



State of New Jersey

Highlands Water Protection and Planning Council
100 North Road (Route 513)
Chester, New Jersey 07930-2322
(908) 879-6737
(908) 879-4205 (fax)
www.nj.gov/njhighlands



PHILIP D. MURPHY
Governor

CARL J. RICHKO
Chairperson

SHEILA Y. OLIVER
Lt. Governor

LISA J. PLEVIN
Executive Director

MEETING AGENDA Thursday, September 23, 2021 at 4pm

Join Zoom Meeting:
<https://us06web.zoom.us/j/86559349811>

Audio only:
Dial: 1-929-436-2866
Meeting ID: 865 5934 9811

1. CALL TO ORDER
2. ROLL CALL
3. OPEN PUBLIC MEETINGS ACT STATEMENT
4. PLEDGE OF ALLEGIANCE
5. CHAIR'S REPORT
6. EXECUTIVE DIRECTOR'S REPORT
7. APPROVAL OF HIGHLANDS COUNCIL MINUTES – July 15, 2021
8. PERSONNEL COMMITTEE
 - CONSIDERATION OF RESOLUTION – Appointment of Chief Counsel (*voting matter with public comment*)
9. BUDGET & FINANCE COMMITTEE – Committee Chair Holtaway
 - a. CONSIDERATION OF RESOLUTION – Approval of Plan Conformance Grant Funding for Circulation Plan Element for the Town of Phillipsburg, Warren County (*voting matter with public comment*)
 - b. CONSIDERATION OF RESOLUTION – Approval of Plan Conformance Grant Funding for Field Assessment and Engineering Design Plans for a Regenerative Stormwater Conveyance System in Witten Park for Hopatcong Borough, Sussex County (*voting matter with public comment*)
 - c. CONSIDERATION OF RESOLUTION – Approval of Plan Conformance Grant Funding for a Regional Lake Management Plan for West Milford Township, Passaic County (*voting matter with public comment*)
10. CONSIDERATION OF RESOLUTION – Highlands Council Annual Meeting Schedule for 2022 (*voting matter with public comment*)
11. OLD & NEW BUSINESS
12. PUBLIC COMMENTS (*to ensure ample time for all members of the public to comment, we will respectfully limit comments to three (3) minutes. Questions raised in this period may not be responded to at this time but, where feasible, will be followed up by the Council and its staff.*)
13. EXECUTIVE SESSION, *if deemed necessary*
14. ADJOURN

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF SEPTEMBER 23, 2021

PRESENT

VIA TELECONFERENCE:

CARL J. RICHKO)	CHAIR
KURT ALSTED)	VICE CHAIR
MICHAEL R. DRESSLER)	COUNCIL MEMBERS
MICHAEL FRANCIS)	
ROBERT HOLTAWAY)	
BRUCE JAMES)	
MICHAEL SEBETICH)	
DAN VAN ABS)	
JAMES VISIOLI)	
RICHARD VOHDEN)	

ABSENT:

TIMOTHY P. DOUGHERTY)

CALL TO ORDER 184TH meeting of the New Jersey Highlands Water Protection and Planning Council was called to order at 4:03pm via Zoom videoconference due to COVID-19.

ROLL CALL

Roll call was taken. Member Dougherty was absent. All other Council Members were present via video conference. *The following staff members were present via videoconference: Lisa J. Plevin, James Humphries, Gabrielle Gallagher, Maryjude Haddock-Weiler, Corey Piasecki, Ranji Persaud, Steve Simone, Annette Tagliareni, Carole Ann Dicton, Tom Tagliareni, Izzy Castiglioni, and Karen Castanbas. Also present via teleconference were Jeffry Nielsen, Associate Counsel, Governor's Authorities Unit; and Jason Kane, Deputy Attorney General (DAG).*

OPEN PUBLIC MEETINGS ACT was then recited.

PLEDGE OF ALLEGIANCE was then recited.

CHAIRMAN'S REPORT

Chair Richko announced that Vice Chair Alstede was appointed in July to the New Jersey Board of Agriculture. The eight-member State Board of Agriculture has the important task of setting the agricultural policies of the New Jersey Department of Agriculture.

EXECUTIVE DIRECTOR'S REPORT

Ms. Plevin highlighted the following updates and staff activities:

COVID-19 Response

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Chester Office Closure/Remote Work

Ms. Plevin reported that staff continues to work in the office on a staggered schedule and full-time return to office is now scheduled for October 18. Ms. Plevin added that public meetings continue to be held virtually.

Plan Conformance Updates

Implementation

Ms. Plevin reported that Oakland Borough, Bergen County adopted their Water Use and Conservation Management Plan on August 12.

Ms. Plevin also reported that High Bridge Borough's Open Space and Recreation Plan was selected as a recipient of a 2021 New Jersey Planning Officials' Achievements in Planning Award. The plan was funded by the Highlands Council and adopted by the municipality in May of 2020.

Municipally Issued Exemptions

Since the prior report, the Highlands Council has been notified of the following municipally issued exemptions.

- Bethlehem Township, Hunterdon County: one (1) exemption #5.
- Chester Township, Morris County: one (1) exemption #2, 70 exemption #5s.
- Montville Township, Morris County: one (1) exemption #4.
- Ringwood Borough, Passaic County: one (1) exemption #1, one (1) exemption #2.
- West Milford, Passaic County: 12 exemption #5s.
- Hardyston Township, Sussex County: one (1) exemption #5.
- Vernon Township, Sussex County: one (1) exemption #2.

Project Review Updates

Ms. Plevin reported the following project review updates:

Planning Area Consistency Reviews

In Mahwah Township, Bergen County, an applicant is proposing to construct a 470,000 square-foot warehouse facility on a portion of the Crossroads Town Center site. Highlands Council staff determination: Consistent with Conditions.

In Hackettstown, Warren County, an applicant (Willow Grove, LLC) is proposing development of a warehouse, including manufacturing and office space as well as a contractor storage yard and associated parking. Highlands Council staff found the application package submitted was incomplete and sent a request for additional information to the town and applicant. This information was received and staff found this project Consistent with Conditions.

Highlands Preservation Area Approval (HPAA) Reviews

In Washington Township, Morris County, an applicant is seeking approval for a South Branch Raritan River Restoration project. Applicant is seeking an HPAA-General Permit #1 from NJDEP for a stream

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habitat improvement and enhancement project spanning approximately 4,800 feet of the South Branch of the Raritan River and Stony Brook. Highlands Council staff determined the project application was insufficient for review at this time and communicated this to NJDEP on September 2.

Highlands Applicability Determination (HAD) Exemption #11

In Vernon Township, Sussex County, an applicant is applying to NJDEP for an Exemption #11 in the Preservation Area for the replacement of a water main. Highlands Council staff review is in progress.

Agricultural Advisory Committee

The first Agricultural Advisory Committee meeting was held on August 30, 2021. Committee Chair Alstede reported to the full Council later in the meeting.

Personnel Update

Science Manager Keri Green has announced that she will be relocating to her home in Virginia. Keri has worked with the Council for 12 years in a leadership position and her professionalism and expertise will be missed. Keri's last day will be October 22nd.

Lastly, Ms. Plevin noted that the next Council Meeting is scheduled for October 21, 2021.

Chairman Richko asked Council members if they had any comments/questions regarding Ms. Plevin's Report.

There were no Council comment/questions.

APPROVAL OF HIGHLANDS COUNCIL MINUTES OF JULY 15, 2021

Chairman Richko asked for a motion on the Council Minutes of July 15, 2021.

Member James made a motion to approve the Highlands Council Minutes of July 15, 2021. Member Holtaway seconded it.

A roll call vote was taken. The Highlands Council Minutes of July 15, 2021 were APPROVED 10-0.

At this time, Chairman Richko announced that the Council's first resolution is concerning the hiring of a new Chief Counsel and asked if any Council members would like to move into executive session to discuss the matter. Since no Council members requested this, Chairman Richko asked Personnel Committee Chair James to provide a brief report regarding the Committee's recommendation.

PERSONNEL COMMITTEE

Committee Chair James reported it was a very thorough process handled by Council staff. The Committee interviewed the top two (2) candidates, and the Personnel Committee unanimously made the decision of recommending Gabrielle Gallagher for the position of Chief Counsel.

Resolution – Appointment of Chief Counsel

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Chair Richko introduced the resolution to appoint Gabrielle Gallagher for the position of Chief Counsel with an annual salary of \$105,000.

Member James made a motion. Member Visioli seconded it.

Council Comment

Chair Richko commented that it was a unanimous decision.

Public Comment

There was no Public Comment.

A roll call vote was taken. The resolution was APPROVED 10-0.

Chairman Richko congratulated Ms. Gallagher.

BUDGET & FINANCE COMMITTEE

Resolution - Approval of Plan Conformance Grant Funding for Circulation Plan Element for Town of Phillipsburg, Warren County

Committee Chair Holtaway reported that Council considered this resolution last month, but it was not approved. Ms. Haddock-Weiler provided an update for Council.

