



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, October 21st at 4pm

Join Zoom Meeting:

<https://us06web.zoom.us/j/84604092073>

Audio only:

Dial: 1-929-436-2866
Meeting ID: 846 0409 2073

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 – September 23, 2021
8. BUDGET & FINANCE COMMITTEE – Committee Chair Holtaway
 - a. CONSIDERATION OF RESOLUTION – Approval of Fiscal Year 2022 General Operating Budget (*voting matter with public comment*)
 - b. CONSIDERATION OF RESOLUTION – Approval of Fiscal Year 2022 Highlands Protection Fund Capital Budget (*voting matter with public comment*)
 - c. CONSIDERATION OF RESOLUTION – Approval of Plan Conformance Grant Funding for Stormwater Management Plan, Sustainable Economic Development Plan, Highlands Master Plan and Land Use Plan elements for Washington Borough (Warren County) (*voting matter with public comment*)
 - d. CONSIDERATION OF RESOLUTION – Approval of Plan Conformance Grant Funding for Lake Management Plan for Byram Township (Sussex County) (*voting matter with public comment*)
 - e. CONSIDERATION OF RESOLUTION – Approval of Plan Conformance Grant Funding for Stormwater Management Plan for Chester Township (Morris County) (*voting matter with public comment*)
 - f. CONSIDERATION OF RESOLUTION – Approval of Plan Conformance Grant Funding for Economic Development Planning for Hunterdon County (*voting matter with public comment*)
9. CONSIDERATION OF RESOLUTION – Highlands Development Credit Bank Annual Meeting Schedule for 2022 (*voting matter with public comment*)
10. OLD & NEW BUSINESS

11. 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.)*
12. EXECUTIVE SESSION, *if deemed necessary*
13. ADJOURN

RESOLUTION 2021-26
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
APPROVAL OF FISCAL YEAR 2022
HIGHLANDS PROTECTION FUND CAPITAL BUDGET

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 conduct its business as needed to effectuate the purposes of the enabling legislation; and

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

WHEREAS, to satisfy its duties, responsibilities and obligations under the Highlands Act, the Council desires to prepare a Highlands Protection Fund Capital Budget; and

WHEREAS, the Budget and Finance Committee has reviewed a proposed Highlands Protection Fund Capital Budget; and

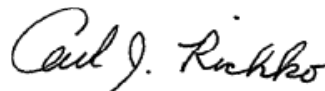
WHEREAS, pursuant to N.J.S.A. 13:20-5.j, no action authorized by the Highlands Council shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Council has been delivered to the Governor for review, unless prior 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 approves the attached Highlands Protection Fund Capital Budget for Fiscal Year 2022; and

BE IT FURTHER RESOLVED that the Budget and Finance Committee shall review the budget periodically and recommend adjustments to the Council, as appropriate.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 21st day of October, 2021.



Carl J. Richko, Chairman

RESOLUTION 2021-26
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
APPROVAL OF FISCAL YEAR 2022
HIGHLANDS PROTECTION FUND CAPITAL BUDGET

Vote on the Approval of This 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			√			

HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
HIGHLANDS PROTECTION FUND CAPITAL BUDGET ESTIMATES FY2022

Revenues:

Highlands Protection Fund Grants - Balance of Unexpended Encumbrances: Plan Conformance	\$	5,799,673.80
Highlands Protection Fund Grants - Balance of Unexpended Encumbrances: TDR	\$	58,645.25
Highlands Unencumbered Funds (rollover from FY2020)	\$	-
State of New Jersey FY2021 Appropriation - Highlands Protection Fund		
Regional Master Plan Compliance Aid	\$	2,182,352.00
Total Revenues	\$	8,040,671.05

Expenditures:

