



**CHRIS CHRISTIE**  
Governor

**KIM GUADAGNO**  
Lt. Governor

**State of New Jersey**  
Highlands Water Protection and Planning Council  
100 North Road (Route 513)  
Chester, New Jersey 07930-2322  
(908) 879-6737  
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[www.nj.gov/njhighlands](http://www.nj.gov/njhighlands)



**JIM RILEE**  
Chairman

**MARGARET NORDSTROM**  
Executive Director

**MEETING AGENDA**  
**Thursday, October 19, 2017 at 4pm**

1. CALL TO ORDER
2. ROLL CALL
3. OPEN PUBLIC MEETINGS ACT STATEMENT
4. PLEDGE OF ALLEGIANCE
5. APPROVAL OF HIGHLANDS COUNCIL MINUTES – August 17, 2017
6. CHAIRMAN'S REPORT (and Council Member Reports)
7. EXECUTIVE DIRECTOR'S REPORT
8. LANDOWNER EQUITY & LAND PRESERVATION COMMITTEE
  - Update and voice vote
9. BUDGET & FINANCE COMMITTEE
  - a. CONSIDERATION OF RESOLUTION – Approval of the Fiscal Year 2018 General Operating Budget (*voting matter with public comment*)
  - b. CONSIDERATION OF RESOLUTION - Approval of the Fiscal Year 2018 Highlands Protection Fund Capital Budget (*voting matter with public comment*)
  - c. CONSIDERATION OF RESOLUTION – Approval of FY2018 Highlands Protection Fund Capital Budget For Water Use And Conservation Management Plans, Wastewater Management Plans, and Plan Conformance Funding (*voting matter with public comment*)
10. RMP AMENDMENT COMMITTEE
  - a. CONSIDERATION OF RESOLUTION – Adoption Of The “RMP Addendum 2017-1 Procedure For Considering Proposals To Amend The Highlands Regional Master Plan” As An Amendment Of, And Addendum To, The Highlands Regional Master Plan (*voting matter with public comment*)
  - b. CONSIDERATION OF RESOLUTION – Authorization For Highlands Council Executive Director To Release The Final “Monitoring Program Recommendation Report” To The Public (*voting matter with public comment*)
11. OTHER BUSINESS
  - CONSIDERATION OF RESOLUTION – Annual Meeting Schedule for 2018 (*voting matter with public comment*)
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

PUBLIC COMMENTS SUBMITTED AT HIGHLANDS  
COUNCIL MEETING ON OCTOBER 19, 2017

My name is Hank Klumpp. I own 150 acres in the Highlands Preservation Area.

The Public Comments time at the monthly Highlands Council meetings is really a joke. Members say they are respectfully limiting comments to three minutes to allow all to speak. What can you possibly say in three minutes. It would take a landowner who has had land values taken away, with no compensation at least an hour to explain what the loss has done over 13 years. So, maybe the council could respectfully limit comments to six minutes. Six minutes —

once a month - that is not asking  
for much. Also, please get your  
timer checked - it is not always  
accurate!

Hank Klumpp  
24 Longview Road  
Lebanon, NJ 08833

P.S. My phone number is 908-832-7634  
just in case you find anything  
I ever say is - as the council  
says - Feasible - and the  
council wants to contact me.  
Thank you - Judge Dressler!  
You are the only one who has ever  
contacted me in 13 years.

x  
① My name is Hank Klump and I own 150+ acres in the Highlands Preservation area. Lucky me

In the Courier News, an article was written on October 6<sup>th</sup>. It is titled "Too quiet on the Highlands front." It claims that the environmentalists smell a rat. If they only smell one rat, they are lucky. Since 2004, when McGreevey signed the Highlands Act, robbed landowners have smelled packs of rats. At functions many should serve cheese! Environmentalists are worrying about the state's management of the Highlands region. So are the many property owners within the

②

Highlands area who were promised compensation <sup>by state officials</sup> for the loss of their property values. These promises have never been met. A water tax has been suggested to generate revenue - that has flopped - while golf courses continue to be watered with the water that was so needed for millions of residents to drink - water that I am paying for.