Ms. Haddock-Weiler reported that the Council is reconsidering a request from the Town of Phillipsburg for grant funding to complete a municipal Circulation Plan element. The Council's Highlands Protection Fund is intended to pay for the reasonable expenses incurred in revising local master plans, development regulations, or other regulations needed to conform to the Highlands Regional Master Plan (RMP). The Circulation Plan element, as identified in the Municipal Land Use Law (MLUL), is a basic component of municipal master planning. Preparation and adoption of a municipal Circulation Plan element is an important planning tool in achieving and maintaining compliance with the Highlands RMP.

At this time, Ms. Haddock-Weiler gave a recap on the Town of Phillipsburg's request for grant funding to complete a Circulation Plan element as a component of their municipal master plan. Ms. Haddock-Weiler added that when the Town's request was considered at the July 15 Council meeting, an issue was brought up by members of the public about a separate project for a proposed development along the riverfront. Staff did not immediately have answers to the questions that Council raised regarding that project.

Potential Development Concept along the Riverfront

Ms. Haddock-Weiler provided information regarding the proposed development. Ms. Haddock-Weiler noted that on July 22nd Highlands Council staff was asked to comment on a Permit Readiness Checklist from the NJDEP's Office of Permitting & Project Navigation for a project in Phillipsburg known as the Peron Warehouse. The Permit Readiness Checklist is typically the beginning of a pre-application meeting process for any NJDEP permits. From that Permit Readiness Checklist, Highlands staff obtained specific

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information about the project. It was noted that Council staff spoke with a representative of the Town to gather additional information.

The proposed project is a 420,000 square foot warehouse to be located at 170 Howard Street. The site is adjacent to the Delaware Riverfront Park which is a municipal park. Ms. Haddock-Weiler added that the current proposal does not include any incursion into the parkland, nor does it require the diversion of any preserved lands. The site on which the warehouse is proposed for construction is a former railyard and is listed on the NJDEP's "Known Contaminated Sites list. The site is also part of an Archaeological Grid and is adjacent to the historic Morris Canal, identified as the Morris Canal Port Delaware Boat Yard site. Vestiges of the canal are located within the municipally-owned Delaware River Park. According to the RMP, much of the property is Protection Zone and Existing Community Zone - Environmentally Constrained subzone. A portion of the site is designated Existing Community Zone. The site is within a designated Highlands Center, since the entire Town is a designated Center. The Town has not completed their center planning, nor have they adopted a center ordinance. The Town has, with Plan Conformance funding from the Highlands Council, adopted a Riverfront Redevelopment Plan in 2013 and amended it in 2017. That Plan includes these parcels. Both versions of the Redevelopment Plan designate the site for 'Riverfront Residential'. The adopted Redevelopment Plan is considered a component of the Town's Center planning and implementation.

Ms. Haddock-Weiler added that a recent amendment to the Redevelopment Plan was adopted by the Land Use Board and Town Council in March/April 2021. The amendment changed the designation of the subject parcels from Riverfront Residential to Riverfront Industrial. Ms. Haddock-Weiler noted that as a conforming municipality, the Town is required to submit any land use or zoning ordinance to the Highlands Council for a determination of consistency with the RMP. The change was not received by Council staff and the Town was notified of this requirement.

Ms. Haddock-Weiler noted that Highlands staff submitted comments regarding the project to NJDEP based on Highlands resources that may be impacted should the proposed project move forward and attend the preapplication meeting.

Ms. Haddock-Weiler also noted that municipalities regulate individual permitted land uses and traffic impacts. The Highlands Council can provide grant funding to provide for master plan revisions to better plan for these issues. The Circulation Plan element will help provide the Town with the information they need to make a decision at the local level.

Council Comment

Member Holtaway commented that there are certain areas of our jurisdiction that we are concerned about but we need to pay a little more attention to what we are doing to try to avoid overreacting.

Member Visioli commented that the Committee had an in-depth discussion on the pros and cons on the grant. Member Visioli added that the Highlands staff did a terrific job explaining it.

Member Holtaway made a motion. Member Visioli seconded it.

Public Comment

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Elliott Ruga, New Jersey Highlands Coalition – Mr. Ruga commented that the Highlands Act provides the Council with grant funding for municipalities to reimburse them for reasonable costs associated with conformance to the Highlands Regional Master Plan (RMP). Mr. Ruga does not think the Council should be funding Phillipsburg's planning that may be good for their municipality, but is not implementing the Highlands Act through voluntary conformance.

Julia Somers, Executive Director, New Jersey Highlands Coalition – Ms. Somers commented on an article she read regarding a Phillipsburg Town Council meeting held on July 20 when a resolution was passed for an industrial structure. Ms. Somers is concerned about this sensitive site as well as the Town's plan conformance efforts as noted by Mr. Ruga. Ms. Somers urged Council that any of the funding for this grant not be used to solve a problem being created by the developer and the Town.

Hank Klumpp, Tewksbury, NJ – Mr. Klumpp inquired if the Town of Phillipsburg has a sending district for the TDR Program to work. In his opinion, the Council is padding the pockets of the planners.

Council Comment

Member Sebetich appreciates the work of Highlands staff; however, he is still concerned regarding the comments made by the Highlands Coalition. Member Sebetich added that he still has doubts about the project and plans to vote "no" on this resolution.

Member Van Abs commented that the Council is considering a proposal for a planning study that deals with an entire town, which is separate from the question of whether a particular development/approval or redevelopment plan was legally done or what happens on a particular site. As a planner, member Van Abs noted that these kinds of studies take time, and a lot of things will happen between now and when the circulation plan is completed. Member Van Abs noted that the Council has a responsibility to follow through on the commitments it has made to fund municipal planning efforts. Simultaneously, the Council should work with staff to ensure that comments relevant to the RMP are provided to the NJDEP for development proposals subject to NJDEP's permitting requirements.

Member Holtaway agreed with Member Van Abs that it is a town-wide study to help the citizens get around the Town.

Chairman Richko agreed with Member Van Abs and Holtaway comments.

A roll call vote was taken. The resolution was APPROVED 9-1.

Resolution - Approval of Plan Conformance Grant Funding for Field Assessment and Engineering Design Plans for a Regenerative Stormwater Conveyance System in Witten Park for Hopatcong Borough, Sussex County

Member Francis recused himself from this resolution at 4:43pm.

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Committee Chair Holtaway presented the description of the grant requested by Hopatcong Borough and introduced James Humphries to give the details.

James Humphries, Director of Planning, Science & GIS, reported that Hopatcong Borough is requesting funding for the design phase of a project to improve stormwater conveyance within Witten Park, a municipal park which drains to Lake Hopatcong. The project will stabilize and convert an eroding stream into a Regenerative Stormwater Conveyance system. The proposed system could remove up to 160 pounds of phosphorus per year. Work to be funded using the Highlands Council grant includes a Topographic Survey, Field Assessments, Engineering Calculations and Designs, Development of Plans, Identification of Required Permits, integration of the park design plans and a Final Report. The project is being used as a portion of the financial match for the recently awarded National Fish and Wildlife Foundation (NFWF) grant. The project was originally proposed in the Upper Musconetcong Watershed Implementation Plan, which is funded by the Highlands Council.

Committee Chair Holtaway commented that this is a design that can hopefully be duplicated for other streams that discharge into Lake Hopatcong.

Member Holtaway moved the resolution. Member Van Abs seconded it.

Council Comment

There was no Council Comment.

Public Comment

Elliott Ruga, New Jersey Highlands Coalition – Mr. Ruga commented that any project that helps Lake Hopatcong with stormwater issues is an important project, and that Council does their share to help the situation at the lake. Mr. Ruga added that this is a Plan Conformance grant, and it only makes sense that it be given with some assertion that Hopatcong Borough has an interest in conformance, and it should be a general standard with which the Council gives its funding to municipalities.

David Shope, Lebanon Township, NJ – Mr. Shope commented that in his opinion septic systems need to be addressed regarding the problems with the lakes.

Colleen Lyons, Administrator, Lake Hopatcong Commission – Ms. Lyons commented that the Commission supports Hopatcong Borough's request for funding. Ms. Lyons noted that the Commission received the NFWF grant implementation funds for this project. The current condition of this stream is very eroded, and the Commission anticipates that this area will be renewed as a public park and the project will improve water quality within the watershed. Ms. Lyons also noted that 40% of the phosphorus entering Lake Hopatcong can be attributed to stormwater.

Hank Klumpp, Tewksbury, NJ – Mr. Klumpp asked if this has worked anyplace else or is it experimental. Mr. Klumpp added if it is improving the issue, he would approve it.

A roll call vote was taken. The resolution was APPROVED 9-0.

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Resolution - Approval of Plan Conformance Grant Funding for Regional Lake Management Plan for West Milford Township, Passaic County

Committee Chair Holtaway presented the description of the grant requested by West Milford Township and introduced James Humphries to give the details.

James Humphries, Director of Planning, Science & GIS, reported that in October 2020, the Highlands Council awarded a grant for Phase I of a township-wide assessment of multiple watersheds surrounding more than 20 lakes in West Milford. Throughout 2020 and 2021, this first phase of the project was begun, and significant work was accomplished to complete historic data collection and the modeling of those watersheds. This proposed grant for Phase II will cover in-lake water quality monitoring, trophic state analyses and final reporting. Using the field data and the modelling conducted during Phase I, a general assessment report will be produced to discuss the data and observations compiled and will cover any water quality issues. The report will also provide in-depth review of all the water quality analyses and compare this with the model. The report will also identify watershed management improvement projects. Each recommended project will also come with a preliminary cost estimate for the implementation. A long-term water quality monitoring plan will be provided to demonstrate how each lake can continue to monitor conditions and parameters of concerns.

