

Robert Barr Wins Seat on Pinelands Commission, After Some Political Arm-Twisting

Tom Johnson | March 17, 2015

First Senate vote goes against controversial candidate, second time does the trick -- without any debate. The Senate yesterday narrowly confirmed the nomination of Robert Barr to the Pinelands Commission, a choice opposed by four former governors, most conservationists, and some lawmakers from both sides of the aisle.

In a 21-17 vote, the confirmation won approval, but only after some old-fashioned legislative arm-twisting behind the scenes, after lawmakers had initially held off approving it earlier in the session when it came two votes shy of passage (19-18).

When it came up later in the session, it was quickly approved, without any debate. Five Republican senators voted against the nomination -- a rare split from the Christie administration, which pushed hard for confirmation. So did Senate President Stephen Sweeney (D-Gloucester) and most other senators from South Jersey, all of whom voted for confirmation.

Sweeney abstained on the first vote, but approved the confirmation later in the session. A Republican, Sen. Joseph Pennachio from Morris County, changed his initial "no" vote to a "yes" to approve the nomination, along with Sweeney's "yes" vote.

The issue has been highly contentious with the confirmation of Barr, an Ocean City resident, having twice been blocked by the Senate Judiciary Committee before being released only after a backer of his nomination was temporarily installed on the panel.

For opponents, the nomination generated heat for a number of reasons. Not only would Barr replace a member of the commission who has voted consistently to protect the integrity of the Pinelands Comprehensive Management Plan, but also he is viewed as being a swing vote to approve a controversial 22-mile natural-gas pipeline through the preservation area of the 1.1 million acre tract.

The line would supply natural gas from South Jersey Gas to the former B.L. England power plant in upper Cape May. Many business interests and lawmakers support the proposal because it would increase reliability of electricity in the region, a concern raised by the proposed shutdown of the Oyster Creek nuclear power plant in Ocean County.

Despite those worries, some said the confirmation sends an unwelcome signal to the Pinelands Commission and other boards that undermines the independence of those organizations.

"Do what the Governor says or you will be removed," said Sen. Nia Gill (D-Essex), who voted against the nomination. "We have seen these bullying tactics before."

But environmentalists also criticized legislators, who voted for the confirmation. "This is the ugliest part of New Jersey politics on display," said Doug O'Malley, executive director of Environment New Jersey. "This is Christie-like intimidation at work."

Jeff Tittel, director of the New Jersey Sierra Club, agreed. "This is a sellout of the Pinelands and a shameful example of the legislative process of political games and arm-twisting."

Sen. Christopher (Kip) Bateman (R-Somerset) also opposed the nomination. "This is wrong. We are stacking the deck," he said, adding it will cause commissioners to look over their shoulders every time they vote against an administration, wondering whether that will lead to their being replaced.

No one spoke in favor of the nomination on the floor of the Senate, but after Barr was confirmed, Sen. Jeff Van Drew (D-Cape May), issued a statement in support of his former legislative aide.

“This vote is not about one issue,” Van Drew said, alluding to the pipeline controversy. “During his term, there will be any number of matters that will come before the commission and it is imperative that we have individuals serving who are dedicated to doing the right thing. I have the greatest confidence that he will.”

Despite the setback, environmentalists, who drew more than a hundred supporters to lobby against the confirmation, vowed to press their fight to protect the Pinelands, which makes up about 22 percent of New Jersey’s land mass.

“It’s very much empowered the movement,” said Dave Pringle, campaign director of New Jersey Clean Water Action. “One way or the other, we’re going to take back government.”