Municipal Plan Conformance Petition Planning and Implementation	\$	1,922,250.00
County Plan Conformance Grants	\$	225,000.00
Highlands Protection Fund Grants - Projected Closure of Unexpended Encumbrances	\$	248,000.00
Highlands Protection Fund Grants - Projected Reimbursements of Encumbered Funds	\$	1,400,000.00
Highlands Protection Fund Grants - Projected Balance of Encumbrances	\$	4,245,421.05
Total Highlands Protection Fund Grant Encumbrances	\$	8,040,671.05

RESOLUTION 2021-27

APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR STORMWATER MANAGEMENT PLAN, SUSTAINABLE ECONOMIC DEVELOPMENT PLAN, HIGHLANDS MASTER PLAN AND LAND USE PLAN ELEMENTS FOR WASHINGTON BOROUGH (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, tax stabilization funds, 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, Washington Borough is in need of reimbursement-based grant funding in order to address the Highlands Act requirements for Plan Conformance:

RESOLUTION 2021-27
APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR STORMWATER MANAGEMENT PLAN, SUSTAINABLE ECONOMIC DEVELOPMENT PLAN, HIGHLANDS MASTER PLAN AND LAND USE PLAN ELEMENTS FOR WASHINGTON BOROUGH (WARREN COUNTY)

**Plan Conformance Funding
(not-to-exceed amounts):**

Municipality/County	Purpose	Amount
Washington Borough	Stormwater Management Plan, Sustainable Economic Development Plan, Highlands Master Plan and Land Use Plan elements	\$105,000

WHEREAS, the Highlands Council staff recommends that the Highlands Council authorize the execution of a Plan Conformance Grant Agreement with Washington Borough for the funding allotted to the above-referenced tasks in the amount designated, not to exceed, \$105,000; and

WHEREAS, the above-referenced \$105,000 allocation will be included in the 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.

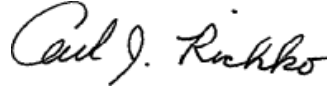
NOW, THEREFORE, BE IT RESOLVED that the Highlands Council hereby authorizes the Executive Director to execute a Plan Conformance Grant Agreement with Washington Borough in the not-to-exceed amount as set forth above; and

BE IT FURTHER RESOLVED that the Executive Director is authorized to make any amendments to the Highlands Implementation Plans 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 Plans and Schedule on behalf of the Council.

RESOLUTION 2021-27
APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR STORMWATER MANAGEMENT PLAN, SUSTAINABLE ECONOMIC DEVELOPMENT PLAN, HIGHLANDS MASTER PLAN AND LAND USE PLAN ELEMENTS FOR WASHINGTON BOROUGH (WARREN COUNTY)

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 21st day of October 2021.



Carl J. Richko, Chairman

Vote on the Approval of This 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 2021-28
APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR LAKE
MANAGEMENT PLAN FOR BYRAM TOWNSHIP (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 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, tax stabilization funds, 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, Byram Township is in need of reimbursement-based grant funding in order to address the Highlands Act requirements for Plan Conformance:

RESOLUTION 2021-28
APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR LAKE
MANAGEMENT PLAN FOR BYRAM TOWNSHIP (SUSSEX COUNTY)

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

Municipality/County	Purpose	Amount
Byram Township	Lake Management Plan	\$150,000

WHEREAS, the Highlands Council staff recommends that the Highlands Council authorize the execution of a Plan Conformance Grant Agreement Byram Township for the funding allotted to the above-referenced task in the amounts designated, not to exceed, \$150,000; and

WHEREAS, the above-referenced \$150,000 allocation will be included in the 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 Byram Township 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 Plans 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 Plans and Schedule on behalf of the Council.

RESOLUTION 2021-28
APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR LAKE
MANAGEMENT PLAN FOR BYRAM TOWNSHIP (SUSSEX COUNTY)

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 21st day of October 2021.