Member Holtaway moved the resolution. Member Van Abs 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 10-0.

OTHER BUSINESS

Resolution – Highlands Council Annual Meeting Schedule for 2022

Member Visioli made a motion, and Member James seconded it.

Council Comment

There was no Council comment.

Public Comment

David Shope, Lebanon Township – Mr. Shope inquired when the Council will have in-person meetings again.

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Chairman Richko responded we will have in-person meeting again when it is appropriate.

Hank Klumpp, Tewksbury Township – Mr. Klumpp requested that the Council increase public comment time from 3 minutes to 6 minutes.

A roll call vote was taken. The resolution was APPROVED 10-0.

Member James left the meeting at 5:03pm.

OLD/NEW BUSINESS:

Vice Chair Alstede reported that the first Agricultural Advisory Committee meeting was held on August 30, 2021. Vice Chair Alstede complimented the staff for getting this together. Worked over 15 years to get this together. Committee members include: Michael Beneduce, Beneduce Vineyards, Pittstown; Greg Donaldson, Donaldson Farms, Hackettstown; Jamie Bourgeois, Riamede Farm, Chester; Peter Melick, Melick Farms, Oldwick; Michael Desiderio, Desiderio Tranquillity Farm, Chester; and Adam and Brendan Furlong; B.W. Furlong & Associates, Oldwick. The issues that the committee focused on pertain to the RMP and Highlands Act. Committee members focused on land use regulations that impact agriculture, grants for animal waste management and integrated pest management, and grants for local agriculture and tourism. The Committee meetings will be held quarterly.

Member Visioli inquired if the New Jersey League of Municipalities will convene in November. Ms. Plevin responded that the League will be going forward, however, Highlands Council staff will not have a table, but will be participating in a Stormwater workshop (pre-recording).

Member Van Abs commented that he was on the Highlands Council staff when Keri Green was hired and on his staff. Sad to lose her, but happy everything is going well for her. Best wishes to Keri.

Member Francis thanked the Council for their support. Member Francis noted that we take the commitment around Lake Hopatcong seriously. Member Francis noted that 40 lakefront septic are off-line and did not ask the Council for funding. When we do ask for planning it is serious. We are selective when we ask for grant funding and when we do it is appropriate.

Chairman Richko opened the meeting to the public for any other comments.

Public Comment

Hank Klumpp, Tewksbury, NJ – Mr. Klumpp inquired if the Agriculture Advisory Committee meetings are public.

Chairman Richko responded that the Agricultural Advisory Committee meetings are not public.

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David Shope, Lebanon Township – Mr. Shope commented on the background noise in this meeting and the legality of it. Regarding Lake Hopatcong, there was no attempt to assess the environmental damage of the septic systems and these streams.

Julia Somers, New Jersey Highlands Coalition – Ms. Somers commented that communities can use help for flooding issues, but Highlands Council help should come with some strings attached. Plan Conformance is the way forward and should be part of the package.

Chair Richko asked for a motion to adjourn the meeting.

Member Visioli made a motion to adjourn the meeting. Member Holtaway seconded it. All were in favor. The meeting was adjourned at 5:16pm.

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: 10/22/2021

Name: Annette Tagliareni

Annette Tagliareni, Executive Assistant

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

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MEETING MINUTES OF JULY 15, 2021

PRESENT

VIA TELECONFERENCE:

CARL J. RICHKO)	CHAIR
KURT ALSTED)	VICE CHAIR
TIMOTHY P. DOUGHERTY)	COUNCIL MEMBERS
MICHAEL R. DRESSLER)	
MICHAEL FRANCIS)	
ROBERT HOLTAWAY)	
BRUCE JAMES)	
MICHAEL SEBETICH)	
DAN VAN ABS)	
JAMES VISIOLI)	
RICHARD VOHDEN)	

CALL TO ORDER 183rd meeting of the New Jersey Highlands Water Protection and Planning Council was called to order at 4:01pm via Zoom videoconference due to COVID-19.

ROLL CALL

Roll call was taken. Member Dressler was absent. All other Council Members were present via videoconference. *The following staff members were present via videoconference: Lisa J. Plevin, Christine LaRocca, James Humphries, Gabrielle Gallagher, Maryjude Haddock-Weiler, Keri Green, Ranji Persaud, Kelley Curran, Steve Simone, Annette Tagliareni, Carole Ann Diction, Tom Tagliareni, Judy Thornton, Izzy Castiglioni, and Karen Castanbas. Also present via teleconference were Jeffrey Nielsen, Associate Counsel, Governor's Authorities Unit; and Jason Kane, Deputy Attorney General (DAG).*

OPEN PUBLIC MEETINGS ACT was then recited.

PLEDGE OF ALLEGIANCE was then recited.

CHAIRMAN'S REPORT

Chair Richko began his report by welcoming our new liaison from the Governor's Authorities Unit, Jeffrey Nielsen. Jeffrey brings a very strong legal background to this position, having worked as an attorney for approximately 31 years with 16 years of experience in state government.

Mr. Nielson commented that he looks forward to working with Highlands Council staff and Council.

Next, Chair Richko announced that Chief Counsel Christine LaRocca will be leaving the Council staff on September 3rd. Chair Richko noted that Christine first joined the Council in 2017 as a part-time staff attorney, becoming Senior Counsel in 2018, and then Chief Counsel in 2019. During this time Christine has been an invaluable asset to the Council providing us with sound and steady guidance on numerous matters. Chair Richko added that Christine will be missed.

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Ms. LaRocca thanked Chair Richko for his kind words. She added that it has been a tremendous honor to work for the Council, enjoyed working with her colleagues, and wishes everyone the best.

Lastly, Chair Richko was happy to report that the New Jersey School of Conservation, which was going to close due to financial hardship, was included in this year's state budget for \$1M for the school. The "Friends of NJ School of Conservation" will now oversee the school's programs. The New Jersey School of Conservation is the nation's oldest and largest environmental center.

EXECUTIVE DIRECTOR'S REPORT

Ms. Plevin highlighted the following updates and staff activities:

COVID-19 Response

Chester Office Closure/Remote Work

Ms. Plevin reported that an approved Return to Office Plan was distributed to Highlands Council staff the week of July 6th. Staff will be returning to the office on a staggered schedule beginning Monday, July 19, 2021. Staff will work from the office 2 days per week in July, 3 days per week in August, and staff will return to the office full-time beginning Tuesday, September 7. At this time, the Highlands Council office in Chester will re-open full time. During the transition in July and August, all staff members will remain fully functional for remote work and operations will continue without interruption. Ms. Plevin added that no guidance has yet been provided regarding a return to in-person public meetings. We will keep Council members and public informed.

Highlands Regional Stormwater Webinar

On June 3, 2021, Council staff organized an extremely successful webinar as a follow up to our Rutgers Stormwater Management project. The goal was to provide information on funding and technical assistance so that municipalities could move forward and implement their green infrastructure projects. We had a great panel of experts and approximately 75 attendees. The feedback was positive on how useful the information was. All materials from the event including video may be found on the Council's website at the following link: www.nj.gov/njhighlands/planconformance/guidelines/resource.html#2

Plan Conformance Updates

Ms. Plevin reported that High Bridge Borough in Hunterdon County adopted a Golf Course Redevelopment Plan on June 9. The adopted Plan was deemed consistent with the Highlands Regional Master Plan.

Municipally Issued Exemptions

Since the prior report, the Highlands Council has been notified of the following municipally issued exemptions.

- Byram Township, Sussex County: one (1) exemption #4.
- Ringwood Borough, Passaic County: one (1) exemption #4.
- West Milford, Passaic County: eight (8) exemption #5s.
- Chester Township, Morris County: 84 exemption #5s. This includes all exemptions issued in 2020 and 2021 to-date.

Project Review Updates

Ms. Plevin reported that Staff completed one (1) project review and five (5) reviews are pending.

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Planning Area Consistency Reviews

In Mahwah Township, Bergen County, an applicant is proposing redevelopment of 1000 MacArthur Blvd. into a 285,000-square foot warehouse and ancillary structures. Highlands Council staff review found the project consistent with the RMP with conditions.

Also, in Mahwah Township, the Bergen County United Way along with Madeline Housing Partners, LLC is proposing to convert an existing single-family house into a multifamily affordable housing complex. Highlands Council Staff review is pending.

Water Quality Management Plan Amendment review

In White Township, Warren County, an applicant is seeking an amendment to the Upper Delaware Water Quality Management Plan to designate the “White 519 Commerce Center Sewer Service Area,” related to the construction of two high-cube warehouse and office buildings. Highlands Council Staff review is pending.

Preservation Area Exemption 9 review (HAD Review)

The County of Passaic is seeking an Exemption 9 for replacement of the Lincoln Avenue culvert in West Milford Township. The culvert spans Morsetown Brook and is in a state of disrepair. Highlands Council staff review is pending.