If it is true that an effort is underway to amend the master plan for the first time since it was put into place, Thank You! Thank You!

③

The article is right when it says amending the master plan is more than reasonable. The original master plan did not strike a perfect balance and hopefully the master plan can be amended — and fixed. There has to be a balance of competing interests — a balance between what is fair and what is very, very over the top unfair to property owners who have lost all value in the property that, to some, was their life savings. The value is gone and so is the equity. For those who

④

may have forgotten — it has been  
13 years.

Hank Klumpp

24 Longview Road  
Lebanon, New Jersey 08833



## opinion

Thom  
Hollis  
Paul C

### Our View

# Too quiet on the Highlands front

Environmentalists continue to worry about the state's management of the Highlands region, the protected area of nearly 900,000 acres in northwest New Jersey that provides drinking water for millions of residents.

The Highlands Act restricting development in the region was adopted under former Gov. Jim McGreevey, and a master plan for the affected area was implemented in 2008. That all happened before Gov. Chris Christie arrived in office, however, and since then the emphasis has turned toward finding ways to allow more development in the region. Christie has tried shaping membership of the Highlands Council with that in mind, and now an effort is underway to amend the master plan for the first time since the original implementation.

Not surprisingly, environmentalists smell a rat. They believe the council is intentionally limiting public input while conducting business through backroom maneuvering. Council members scoff at such criticism, offering standard explanations about the proper place and time for public comment.

The truth, as so often happens, may lie somewhere in the middle, but we can't blame anyone for some healthy skepticism about council motives and methods, especially with new gubernatorial leadership looming.

Amending the master plan is more than reasonable. It would be silly to imagine the original attempt struck upon such a perfect balance of considerations and anticipation of a decade's worth of activity and future demands that it could or should be left to stand indefinitely.

It is also fair to acknowledge that many property owners within the Highlands region have not been treated well. State officials promised compension in some fashion for the loss in property values due to restricting development potential, but they've never come through. Attempts to spark interest in new revenue-generating streams, such as a water tax, haven't gone far.

But the answer can't be an irresponsible loosening of development restrictions. That, however, is the policy direction to which the Highlands Council seems pointed under Christie. An attempt earlier this year to increase septic density that allowing for more intensive development is just one example.

Critics of the master plan discussions said a 30-day period for public comment on amendments is too short — they're right — and they also complain that the public should be allowed input at committee meetings where changes are considered and prepared for the full council.

The council responded with predictable dodges, arguing that only full council meetings where final decisions are made are appropriate for public comment. That just means members don't want to be inconvenienced. If they want to develop the best plan possible, with public support, there's little reason to be so rigid. The council also said it would be open to extending the public-comment period at its discretion, which hardly sounds promising.

Managing the Highlands is a delicate process of balancing competing interests. That effort can only be damaged by a lack of transparency. The council should strive to be as open as it can be, not settle for only being as open as it needs to be.

**RESOLUTION 2017-12**  
**NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL**  
**APPROVAL OF FISCAL YEAR 2018 GENERAL OPERATING 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**, to satisfy its duties, responsibilities and obligations under the Highlands Act, the Council desires to prepare a General Operating Budget for Fiscal Year 2018; and

**WHEREAS**, the Budget and Finance Committee has reviewed a proposed general operating budget for Fiscal Year 2018; and

**WHEREAS**, the Budget and Finance Committee recommends the approval of the proposed general operating budget for Fiscal Year 2018; 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 Fiscal Year 2018 General Operating Budget; and

**BE IT FURTHER RESOLVED** that the Budget and Finance Committee shall review the budget periodically and make recommended 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 19<sup>th</sup> day of October, 2017.

