

RESOLUTION 2023-29
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL OPEN SPACE PARTNERSHIP PROGRAM, APPROVAL OF EXTENSION OF TIME, COUNTY OF PASSAIC (APPLICANT)

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20-1 et seq., created a public body corporate and politic with corporate succession known as the Highlands Water Protection and Planning Council (Highlands Council or Council); and

WHEREAS, the Highlands Act at N.J.S.A. 13:20-2 declares that the New Jersey Highlands is an essential source of drinking water, providing clean and plentiful drinking water for one-half of the State's population and contains exceptional natural resources such as clean air, contiguous forest lands, wetlands, pristine watersheds, and habitat for fauna and flora for the citizens of the State; and

WHEREAS, the Highlands Act at N.J.S.A. 13:20-2 further declares that “the new regional planning approach and the more stringent environmental regulatory standards should be accompanied, as a matter of wise public policy and fairness to property owners, by a strong and significant commitment by the State to fund the acquisition of exceptional natural resource value lands . . .”; and

WHEREAS, on July 17, 2008, the Highlands Council adopted the Highlands Regional Master Plan (RMP) which became effective on September 8, 2008 and which through RMP Goal 1H calls for the protection of critical resources through land preservation and stewardship of open space throughout the Highlands Region; and

WHEREAS, on April 18, 2016, the Highlands Council adopted a rule (N.J.A.C. 7:70-1 et seq.) establishing the Highlands Open Space Partnership Funding Program (Open Space Program), which provides for a matching grant partnership with eligible state and local governments and charitable conservancies for the acquisition of land for passive recreation and conservation purposes, and creating the Highlands Development Credit (HDC) Purchase Program that provides for the HDC Bank to purchase HDCs on a priority basis identified in the HDC Purchase Program, from certain landowners; and

WHEREAS, in May 2019, the Highlands Council solicited applications under the Open Space Program and the HDC Purchase Program for projects; and

WHEREAS, on September 17, 2020 in resolution 2020-14, the Highlands Council approved an Open Space application for Blocks 249, 249.01, 301, Lots 1, 1.02, 1.01, in Wanaque, Passaic County; and

WHEREAS, because of the Covid-19 pandemic and other factors, the project has utilized extensions but not yet closed; and

WHEREAS, there has been a change in methodology of acquisition from fee simple to conservation easement; and

WHEREAS, the County is requesting an additional year extension from the current closing deadline of December 31, 2023, as they are negotiating details with the property owner; and

WHEREAS, the Highlands Council believes that the project is still viable and important as it promotes the use of passive recreation; and

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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 take the steps necessary to proceed with the following preservation project by extending the deadline for closing until December 31, 2024, utilizing funding from the Open Space Program.

County	Municipality	Block	Lot
Passaic	Wanaque	249, 249.01, 301	1, 1.02, 1.01

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 14th day of December, 2023.



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			√			