Preservation Area Exemption 11 review (HAD Review)

PSE&G is seeking an Exemption 11 for the reconstruction of a portion of the Branchburg - New York Transmission Line right-of-way access road located in Byram Township. Highlands Council staff review is pending.

Highlands Preservation Area Approval (HPAA) review

Angler's Anonymous is seeking an HPAA-General Permit #1 from NJDEP for a stream habitat improvement and enhancement project spanning approximately 4,000 feet of the South Branch of the Raritan River and Stony Brook, located in Washington Township, Morris County. Highlands Council staff review is pending.

Open Space Partnership Funding Program Update

On June 23rd, the Highlands Council, in partnership with The Land Conservancy of New Jersey and the NJDEP Green Acres program, completed preservation of the Kugler Property in West Milford Township, Passaic County. Ms. Plevin complimented staff on their efforts.

- Completion of the project results in the permanent protection of 44 acres of high conservation value land.
- The Highlands Council contributed half of the \$195,000.00 acquisition cost, leveraging \$97,500 in federal funding secured through the federal Highlands Conservation Act grant program.
- The Kugler property will be used to expand the existing West Brook Preserve to the northwest, which is owned and managed by The Land Conservancy of New Jersey and which the Highlands Council also helped to protect. Following significant restoration work, the site will be accessible to the public via a short trail to a wildlife viewing blind.

Agricultural Advisory Committee

As you may recall, last year Council adopted a resolution to create an Agricultural Advisory Committee. Invitation letters were sent out and we received seven (7) affirmative responses. We are in the process of

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scheduling the first Committee meeting and excited to get this underway.

Personnel Updates

Ms. Plevin reported that, as Chairman Richko mentioned, Chief Counsel LaRocca's last day will be September 3, 2021. Christine has been a valued member of the Highlands leadership team, providing reliable and often wise advice and counsel. On behalf of the staff, Ms. Plevin wished her the best. Ms. Plevin noted that the Chief Counsel position is posted on our website and the Civil Service Commission website and applications are being accepted through July 23, 2021.

In addition, Ms. Plevin welcomed Council's new Resource Management Specialist, Izzy Castiglioni. Izzy worked as an Outreach Manager with the Pinelands Preservation Alliance and the Association of NJ Environmental Commissions. She also served as an AmeriCorps Watershed Ambassador for the Rancocas Creek Watershed in the Pinelands. Izzy holds a Masters of Environmental Studies from the University of Pennsylvania and a Bachelor of Arts in Geography, Environmental & Resource Management from Binghamton University. Izzy brings a wealth of experience in stormwater and watershed management to her position. We are excited to have her on board.

Lastly, Ms. Plevin noted that the next Council Meeting is scheduled for August 19, 2021 (*Note: Since this meeting, the August 19, 2021 Council Meeting has been cancelled.*)

Member Dressler was present at 4:19pm.

Chairman Richko asked Council members if they had any comments/questions regarding Ms. Plevin's Report.

There were no Council comment/questions.

APPROVAL OF HIGHLANDS COUNCIL MINUTES OF MAY 20, 2021

Chairman Richko asked for a motion on the Council Minutes of May 20, 2021.

Member Holtaway made a motion to approve the Highlands Council Minutes of May 20, 2021. Member Dressler seconded it.

A roll call vote was taken. The Highlands Council Minutes of May 20, 2021 were APPROVED 11-0.

BUDGET & FINANCE COMMITTEE

Resolution – Approval to Extend the Fiscal Year Budgets 2021 at the Same Average Monthly Spending Level

Committee Chair Holtaway reported that Council considers this resolution every year until the next year's budget is formally passed. This resolution extends the existing budgets at the same average monthly spending level. Committee Chair Holtaway noted the average monthly spending level for the FY2021

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General Operating Budget is \$210,990; and the average monthly spending level for the FY2021 Grants Budget is \$145,420. Council will consider FY2022 budgets at a future meeting.

Member Holtaway made a motion. 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 11-0.

Resolution – Approval of FY2022 Highlands Protection Fund Capital Budget for Plan Conformance Funding Grants

Committee Chair Holtaway reported that Council will consider five (5) grants for Harding and Vernon Townships, and the Town of Phillipsburg. Highlands Council staff will provide an overview for these grants.

At this time Council staff gave overviews for the grants being considered:

Water Use and Conservation Management Plan for Harding Township, Morris County

Kelley Curran, Senior Resource Management Specialist, reported that in November 2020, the Highlands Council was notified by the NJDEP of an application for a site-specific amendment to the Northeast Water Quality Management Plan (WQMP) for a proposed development in Harding Township, which is 100% in Highlands Planning Area and has not opted to conform to the Regional Master Plan (RMP). Ms. Curran noted that Executive Order 114 requires the Highlands Council to review and provide comments and recommendations for WQMP amendments regarding consistency with the Net Water Availability (NWA) provisions of RMP. It was noted that the proposed project will likely exacerbate the NWA deficit, so Harding Township will be required to develop and implement a municipal-wide Water Use and Conservation Management Plan (WUCMP), with grant funding from the Highlands Council. Harding Township does not have an allocation for this work and it is estimated that a total of \$65,000 will be needed for the completion of the WUCMP.

Committee Chair Holtaway noted that the need for this grant was triggered by a proposed residential development and thus the Township is required to undertake the WUCMP, but the developer will be incurring costs as well to implement onsite water conservation measures.

Farmland Preservation Plan for Vernon Township, Sussex County

Steve Simone, Land Preservation Coordinator and Highlands Regional Planner, reported that the proposed Farmland Preservation Plan would take stock of the Township's existing agricultural lands, its

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current Farmland Preservation Program, and resources that are available to assist in natural resource conservation. It would analyze historic and projected trends in the local agricultural industry, ensure consistency with state and local plans, review means to promote economic development and retain agricultural resources, and envision a future version of its Farmland Preservation Program. Vernon Township's current Farmland Preservation Plan dates to 1995 and is due for an update. The development of the Farmland Preservation Plan is proposed for a budget of \$15,000.

Stormwater Management Plan for Vernon Township, Sussex County

Kelley Curran, Senior Resource Management Specialist, reported that Vernon Township is requesting supplemental funding to complete the background studies and data collection needed to develop a Stormwater Management Plan pursuant to Highlands Council plan conformance requirements. Vernon was initially provided an allocation of \$15,000 to complete their Plan, however, given the Township is 70 square miles in size, additional funding is required to complete the facilities mapping component. The Township requested an additional \$27,500 (for a total of \$42,500) to complete the required field work and associated deliverables. Ms. Curran noted that this work will enable Vernon to meet their Municipal Separate Storm Sewer System (MS4) permit requirements.

Trail Feasibility Study for Vernon Township, Sussex County

Steve Simone, Land Preservation Coordinator/Regional Planner, reported that Vernon Township is in the process of developing a Town Center walking/biking trail to run parallel to NJSH Route 94 through the Town Center area. The proposed trail would link the Town Center to nearby resorts and potentially connect to other trail systems such as the Appalachian Trail. Vernon Township has engaged with the Office of Planning Advocacy for Plan Endorsement and their petition includes redrawing the boundaries of their Town Center. The scope, which includes siting, design, preliminary engineering, and analyses of cultural and environmental impacts has a proposed budget of \$38,000.

Circulation Plan for Town of Phillipsburg, Warren County

Maryjude Haddock-Weiler, Planning Manager, reported that the Town of Phillipsburg's current Circulation Plan element is from 2004 and much has happened since that time. The Town has been working actively with the Highlands Council on a number of Plan Conformance activities and have done a great deal of planning for redevelopment areas, the riverfront, historic preservation, economic sustainability as well as trails planning. This Circulation Plan element will consider all this activity comprehensively and develop a plan that will link existing sidewalks and paths and develop new linkages and new opportunities for crosswalks, traffic calming, bike lanes, shared travel lanes, and other important features to move people safely through the town. Phillipsburg is a very developed Town with a lot of opportunity for transportation management. The comprehensive plan will take 8-10 months at an estimated cost of \$50,000.

Member Holtaway moved the resolution. Member Visioli seconded it.

Chair Richko announced that there is a representative from Vernon Township and welcomed Mayor Burrell for his comments.

Mayor Burrell thanked Highlands Council staff for working with his staff as it relates to these grant requests submitted on behalf of Vernon Township. Mayor Burrell is optimistic about his town and

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coming out of this COVID rainstorm and into a rainbow of great potential for our town. These grants are essential for what we want to do to move our town forward.

Chair Richko thanked Mayor Burrell for his comments and is looking forward to working with Vernon Township.

Chair Richko then introduced Angela Knowles, Planner for Town of Phillipsburg.

Ms. Knowles thanked the Council for the opportunity to speak on behalf of Phillipsburg. Two points Ms. Knowles wanted to address are that the Town is going to look to include the Heritage Trail System that the Highlands Council funded a few years ago which will become an important part of our safety planning for the Town. This plan will also conduct walkability audits in different neighborhoods of the town to empower the neighbors to encourage residents to give their input as to conditions in their communities. This data will be collected and design guidelines prepared for improvements to challenging neighborhoods and come up with a Circulation Plan that has bike and pedestrian safety elements to it.