Carl J. Richko, Chairman

Vote on the Approval of This 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 2021-29

APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR STORMWATER MANAGEMENT PLAN FOR CHESTER TOWNSHIP (MORRIS 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, tax stabilization funds, 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, Chester Township is in need of reimbursement-based grant funding in order to address the Highlands Act requirements for Plan Conformance:

RESOLUTION 2021-29
APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR STORMWATER MANAGEMENT PLAN FOR CHESTER TOWNSHIP (MORRIS COUNTY)

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

Municipality/County	Purpose	Amount
Chester Township	Stormwater Management Plan	\$50,000

WHEREAS, the Highlands Council staff recommends that the Highlands Council authorize the execution of a Plan Conformance Grant Agreement with Chester Township 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 the 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.

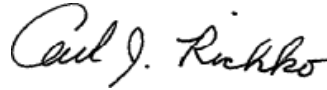
NOW, THEREFORE, BE IT RESOLVED that the Highlands Council hereby authorizes the Executive Director to execute a Plan Conformance Grant Agreement with Chester Township in the not-to-exceed amount as set forth above; and

BE IT FURTHER RESOLVED that the Executive Director is authorized to make any amendments to the Highlands Implementation Plans 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 Plans and Schedule on behalf of the Council.

RESOLUTION 2021-29
APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR STORMWATER
MANAGEMENT PLAN FOR CHESTER TOWNSHIP (MORRIS COUNTY)

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 21st day of October 2021.



Carl J. Richko, Chairman

Vote on the Approval of This 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 2021-30
APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR ECONOMIC DEVELOPMENT PLANNING FOR HUNTERDON 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, tax stabilization funds, 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, Hunterdon County is in need of reimbursement-based grant funding in order to address the Highlands Act requirements for Plan Conformance:

RESOLUTION 2021-30
APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR ECONOMIC DEVELOPMENT PLANNING FOR HUNTERDON COUNTY

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

Municipality/County	Purpose	Amount
Hunterdon County	Economic Development Planning	\$75,000

WHEREAS, the Highlands Council staff recommends that the Highlands Council authorize the execution of a Plan Conformance Grant Agreement with Hunterdon County for the funding allotted to the above-referenced task in the amount designated, not to exceed \$75,000; and

WHEREAS, the above-referenced \$75,000 allocation will be included in the 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 Hunterdon County 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 Plans and Schedule of the above-listed county, consistent with direction from the Highlands Council, to properly effectuate the intent of the Council and thereafter execute the Implementation Plans and Schedule on behalf of the Council.

RESOLUTION 2021-30
APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR ECONOMIC DEVELOPMENT PLANNING FOR HUNTERDON COUNTY

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 21st day of October 2021.



Carl J. Richko, Chairman

Vote on the Approval of This 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 2021-31
NEW JERSEY HIGHLANDS DEVELOPMENT CREDIT BANK
ANNUAL MEETING SCHEDULE FOR 2022

WHEREAS, pursuant to Section 13.i of the Highlands Water Protection and Planning Act (Highlands Act), the Highlands Water Protection and Planning Council established the Highlands Development Credit Bank (Bank) by Resolution 2008-24 adopted on June 26, 2008; 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, pursuant to the HDC Bank By-laws, a true copy of the Board's meeting minutes shall be prepared and forthwith delivered to the Highlands Council and no action taken at such meetings by the Board shall have effect until the Highlands Council's period of review has expired and the Governor's period of review for that Council meeting has expired pursuant to the following paragraph; and

WHEREAS, pursuant to the Highlands Act, at 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 Development Credit Bank hereby adopts the following schedule of regularly scheduled meetings of the Highlands Development Credit Bank for the year 2022:

Thursday, February 3, 2022
Thursday, May 5, 2022
Thursday, August 4, 2022
Thursday, November 3, 2022


2. The Highlands Development Credit Bank's regular public meetings shall be held at the dates above at **4:00pm** at its office at 100 North Road, Chester, New Jersey, and/or by teleconference or videoconference with the understanding that the Highlands Development Credit Bank 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 Development Credit Bank's office and on its web site.