  
\_\_\_\_\_  
Jim Rilee, Chairman

# RESOLUTION 2017-12

## NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL

### APPROVAL OF FISCAL YEAR 2018 GENERAL OPERATING BUDGET

**Vote on the Approval of  
This Resolution**

	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede			✓			
Councilmember Carluccio			✓			
Councilmember Dougherty			✓			
Councilmember Dressler			✓			
Councilmember Francis						✓
Councilmember Holtaway			✓			
Councilmember James	✓		✓			
Councilmember Richko			✓			
Councilmember Sebetich			✓			
Councilmember Tfank						✓
Councilmember Visioli			✓			
Councilmember Vohden		✓	✓			
Councilmember Walton				✓		
Chairman Rilee			✓			

HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
HIGHLANDS GENERAL OPERATING BUDGET FY2018

**Revenues:**

State of New Jersey Appropriation	\$	2,315,000.00
Balance from prior fiscal year	\$	116,281.73
Miscellaneous Revenues & Reimbursements	\$	3,000.00
<b>Total Revenues</b>	<b>\$</b>	<b>2,434,281.73</b>

**Expenditures:**

Salaries	\$	1,802,828.47
Materials and Supplies	\$	33,145.00
Other Operating Expenses	\$	194,878.81
Maintenance and Repairs	\$	283,400.00
Equipment, Additions, and Improvements	\$	113,060.00
Transfer to RMP Account	\$	6,969.45
<b>Total Expenditures:</b>	<b>\$</b>	<b>2,434,281.73</b>

Approved by the Highlands Council on October 19, 2017

## **RESOLUTION 2017-13**

### **NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL APPROVAL OF THE FY2018 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 2018; 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 19<sup>th</sup> day of October, 2017.

  
\_\_\_\_\_  
Jim Rilee, Chairman

**RESOLUTION 2017-13**  
**NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL**  
**APPROVAL OF THE FY2018 HIGHLANDS PROTECTION FUND CAPITAL BUDGET**

<b>Vote on the Approval of This Resolution</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Councilmember Alstede			✓			
Councilmember Carluccio			✓			
Councilmember Dougherty			✓			
Councilmember Dressler			✓			
Councilmember Francis						✓
Councilmember Holtaway		✓	✓			
Councilmember James			✓			
Councilmember Richko			✓			
Councilmember Sebetich			✓			
Councilmember Tfank						✓
Councilmember Visioli			✓			
Councilmember Vohden	✓		✓			
Councilmember Walton				✓		
Chairman Rilee			✓			

**HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL**  
**HIGHLANDS PROTECTION FUND CAPITAL BUDGET ESTIMATES FY2018**

**Revenues:**

Highlands Protection Fund Grants - Balance of Unexpended Encumbrances: Plan Conformance	\$	4,162,203.77
Highlands Protection Fund Grants - Balance of Unexpended Encumbrances: TDR	\$	256,001.50
Highlands Protection Fund Grants - Balance of Unexpended Encumbrances: AG	\$	-
Highlands Protection Fund Grants - Balance of Unexpended Encumbrances: WUCMP Muns	\$	-
Highlands Protection Fund Grants - Balance of Unexpended Encumbrances: WUCMP Cons	\$	10,717.97
Highlands Unencumbered Funds (rollover from FY2017)	\$	-
State of New Jersey FY2018 Appropriation - Highlands Protection Fund		
Regional Master Plan Compliance Aid	\$	2,182,000.00
<b>Total Revenues</b>		<b>\$ 6,610,923.24</b>

**Expenditures:**

Municipal Plan Conformance Grants - Projected FY2018 (new)	\$	1,280,000.00
County Plan Conformance Grants - Projected FY2018	\$	275,000.00
Highlands Protection Fund Grants - Projected Closure of Unexpended Encumbrances	\$	-
Highlands Protection Fund Grants - Projected Reimbursements of Encumbered Funds	\$	1,000,000.00
Highlands Protection Fund Grants - Projected Balance of Encumbrances	\$	4,055,923.24
<b>Total Highlands Protection Fund Grant Encumbrances</b>		<b>\$ 6,610,923.24</b>