Chair Richko thanked Ms. Knowles for her comments.

Council Comment

Member Van Abs had two (2) questions mostly for clarification. With regard to Harding Township grant request, it wasn't clear who is requiring the development of WUCMP. Ms. Curran responded that it is a Highlands Council condition to make sure the plan gets from development to adoption to implementation. Mr. Humphries also responded that the ultimate authority is through the NJDEP WQMP approval conditions. Member Van Abs added that it is our way of helping the municipality meet impending requirements by NDEP. Staff concurred.

With regard to Phillipsburg and the on-going discussions of the redevelopment area along the Delaware River, he inquired how will the Circulation Plan element dovetail with those on-going discussions? Ms. Haddock-Weiler responded that the Town will be looking at all traffic impacts both for the vehicular traffic by proposed warehouse development and other on-going development and the implications for pedestrian and bicycle safety impacted by those land uses.

Public Comment

Julia Somers, New Jersey Highlands Coalition – Ms. Somers commented that she does not believe the Town of Phillipsburg is interested in the safety of pedestrians and bicyclists with the on-going discussions regarding municipally owned land along the Delaware River being sold to a developer.

Hank Klumpp, Tewksbury, NJ – Mr. Klumpp commented that before the Council spends \$190K, how many towns have sending districts? Mr. Klumpp is opposed to spending this funding without sending districts and Council needs to do a better job to get sending districts.

Council Comment

Member James asked since all grants are bundled into one resolution are we unable to vote individually?

Member Dougherty made a motion to separate the five (5) grants into separate resolutions. Member Dressler seconded it.

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Chair Richko asked Committee Chair Holtaway to give a summary of each grant separately.

Committee Chair Holtaway introduced the first grant/resolution to be considered as previously described.

Resolution - Approval of Plan Conformance Grant Funding for Water Use and Conservation Management Plan for Harding Township, Morris County

Member James made a motion regarding Harding Township's grant for \$65,000, and Member Holtaway seconded it.

A roll call vote was taken. The resolution for Harding Township's grant for \$65,000 was APPROVED 10-0, with one (1) abstention by Member Dougherty.

Committee Chair Holtaway introduced the second grant/resolution to be considered as previously described.

Resolution - Approval of Plan Conformance Grant Funding for Farmland Preservation Plan for Vernon Township, Sussex County

Member Holtaway made a motion regarding Vernon Township's grant for \$15,000, and Member James seconded it.

A roll call vote was taken. The resolution for Vernon Township's grant for \$15,000 was APPROVED 10-0, with one (1) abstention by Member Dougherty.

Committee Chair Holtaway introduced the third grant/resolution to be considered as previously described.

Resolution - Approval of Plan Conformance Grant Funding for Stormwater Management Plan for Vernon Township, Sussex County

Member Holtaway made a motion regarding Vernon Township's grant for \$27,500, and Member James seconded it.

A roll call vote was taken. The resolution for Vernon Township's grant for \$27,500 was APPROVED 10-0, with one (1) abstention by Member Dougherty.

Committee Chair Holtaway introduced the fourth grant/resolution to be considered as previously described.

Resolution - Approval of Plan Conformance Grant Funding for Trail Feasibility Study for Vernon Township, Sussex County

Member Holtaway made a motion regarding Vernon Township's grant for \$38,000, and Member James seconded it.

A roll call vote was taken. The resolution for Vernon Township's grant for \$38,000 was APPROVED 10-0, with one (1) abstention by Member Dougherty.

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Committee Chair Holtaway introduced the fifth grant/resolution to be considered as previously described.

Resolution - Approval of Plan Conformance Grant Funding for Circulation Plan for Town of Phillipsburg, Warren County

Council Comment

Member Sebetich is concerned about the comments made by Ms. Somers.

Ms. Diction notified Chair Richko that Ms. Somers has raised her hand. Ms. Diction questioned if public comment will be taken.

Member James asked if we have an obligation to open for public comment again since the public comment period was already taken for the five grants.

Ms. LaRocca confirmed Council does not have an obligation to go through public comment again. There was public comment, it is a bifurcated vote, so no additional public comment period is required.

At this time, Chair Richko asked Council if they would like to vote now or have the resolution tabled for further discussion. Some members expressed an interest to vote.

Chair Richko asked if there was any other discussion by Council.

Member Van Abs commented that there is a difference between whether a project like this is funded and what is in the submitted scope of work (SOW). Member Van Abs went on to say that a project like this can in fact conclude that a specific redevelopment approach is going to cause problems. A project like this could figure out ways of solving those problems. A project like this could determine there is no problem. The question is what is in the SOW. Member Van Abs concluded by asking if we could get clarity on how this question would be addressed in the SOW.

Chair Richko asked Ms. Plevin if she or Highlands staff would like to comment on this.

Ms. Plevin responded that she did not have anything to add to this discussion. She would turn it over to Maryjude if she had anything further, and if not, can provide additional information to the Council at a future date.

Member Dressler asked where the project, mentioned by Ms. Somers, is in the process.

Ms. Haddock-Weiler commented that she is not familiar with the project that was raised. She has only read an article or two in the newspapers so cannot speak on that project. Ms. Haddock-Weiler added that the SOW submitted by the Town for the Circulation Plan is a very comprehensive plan and would cover all aspects of transportation and traffic that is generated by the various land uses within the Town. It will look at situations and will come up with some conclusions regarding which way to go with some projects. Ms. Haddock-Weiler is confident the proposed SOW is a good quality proposal and will answer some

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MEETING MINUTES OF JULY 15, 2021

questions about transportation both from a car and truck standpoint, as well as from a pedestrian and bicycle standpoint.

A roll call vote was taken. The resolution for the Town of Phillipsburg's grant for \$50,000 DID NOT PASS 4-5, with two (2) abstentions.

AUDIT REVIEW COMMITTEE

Resolution – Approval of Contract for Auditing Services

Committee Chair Visioli reported that the Audit Review Committee met on July 9, 2021 to review and discuss the report by the Audit Evaluation Committee chaired by Member Van Abs. After discussions with the Committee, we were in line with the Audit Evaluations Committee's recommendation to award Mercadien, P.C. as auditors for years 2021-2025.

Member Visioli made a motion, and Member Francis 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 11-0.

ECONOMIC SUSTAINABILITY PLAN PRESENTATION

Chair Richko announced that the final item on the agenda is a presentation from Camoin 310 Associates. In June of 2020, this Council approved a contract for the development of an Economic Sustainability Plan for the Highlands Region. With the advice and support of a Steering Committee, made up of a representative from each of the seven (7) Highlands counties and Highlands Council member Bob Holtaway, the Camoin Team has made tremendous progress over the past year, and is here today to provide us with an update. Our Planning Manager Maryjude Haddock-Weiler has been leading the project on the staff side and she will introduce our guests.

At this time, Ms. Haddock-Weiler gave a quick overview of the project and then introduced Rachel Selsky, Project Principal, and Alex Tranmer, Project Manager of Camoin 310 Associates.

Ms. Tranmer gave a presentation which may be found on the Council's website:
www.nj.gov/njhighlands/about/calend/2021/jul15/econplanupdate_071521.pdf

Members Dressler and James recused themselves from the presentation at 5:21pm.

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There were no Council comments/questions after the presentation.

Chair Richko thanked Ms. Selsky and Ms. Tranmer for keeping the Council updated and we look forward to its conclusion.

Member Visioli left the meeting at 5:28pm.

Member James re-joined the meeting at 5:28pm.

OLD/NEW BUSINESS:

Member Francis gave an update on Lake Hopatcong. He reported that test results were spectacular and there are no signs of the harmful algal blooms.

Member James appreciated all the efforts made by Member Francis regarding the health of Lake Hopatcong.

Chairman Richko opened the meeting to the public for any other comments.

Public Comment

Julia Somers, New Jersey Highlands Coalition – Ms. Somers commented that Phillipsburg has changed their zoning with short notice to the public on site in question of a proposed warehouse. Ms. Somers added that the change in zoning is being challenged in Court. Ms. Somers concluded that it is a complicated issue and needs to be resolved before moving forward with a grant.

Angela Knowles, PP/AICP – Ms. Knowles was disappointed by Council's decision on Phillipsburg's grant. The Town has a lot of new and re-development happening right now and the purpose of this project is to evaluate circulation currently and what might be developed down the road. In general, and as a response to Ms. Somers' comment, there is a lot of mis-information and the original concept is already changing and it is only a conceptual plan (no site plan, no application, etc.) and will need to go through the proper channels. Ms. Knowles submitted her comments for the record.

Hank Klumpp, Tewksbury, NJ - Mr. Klumpp commented if farming in the Highlands is in this presentation given today. Mr. Klumpp asked for a copy of the Camoin Associates presentation. Mr. Klumpp also asked where the Council is regarding the TDR program.

Anne Novitt-Moreno, M.D., resident of Chester Township – Dr. Moreno commented on comments made by representatives of the Highlands Council and Chester Township in regard to the Glenlora property in Chester Township. Dr. Moreno noted that there were suggestions made to do an RMP Update on this property. Dr. Moreno would like to have some participation regarding this property and to review meeting minutes, if available.