RESOLUTION 2021-31
NEW JERSEY HIGHLANDS DEVELOPMENT CREDIT BANK
ANNUAL MEETING SCHEDULE FOR 2022

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Development Credit Bank at its regular meeting held on the 21st day of October 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
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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. 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 – October 7, 2021
Date: October 15, 2021

A Budget and Finance (B&F) Committee meeting was held on Thursday, October 7, 2021 at 9:00am via Zoom video conference.

Committee Chair Holtaway opened the meeting at 9:00am. The following participants were present:

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

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

Governor's Authorities Unit: Jeffrey Nielsen, Associate Counsel

Highlands Council FY2022 Highlands Protection Fund Budget:

Herb August, Highlands Council Grants Manager, reported that the FY2022 Highlands Protection Fund Budget is an estimate of potential expenditures between July 1, 2021 and June 30, 2022 on tasks required by the Regional Master Plan, Department of Environment Protection (NJDEP), and the need to continue to facilitate Highlands municipal and county conformance. The State re-appropriation funds total \$2,182,352 for new Plan Conformance initiatives. Council staff has estimated the need for FY2022 to be approximately \$1,922,250 for municipalities and \$225,000 for county Plan Conformance Grants. All grants are reimbursement-based with final budgeted amount determined by approved scopes of work and deliverables.

Mr. August noted that Council has already approved grants totaling \$335,750 for the following municipalities: Harding Township, Vernon Township, Phillipsburg, Hopatcong Borough, and West Milford.

Mr. August added that Highlands Council staff will be recommending additional grant requests in this meeting. Mr. August also noted that the Highlands Council intends to extend/close approximately \$248,000 for inactive grants awarded as far back as 2009. These grants will expire at the end of FY2022 (June 30, 2022). Mr. August provided a summary and historical sheet for this budget.

Chair Richko asked for a list of those inactive grants. Mr. August responded that the committee will review these grants and make recommendation on which grants to extend/close.

Ms. Plevin also responded that Council staff routinely reviews grant inactivity and that these funds go back to Treasury.

Committee Chair Holtaway asked for a motion to move the Highlands Council FY2022 Highlands Protection Fund Budget 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.

Highlands Council FY2022 Highlands Protection Fund Grant Requests

Ms. Plevin reported in addition to the scopes of work previously approved by the Council, there are a few anticipated grants. Scopes of work for these anticipated grants will be required prior to receiving the grant funding.

Washington Borough (Warren County), Plan Conformance Petition Grant (\$105,000)

Corey Piasecki, Principal Planner, reported that Washington Borough's Petition for Plan Conformance was approved by the Council earlier this year. The Borough has taken a proactive role in completing Plan Conformance tasks with Master Planning, Redevelopment Planning, and Center Planning underway. The Borough expects to complete additional implementation tasks in FY2022 including a Stormwater Management Plan, Economic Development Plan, Highlands Master Plan Element, and Land Use Plan Element of the Master Plan. Each of these activities will be completed consistent with the Goals, Policies and Objectives of the Highlands Regional Master Plan and Municipal Lan Use Law.

Committee Chair Holtaway commented that the Borough's Economic Development Plan will work together with the Council's Regional Economic Sustainability Plan in the works.

Committee Chair Holtaway asked for a motion to move the Washington Borough (Warren County) grant for Plan Conformance Petition (\$105,000) to the Council for consideration. Member Visioli made a motion and Member James seconded it. A roll call vote was taken, and all were in favor.

Byram Township (Sussex County), Lake Management Plan - \$150,000

Judy Thornton, Principal Planner, reported that Byram Township is considered the Township of Lakes, having more than 50 small and medium-sized lakes. This regional approach to lake management has recently been implemented in Ringwood Borough, West Milford Township and Rockaway Township. A watershed assessment of the watersheds surrounding 15 lakes will be conducted. The work will include desktop modelling, historic data review, pollutant removal

analysis, a stream/watershed water quality sampling event, in-lake water quality monitoring, trophic state analyses, and final reporting.

