she reads the Game Code all the time and she had not seen anything on this previously, and felt it was sneaky and that the public wasn't aware of this. She added that the public wants input and wants to be notified.

Ms. Sauchau commented on the Community Based Deer Management permit that was approved to be issued to Summit today. She felt it was based on only six road killed deer and 36 public replies. She felt it was wrong to base the permit on this and felt that there was a lack of concern and paying attention on the Division's part.

Ms. Sauchau asked for an explanation of nighttime coyote work as listed on page 9 of the Bureau of Wildlife's monthly report. Councilman Messeroll noted that this was done in cases such as where someone was attacked in Middletown last year.

Ms. Sauchau also stated that Assistant Directory Herrighty has made it impossible for the use of contraceptives for wildlife in New Jersey, but women have been using them for 50 years. She noted several other species that have been given contraceptives and felt an effort should be made to make it better for use, not just not used.

A comment was made by Ms. Sauchau regarding Councilman Wolgast and the young hunter he spoke of earlier. She felt that if a hunter is in the woods and needs to kill a buck, it seemed to be a lie that hunters love to be in the woods. Ms. Sauchau also felt that the pheasant stocking addressed the hunters concerns and showed a lack of concern for wildlife, adding that she found it absolutely reprehensible.

There were no other public comments.

At 1:15 pm, a motion was made by Councilman Burke, seconded by Councilman Puskas to go into Executive Session. All were in favor.

At 2:36 pm, the regular meeting resumed.

Members were advised of a typographical on page 24, under the section “otter” of the Game Code. Part A should not have read no change, and the correct information was listed on the addendum in the back of their folders.

There was no other business to discuss. **A motion was made by Councilman Puskas, seconded by Councilman Van Mater to adjourn. All were in favor.** Meeting adjourned at 2:39 pm.