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Paul Stauder, resident of Chester Township – Mr. Stauder followed up on Dr. Moreno’s comments. Mr. Stauder is concerned with what he has been hearing at Chester Township meetings regarding Glenlora property about re-zoning the designation of the property.

Chair Richko asked for a motion to adjourn the meeting.

Member Holtaway made a motion to adjourn the meeting. Member James seconded it. All were in favor. The meeting was adjourned at 5:50pm.

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: 9/23/2021

Name: Annette Tagliareni

Annette Tagliareni, Executive Assistant

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

RESOLUTION 2021-21
HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
APPOINTMENT OF CHIEF COUNSEL

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act) empowers the Highlands Water Protection and Planning Council (Highlands Council) to appoint, retain and employ personnel, including attorneys, as it may require without regard to the provisions of Title 11A of the New Jersey Statutes but within the limits of funds appropriated or otherwise made available for those purposes; and

WHEREAS, the Highlands Act authorizes the Highlands Council to conduct its business as needed, subject to the statute, to effectuate the purposes of the enabling legislation; and

WHEREAS, pursuant to II. Section 5.b. of the Highlands Council adopted bylaws, the Executive Director can recommend for approval by the Personnel Committee one candidate to fill management positions as identified in the organization chart; and

WHEREAS, the position of Chief Counsel is a management position as identified in the organization chart; and

WHEREAS, the Highlands Council posted the position of Chief Counsel and received resumes from several candidates; and

WHEREAS, the Executive Director presented two finalists to the Personnel Committee to interview for the position of Chief Counsel; and

WHEREAS, the Personnel Committee conducted interviews with the two candidates and unanimously agreed to recommend one of the two candidates to be appointed as Chief Counsel and the Executive Director agrees with the Personnel Committee's recommendation; and

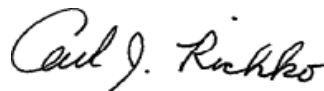
WHEREAS, the Personnel Committee and the Executive Director request affirmation of this recommendation by the full Highlands Council;

NOW, THEREFORE, BE IT RESOLVED

1. The Highlands Council hereby affirms the appointment by the Executive Director of Gabrielle Gallagher as Chief Counsel, at an annual basis of \$105,000.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its meeting held on the 23rd day of September 2021.



Carl J. Richko, Chairman

RESOLUTION 2021-21
HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
APPOINTMENT OF CHIEF COUNSEL

Vote on the Approval of The Resolution	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede			√			
Councilmember Dougherty						√
Councilmember Dressler			√			
Councilmember Francis			√			
Councilmember Holtaway			√			
Councilmember James	√		√			
Councilmember Sebetich			√			
Councilmember Van Abs			√			
Councilmember Visioli		√	√			
Councilmember Vohden			√			
Chairman Richko			√			

RESOLUTION 2021-19

APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR CIRCULATION PLAN ELEMENT FOR TOWN OF PHILLIPSBURG, WARREN COUNTY

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act) has created a public body corporate and politic with corporate succession known as the Highlands Water Protection and Planning Council (Highlands Council); and

WHEREAS, Section 6.g the Highlands Act authorizes the Highlands Council to enter into any and all agreements or contracts and execute any and all instruments to carry out any power, duty or responsibility assigned to it under the Highlands Act; and

WHEREAS, Section 14 of the Highlands Act expressly requires mandatory Plan Conformance for municipalities located wholly or partially in the Preservation Area, which must revise and conform their local master plan and development regulations, as they relate to development and use of land in the Preservation Area, with the goals, requirements and provisions of the Regional Master Plan within 15 months of adoption thereof, or December 8, 2009; and

WHEREAS, Section 15 of the Highlands Act provides for voluntary Plan Conformance where any municipality located wholly or partially in the Planning Area may voluntarily revise and conform their local master plans and development regulations, as they relate to the development and use of land in the Planning Area, with the goals, requirements and provisions of the Regional Master Plan at any time; and

WHEREAS, the Highlands Act provides that Highlands Council approval of a Petition for Plan Conformance confers specific benefits on the conforming municipality including: planning grants, technical assistance, state aid, priority for projects, a strong presumption of validity and extraordinary deference in the event of legal challenge, and legal representation; and

WHEREAS, Section 18 of the Highlands Act obligates the Highlands Council to establish a grant funding program to reimburse municipalities for reasonable expenses associated with Plan Conformance; and

WHEREAS, on December 18, 2008, the Highlands Council approved Resolution 2008-73 to provide grant funding for the Highlands municipalities to cover the reasonable expenses associated with revisions to master plans, development regulations or other regulations to conform them to the Regional Master Plan; and

WHEREAS, the Highlands Council encourages every Highlands municipality to participate in the implementation of the Regional Master Plan and provides grants to assist Highlands municipalities in conforming with and implementing the goals, policies and objectives of the Regional Master Plan; and

WHEREAS, the municipality listed below is in need of reimbursement-based grant funding in order to address the Highlands Act requirements for Plan Conformance; and

RESOLUTION 2021-19
APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR CIRCULATION
PLAN ELEMENT FOR TOWN OF PHILLIPSBURG, WARREN COUNTY

Plan Conformance Funding
(not-to-exceed amount):

Municipality	Purpose	Amount
Phillipsburg	Circulation Plan Element	\$50,000

WHEREAS, the Highlands Council staff recommends that the Highlands Council authorize the execution of a Plan Conformance Grant Agreement with Phillipsburg for the funding allotted to the above-referenced task, not to exceed, \$50,000; and

WHEREAS, the above-referenced \$50,000 allocation will be included in a forthcoming FY 2022 Highlands Protection Fund Capital Budget; and

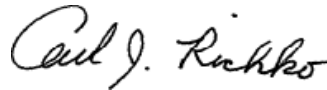
WHEREAS, pursuant to N.J.S.A. 13:20-5.j, no action authorized by the Highlands Council shall have force or effect until ten (10) days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the meeting of the Council has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED that the Highlands Council hereby authorizes the Executive Director to execute a Plan Conformance Grant Agreement with the above-listed municipality, in the not-to-exceed amount as set forth above; and

BE IT FURTHER RESOLVED that the Executive Director is authorized to make any amendments to the Highlands Implementation Plan and Schedule of the above-listed municipality, consistent with direction from the Highlands Council, to properly effectuate the intent of the Council and thereafter execute the Implementation Plan and Schedule on behalf of the Council.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 23rd day of September, 2021.



Carl J. Richko, Chairman

RESOLUTION 2021-19

APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR CIRCULATION PLAN ELEMENT FOR TOWN OF PHILLIPSBURG, WARREN COUNTY

Vote on the Approval of The Resolution	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede			√			
Councilmember Dougherty						√
Councilmember Dressler			√			
Councilmember Francis			√			
Councilmember Holtaway	√		√			
Councilmember James			√			
Councilmember Sebetich				√		
Councilmember Van Abs			√			
Councilmember Visioli		√	√			
Councilmember Vohden			√			
Chairman Richko			√			

RESOLUTION 2021-22
APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR FIELD
ASSESSMENT AND ENGINEERING DESIGN PLANS FOR A REGENERATIVE
STORMWATER CONVEYANCE SYSTEM IN WITTEN PARK FOR
HOPATCONG BOROUGH, SUSSEX COUNTY

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act) has created a public body corporate and politic with corporate succession known as the Highlands Water Protection and Planning Council (Highlands Council); and

WHEREAS, Section 6.g of the Highlands Act authorizes the Highlands Council to enter into any and all agreements or contracts and execute any and all instruments to carry out any power, duty or responsibility under the Highlands Act; and

WHEREAS, Section 14 of the Highlands Act expressly requires mandatory Plan Conformance where municipalities, located wholly or partially in the Preservation Area, must revise and conform their local master plan and development regulations, as they relate to development and use of land in the Preservation Area, with the goals, requirements and provisions of the Regional Master Plan (RMP); and

WHEREAS, Section 15 of the Highlands Act provides for voluntary Plan Conformance where any municipality located wholly or partially in the Planning Area may voluntarily revise and conform their local master plans and development regulations, as they relate to the development and use of land in the Planning Area, with the goals, requirements and provisions of the Regional Master Plan at any time; and

WHEREAS, the Highlands Act provides that an approval of a Petition for Plan Conformance entitles the conforming municipality with specific benefits including: planning grants, technical assistance, state aid, priority for projects, a strong presumption of validity and extraordinary deference in the event of legal challenge, and legal representation; and

WHEREAS, Section 18 of the Highlands Act obligates the Highlands Council to establish a grant funding program to reimburse municipalities for reasonable expenses associated with Plan Conformance; and

WHEREAS, on December 18, 2008, the Highlands Council approved Resolution 2008-73 to provide grant funding for the Highlands municipalities to cover the reasonable expenses associated with revisions to master plans, development regulations or other regulations to conform them to the Regional Master Plan; and

WHEREAS, the Highlands Council encourages every Highlands municipality to participate in the implementation of the Regional Master Plan and provides grants to assist Highlands municipalities in conforming with and implementing the goals, policies and objectives of the Regional Master Plan; and

WHEREAS, Hopatcong Borough in Sussex County is in need of reimbursement-based grant funding for the design phase of a project to improve stormwater conveyance within Witten Park, a municipal park which drains to Lake Hopatcong. The project will stabilize and convert an existing

RESOLUTION 2021-22
APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR FIELD ASSESSMENT AND ENGINEERING DESIGN PLANS FOR A REGENERATIVE STORMWATER CONVEYANCE SYSTEM IN WITTEN PARK FOR HOPATCONG BOROUGH, SUSSEX COUNTY

stream into a Regenerative Stormwater Conveyance System (RSC) which is designed to treat, detain, and convey stormwater.

