

I regret that I am not at the Pinelands Commission meeting with you this morning.

I have asked Chairman Mark Lohbauer to read this statement into the record to bring the Commission and the public up to date regarding my recusal from the consideration of the MOA on the pipeline.

As you may recall, I recused myself from further consideration of the MOA on December 13, 2013 in large measure because I was told on December 12 that the State Ethics Commission had ordered me to do so. I felt under those circumstances that I had no choice but to recuse myself.

It now appears that the Executive Director of the State Ethics Commission is denying that the Ethics Commission ever acted on my situation. Please see the attached New York Times article dated January 9, 2014.

I should note that at no time since this matter was first raised has the State Ethics Commission contacted me in writing, by e-mail, by telephone, or in any other manner. I should also reiterate that I wrote to the State Ethics Commission on December 12 (after I had been informed of their "order") and asked for a review of this matter under the pertinent state regulations. I have not received any response to my request to date.

Under the current new circumstances, when the Ethics Commission is silent and its Executive Director is apparently claiming that it has never acted upon this matter, I believe that I should not recuse myself from this critical vote.

As the Pinelands Commission members may recall, I have steadfastly stated that I do not believe that there is any conflict of interest created by a letter that was limited to seeking a further hearing on the MOA, and a letter that was immediately withdrawn by Eastern Environmental Law Center because the letter violated its policies.

Under these newly developed circumstances, I believe that I should participate in this important matter before the Commission.

Nonetheless, out of an abundance of caution, I will continue to refrain from participation in this matter until I can obtain a fair hearing and a written decision from the State Ethics Commission.

I wish you all well and a Happy New Year. I hope to see you soon.