Committee Chair Holtaway asked for a motion to move the Byram Township (Sussex County) grant for Lake Management Plan (\$150,000) to the Council for consideration. Chair Richko made a motion and Member James seconded it. A roll call vote was taken, and all were in favor.

Chester Township (Morris County), Stormwater Management - \$50,000

Corey Piasecki, Principal Planner, reported that Chester Township's Petition for Plan Conformance was approved in 2010. The Township is seeking funding in accordance with that Petition to complete a Stormwater Management Plan that will address the Highlands requirements as well as the revised NJDEP Stormwater Management Rules. Funding will allow the Township to identify and schedule maintenance for all stormwater inflows and outfalls as well as identify opportunities for green infrastructure and municipally important areas for groundwater recharge.

Committee Chair Holtaway asked for a motion to move the Chester Township (Morris County) grant for a Stormwater Management Plan (\$50,000) to the Council for consideration. Chair Richko made a motion and Member James seconded it. A roll call vote was taken, and all were in favor.

Hunterdon County, Economic Development Grant - \$75,000

Maryjude Haddock-Weiler, Planning Manager, reported that Hunterdon County's Petition for Plan Conformance was approved by Council earlier this year. The County is taking a positive leadership role in facilitating sustainable economic growth in the county. They have undertaken tourism initiatives, as well as land use and zoning analysis to anticipate where economic activities may fit within their municipalities. In FY2022, the County's anticipated projects for the Economic Development grant are:

- Action agenda items to implement the Economic Sustainability Plan, scheduled to be released later this year; and
- Corridor planning associated with Routes 78 and 22.

Committee Chair Holtaway asked for a motion to move the Hunterdon County grant for Economic Development Planning (\$75,000) to the Council for consideration. Chair Richko made a motion and Member James seconded it. A roll call vote was taken, and all were in favor.

At this time, all staff left the meeting except, Lisa Plevin, Gabrielle Gallagher, James Humphries, Ranji Persaud, and Annette Tagliareni.

FY2022 General Operating Budget

Ranji Persaud, Manager of HR, Fiscal and Office Services, reported that the Council received \$2,429,000 in State Appropriations. With a carryover bank balance and miscellaneous revenues projected, the Council is expected to have an FY2022 General Operating Budget of \$2,789,041.08. Mr. Persaud noted that Council received an increase in State Appropriation for operational costs to address the anticipated increase in salary expense, etc. due to CWA contract agreement with

Highlands CWA employees. The reserve also includes salary adjustment consideration for non-CWA employees who did not receive any increases.

Chair Richko asked for a status regarding the Council's lease. Ms. Plevin noted that the Council staff is currently preparing a new lease as the current lease ends this calendar year. Ms. Plevin noted that the new lease will list several requested improvements/renovations to the building. The new lease will be reviewed by Council's DAG.

At this time, Committee Chair Holtaway commented on the raises for unionized staff and asked what is being done for the non-unionized staff. Committee Chair Holtaway added that salary issues can affect morale.

Ms. Plevin noted that the New Jersey Workplace Democracy Enhancement Act, passed in 2018, required employees that perform union-type work be included in the union's bargaining units, unless they meet statutory exclusions. Ms. Plevin added that staff in the union have received raises; and discussions regarding non-union employee raises has been raised with the Governor's Authorities Unit (GAU) as a follow up to a memorandum requesting raises for non-union employees.

Member James commented that associations are sometimes formed for these matters.

At this time, Jeffry Nielsen, GAU Associate Counsel agreed with Committee Chair Holtaway's comment regarding how salary issues can affect morale. Mr. Nielsen provided some background on the discussions held regarding non-union employee raises.

Member James was in support of compensating non-union employees and looks forward to recommendations.

Mr. Persaud appreciated the advocacy and expressed his thoughts on the matter.

In closing, Ms. Plevin noted that she is aware of this matter and thanked everyone for their input.

Committee Chair Holtaway asked for a motion to move the FY2022 General Operating Budget 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.

The meeting was adjourned at 9:54am.

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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 Diction, 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			√			