Plan Conformance Funding (not-to-exceed amount):

Municipality/County	Purpose	Amount
Hopatcong Borough	Field Assessment and Engineering Design Plans for a Regenerative Stormwater Conveyance System in Witten Park	\$54,000
Total	FY 2022 Plan Conformance	\$54,000

WHEREAS, the Highlands Council staff recommends that the Highlands Council authorize the execution of a Plan Conformance Grant Agreement with the aforementioned municipality for the funding allotted to the above-referenced task in the amount so designated, not to exceed in the aggregate, \$54,000; and

WHEREAS, the above-referenced \$54,000 allocation is included in a forthcoming FY 2022 Highlands Protection Fund Capital Budget; and

WHEREAS, pursuant to N.J.S.A. 13:20-5.j, no action authorized by the Highlands Council shall have force or effect until ten (10) days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the meeting of the Council has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.


NOW, THEREFORE, BE IT RESOLVED that the Highlands Council hereby authorizes the Executive Director to execute a Plan Conformance Grant Agreement with the above listed municipality, at a not to exceed amount as set forth above;

BE IT FURTHER RESOLVED that the Highlands Council hereby approves the above-referenced municipal funding in the Highlands Protection Fund Capital Budget for Fiscal Year 2022 in order to provide grant funding for that Highlands municipality to cover the reasonable expenses associated with revisions to master plans, development regulations or other regulations to conform them to the Regional Master Plan, not to exceed \$54,000 in the aggregate.

RESOLUTION 2021-22
APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR FIELD
ASSESSMENT AND ENGINEERING DESIGN PLANS FOR A REGENERATIVE
STORMWATER CONVEYANCE SYSTEM IN WITTEN PARK FOR
HOPATCONG BOROUGH, SUSSEX COUNTY

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 23rd day of September 2021.



Carl J. Richko, Chairman

Vote on the Approval of The Resolution	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede			√			
Councilmember Dougherty						√
Councilmember Dressler			√			
Councilmember Francis						√
Councilmember Holtaway	√		√			
Councilmember James			√			
Councilmember Sebetich			√			
Councilmember Van Abs		√	√			
Councilmember Visioli			√			
Councilmember Vohden			√			
Chairman Richko			√			

RESOLUTION 2021-23

APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR A REGIONAL LAKE MANAGEMENT PLAN FOR WEST MILFORD TOWNSHIP, PASSAIC COUNTY

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act) has created a public body corporate and politic with corporate succession known as the Highlands Water Protection and Planning Council (Highlands Council); and

WHEREAS, Section 6.g of the Highlands Act authorizes the Highlands Council to enter into any and all agreements or contracts and execute any and all instruments to carry out any power, duty or responsibility assigned to it under the Highlands Act; and

WHEREAS, Section 14 of the Highlands Act expressly requires mandatory Plan Conformance for municipalities located wholly or partially in the Preservation Area, which must revise and conform their local master plan and development regulations, as they relate to development and use of land in the Preservation Area, with the goals, requirements and provisions of the Regional Master Plan (RMP); and

WHEREAS, Section 15 of the Highlands Act provides for voluntary Plan Conformance where any municipality located wholly or partially in the Planning Area may voluntarily revise and conform their local master plans and development regulations, as they relate to the development and use of land in the Planning Area, with the goals, requirements and provisions of the Regional Master Plan at any time; and

WHEREAS, the Highlands Act provides that Highlands Council approval of a Petition for Plan Conformance confers specific benefits on the conforming municipality including: planning grants, technical assistance, state aid, priority for projects, a strong presumption of validity and extraordinary deference in the event of legal challenge, and legal representation; and

WHEREAS, Section 18 of the Highlands Act obligates the Highlands Council to establish a grant funding program to reimburse municipalities for reasonable expenses associated with Plan Conformance; and

WHEREAS, on December 18, 2008, the Highlands Council approved Resolution 2008-73 to provide grant funding for the Highlands municipalities to cover the reasonable expenses associated with revisions to master plans, development regulations or other regulations to conform them to the Regional Master Plan; and

WHEREAS, the Highlands Council encourages every Highlands municipality to participate in the implementation of the Regional Master Plan and provides grants to assist Highlands municipalities in conforming with and implementing the goals, policies and objectives of the Regional Master Plan; and

WHEREAS, the Township of West Milford in Passaic County is in need of reimbursement-based grant funding in order to implement Phase II of a regional lake management plan which covers in-lake water quality monitoring, trophic state analyses, and final reporting; and

RESOLUTION 2021-23
APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR A REGIONAL
LAKE MANAGEMENT PLAN FOR WEST MILFORD TOWNSHIP, PASSAIC
COUNTY

Plan Conformance Funding (not-to-exceed amount):

Municipality	Purpose	Amount
West Milford Township	Lake Management Plan	\$86,250
Total	FY 2022 Plan Conformance	\$86,250

WHEREAS, the Highlands Council staff recommends that the Highlands Council authorize the execution of a Plan Conformance Grant Agreement with the aforementioned municipality for the funding allotted to the above-referenced tasks in the amounts designated, not to exceed in the aggregate, \$86,250; and

WHEREAS, the above-referenced \$86,250 allocation will be included in a forthcoming FY 2022 Highlands Protection Fund Capital Budget; and

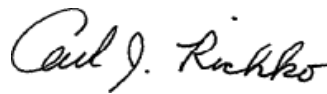
WHEREAS, pursuant to N.J.S.A. 13:20-5.j, no action authorized by the Highlands Council shall have force or effect until ten (10) days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the meeting of the Council has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED that the Highlands Council hereby authorizes the Executive Director to execute a Plan Conformance Grant Agreement with the above-listed municipality, in the not-to-exceed amount as set forth above; and

BE IT FURTHER RESOLVED that the Highlands Council hereby approves the above-referenced municipal funding in the Highlands Protection Fund Capital Budget for Fiscal Year 2022 in order to provide grant funding for that Highlands municipality to cover the reasonable expenses associated with revisions to master plans, development regulations or other regulations to conform them to the Regional Master Plan, not to exceed \$86,250 in the aggregate.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 23rd day of September 2021.



Carl J. Richko, Chairman

RESOLUTION 2021-23

APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR A REGIONAL LAKE MANAGEMENT PLAN FOR WEST MILFORD TOWNSHIP, PASSAIC COUNTY

Vote on the Approval of The Resolution	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede			√			
Councilmember Dougherty						√
Councilmember Dressler			√			
Councilmember Francis			√			
Councilmember Holtaway	√		√			
Councilmember James			√			
Councilmember Sebetich			√			
Councilmember Van Abs		√	√			
Councilmember Visioli			√			
Councilmember Vohden			√			
Chairman Richko			√			

RESOLUTION 2021-24
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
ANNUAL MEETING SCHEDULE FOR 2022

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act) has created a public body corporate and politic with corporate succession known as the Highlands Water Protection and Planning Council (Highlands Council); and

WHEREAS, the Open Public Meetings Act directs public bodies to give adequate written advance notice of regular meetings and to establish and post an annual schedule of regular public meetings; and

WHEREAS, the Highlands Council has considered a schedule of regularly scheduled meetings of the Highlands Council for the year 2020; and

WHEREAS, pursuant to N.J.S.A. 13:20-5.j, no action authorized by the Highlands Council shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Council has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED

1. The Highlands Council hereby adopts the following schedule of regularly scheduled meetings of the Highlands Council for the year 2022. All scheduled meetings will begin at **4:00pm**:

January 20
February 17
March 17
April 21
May 19
June 16
July 21
August 18
September 15
October 20
December 1

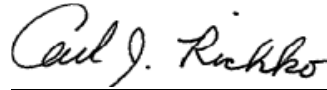
2. The Highlands Council's regular public meetings shall be held at the dates and times noted above at its office at 100 North Road, Chester, New Jersey, and/or virtually, with the understanding that the Council may choose to make changes in location or time, but only with the provision of adequate advance public notice; and

3. The above schedule of regular public meetings, which may be amended and revised by the Executive Director as appropriate, shall be posted at the Highlands Council's office and on its web site.

RESOLUTION 2021-24
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
ANNUAL MEETING SCHEDULE FOR 2022

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 23rd day of September, 2021.



Carl J. Richko, Chairman

Vote on the Approval of The Resolution	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede			√			
Councilmember Dougherty						√
Councilmember Dressler			√			
Councilmember Francis			√			
Councilmember Holtaway			√			
Councilmember James		√	√			
Councilmember Sebetich			√			
Councilmember Van Abs			√			
Councilmember Visioli	√		√			
Councilmember Vohden			√			
Chairman Richko			√			



State of New Jersey

Highlands Water Protection and Planning Council
100 North Road (Route 513)
Chester, New Jersey 07930-2322
(908) 879-6737
(908) 879-4205 (fax)
www.nj.gov/njhighlands



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
L. Governor

CARL J. RICHKO
Chairperson

LISA J. PLEVIN
Executive Director

MEMORANDUM

To: Budget & Finance Committee
From: Lisa J. Plevin, Executive Director
Subject: Committee Meeting Minutes – September 14, 2021
Date: September 20, 2021

A Budget and Finance (B&F) Committee meeting was held on Tuesday, September 14, 2021 at 10:00am via Zoom video conference.

Committee Chair Holtaway opened the meeting at 10:00am. The following participants were present:

Committee: Committee Chair Holtaway, Council Chair Richko, and Members James and Visioli.

Highlands Staff: Lisa J. Plevin, James Humphries, Maryjude Haddock-Weiler, Keri Green, Gabrielle Gallagher, Judy Thornton, Herb August, and Annette Tagliareni.

Governor's Authorities Unit: Jeffrey Nielsen, Associate Counsel

Angela Knowles was in the ZOOM waiting room.

Highlands Council FY2022 Highlands Protection Fund Grants:

Town of Phillipsburg (Warren County), Circulation Plan Element - \$50,000

Committee Chair Holtaway noted that during the Council's July 15 meeting the Plan Conformance grant funding request from Phillipsburg for completion of a Circulation Plan Element was not approved due to public comments suggesting that it may authorize a potential park encroachment.

Ms. Plevin gave an overview of what transpired during the July Council meeting regarding this agenda item. Ms. Plevin noted that members of the public expressed concerns and members of the Council had several questions - some of which Council staff could not immediately answer. The Resolution for Phillipsburg's Circulation Plan failed to pass. After the meeting, Council staff circled back to both Phillipsburg officials and members of the public to better understand the issues.

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Ms. Plevin noted that Angela Knowles, Phillipsburg Town Planner, was available (in the Zoom waiting room) if committee members had questions after staff's report-out presentation.

Ms. Plevin added that the Highlands Council is expected to reimburse for reasonable expenses of Plan Conformance provided they are in line with the goals, policies, and objectives of the Regional Master Plan (RMP). She indicated that Council staff is confident that Phillipsburg's proposed scope of work satisfies **Goal 5a: Transportation** of the RMP. Goals and recommendations include:

- Increased Mobility - within the Region and between the Region and outside destinations
- Increased public safety for pedestrians
 - Improving signing
 - Sidewalk improvements,
 - Additional pedestrian/bicycle signals
- Promoting a more efficient use of existing roadways through:
 - Roadway and circulation changes
 - Improved mass transit options

Ms. Plevin concluded by adding, while many of our municipalities retain primarily rural characteristics, Phillipsburg and its urban center has much to benefit from a review of their existing circulation plan. The proposed Circulation Plan will study ways to improve upon the existing transportation system.

At this time, Maryjude Haddock-Weiler, Planning Manager, gave more details on Phillipsburg's request for a Circulation Plan Element grant. Ms. Haddock-Weiler noted that the Circulation Plan element, as defined by the Municipal Land Use Law (MLUL), is a basic component of municipal master planning and an important tool in achieving and maintaining compliance with the Highlands RMP.

Ms. Haddock-Weiler added that on June 22, 2021, the Town of Phillipsburg submitted a letter and scope of work requesting grant funding to complete a Circulation Plan (the plan) element, particularly to identify the Town's desire to incorporate the plan into its ongoing redevelopment and revitalization efforts. The plan is intended to provide the Town with vital information to guide future land use and development decisions.

Ms. Haddock-Weiler then spoke about the potential development concept along Phillipsburg's riverfront area, which was the issue raised by members of the public during the July Council meeting. At that time, Highlands Council staff had not been notified by the Town of Phillipsburg or any regulating agency of the proposal. On July 22nd Highlands Council staff received a Permit Readiness Checklist from the NJDEP's Office of Permitting & Project Navigation for a project known as Peron Warehouse. This is typically the beginning of a pre-application meeting process for any NJDEP permits.

The project proposes a 420,000 square foot warehouse to be located on 170 Howard Street (Block 2102, Lots 2, 2.02 & 11). The proposed site is adjacent to the Delaware Riverfront Park (municipal park). The current proposal neither includes any incursions into the parkland, nor requires the diversion of any preserved lands.

Ms. Haddock-Weiler noted that the site in question is within a designated Highlands Center. The Town has not completed its center planning, nor adopted a center ordinance. The Town did, with Highlands Council funding however, adopt a Riverfront Redevelopment Plan in 2013 and amended it in 2017. Both versions of the Redevelopment Plan designated the site for “Riverfront Residential” The Plan is a component of the Town’s Center planning and implementation.

Ms. Haddock-Weiler then noted that a recent amendment to the Redevelopment Plan had been adopted by the Land Use Board and Town Council in March/April 2021 without any notice to or advisement from the Highlands Council. The amendment changed the designation of the subject parcels from Riverfront Residential to Riverfront Industrial. As a conforming municipality, the Town is required to submit any land use or zoning ordinance to the Highlands Council for a consistency determination with the RMP.

It was noted that the proposed warehouse site is a former railyard and is listed on the NJDEP’s “Known Contaminated Sites” List. The proposed site is also part of an Archaeologic Grid (AP94) and is adjacent to the historic Morris Canal. Much of the property (Lot 2) is in the Highlands Protection Zone and Existing Community Zone – Environmental Constrained, while most of the remainder (Lot 11) is designated Existing Community Zone.

In conclusion, Ms. Haddock-Weiler noted that Highlands staff have prepared comments regarding the project and submitted them to NJDEP based on Highlands resources. Staff will also be invited to attend the pre-application meeting with NJDEP and the applicant. This project is separate from the Circulation Plan and, as a Council, we do not have site plan review. The Council’s role is to provide our municipalities and counties with the tools to make smart land use decisions. The grant request is a planning opportunity to provide the Town with information to make future decisions.

Committee Chair Holtaway concluded that there was confusion at the July 15 Council meeting regarding a possible Green Acres diversion. Ms. Plevin added that the issues raised were not just related to Green Acres but also regarding warehouse siting concerns.

Chair Richko added that it might be helpful in the future for the public to contact Council staff prior to a meeting to raise such concerns. The Committee agreed that Staff was able to answer their questions, and that Ms. Knowles was not needed for additional clarification.

Committee Chair Holtaway asked for a motion to move the Town of Phillipsburg Circulation Plan Element grant in the amount of \$50,000 to the Council for consideration. Member James made a motion and Chair Richko seconded it. A roll call vote was taken, and all were in favor.

Hopatcong Borough (Sussex County), Field Assessment and Engineering Design Plan - \$54,000

Keri Green, Science Manager, gave an overview of Hopatcong Borough’s grant request for a Field Assessment and Engineering Design Plan for a project to improve stormwater conveyance within Witten Park, a municipal park that drains to Lake Hopatcong. This project was proposed in the Upper Musconetcong Watershed Implementation Plan (WIP), recently completed by the Lake Hopatcong Commission, and funded by the Highlands Council.

The project will stabilize and convert an existing drainage conveyance into a Regenerative Stormwater Conveyance (RSC) system, designed to treat, detain, and convey stormwater. This RSC system is part of a larger project for a complete restoration of Witten Park with contributions from Rutgers University and the Borough of Hopatcong. The scope of work includes a Topographic Survey, Field Assessments, Engineering Calculations and Designs, Development of Plans, Identification of Requirement Permits, integration of Rutgers design plan and a Final Report. The longer-term goal is to use the design of this project as in-kind support for a National Fish and Wildlife Foundation (NFWF) grant.

Ms. Plevin commented that this is an important continuation of Council's work.

Committee Chair Holtaway asked for a motion to move the Hopatcong Borough Field Assessment and Engineering Design Plan (\$54,000) to the Council for consideration. Member James made a motion and Member Visioli seconded it. A roll call vote was taken, and all were in favor.

West Milford Township (Passaic County), Regional Lake Management Plan Grant – Phase II - \$86,250

Keri Green, Science Manager, gave an overview of West Milford Township's request for Regional Lake Management Plan grant funding. Ms. Green noted that in October 2020, the Highlands Council awarded a Plan Conformance grant for Phase I of a Township-wide assessment of multiple watersheds involving more than 20 lakes in West Milford Township. The first phase of the project began during the field season of 2021 and significant work was accomplished to complete historic data collection, modelling of watersheds, identification, quantification, and prioritization of watershed-based factors.

Ms. Green added that Phase II, which covers in-lake quality monitoring, trophic state analyses and final reporting, will be completed in 2022 with the use of the grant.

Committee Chair Holtaway commented that if you do not have data, you cannot make decisions.

Chair Richko asked about the overall health of the lakes. Ms. Green responded that the monitoring would reveal the quality and age of the lakes.

Member Visioli added that the Council needs to be consistent with its approach.

Committee Chair Holtaway asked for a motion to move the West Milford Township grant for a Regional Lake Management Plan for a total amount of \$86,250 to the Council for consideration. Member Visioli made a motion and Chair Richko seconded it. A roll call vote was taken, and all were in favor.

The committee meeting adjourned at 10:33am.