Approved by the Highlands Council on October 19, 2017



**RESOLUTION 2017-14**  
**APPROVAL OF FY2018 HIGHLANDS PROTECTION FUND CAPITAL BUDGET FOR**  
**WATER USE AND CONSERVATION MANAGEMENT PLAN, WASTEWATER**  
**MANAGEMENT PLANS, AND PLAN CONFORMANCE FUNDING**

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

**WHEREAS**, the Highlands Act authorizes the Highlands Council to enter into any and all agreements or contracts, 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 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 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, 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**, under Resolution 2008-73, the Highlands Council authorized the Executive Director to develop and implement a process for the solicitation and distribution of the Plan Conformance Grants in a total amount not to exceed \$7.5 million and up to a \$100,000 allocation for each individual municipality to address the immediate mandatory components of Plan Conformance; and

**WHEREAS**, as directed, the Executive Director developed the Plan Conformance Grant Program, a program that splits Plan Conformance into the following seven steps or modules for administering the authorized grant funding: (1) and (2) Highlands municipal build-out analysis and report; (3) housing element and fair share plan; (4) Highlands environmental resource inventory; (5) master plan Highlands element; (6) Highlands Area land use ordinance; and (7) municipal Petition for Plan Conformance; and



**RESOLUTION 2017-14**  
**APPROVAL OF FY2018 HIGHLANDS PROTECTION FUND CAPITAL BUDGET FOR**  
**WATER USE AND CONSERVATION MANAGEMENT PLAN, WASTEWATER**  
**MANAGEMENT PLANS, AND PLAN CONFORMANCE FUNDING**

**WHEREAS**, every Highlands municipality that has successfully petitioned the Highlands Council for Plan Conformance has an Implementation Plan and Schedule that includes a detailed accounting of the existing Plan Conformance Grants and the allocation of additional grant funding in order to address the Highlands Act requirements for Plan Conformance funding; and

**WHEREAS**, the following municipalities are in need of additional reimbursement-based grant funding in order to address the Highlands Act requirements for Plan Conformance funding:

**Water Use and Conservation Management Plan Funding (for regional sub-watersheds)**

Bedminster Township	Hampton Borough
Chester Borough	Hopatcong Borough
Clinton Township	Kinnelon Borough
Denville Township	Mahwah Township
Franklin Borough	Montville Township
Hamburg Borough	Phillipsburg Town
	Wharton Borough
Total: \$755,000	

**Wastewater Management Plan Funding (not-to-exceed \$5,000 per municipality)**

Alpha Borough	Hopatcong
Bethlehem Township	Kinnelon Borough
Bloomsbury Borough	Lebanon Township
Chester Borough	Lebanon Borough
Chester Township	Mahwah Township
Clinton Town	Oxford Township
Clinton Township	Phillipsburg Town
Glen Gardner Borough	Randolph Township
Greenwich	Ringwood Borough
Hampton Borough	Rockaway Township
High Bridge Borough	West Milford Township
Holland Township	Wharton Borough
Total: \$120,000	

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

Alpha	Open Space and Conservation Plan Element	\$25,000
Alpha	Historic Preservation Plan Element	\$50,000
Alpha	Stormwater Management	\$15,000
Bethlehem Township	Farmland Preservation Plan	\$15,000
Bethlehem Township	Sustainable Economic Development Plan	\$15,000

**RESOLUTION 2017-14**  
**APPROVAL OF FY2018 HIGHLANDS PROTECTION FUND CAPITAL BUDGET FOR**  
**WATER USE AND CONSERVATION MANAGEMENT PLAN, WASTEWATER**  
**MANAGEMENT PLANS, AND PLAN CONFORMANCE FUNDING**

Boonton Town	Initial Assessment Grant	\$15,000
Boonton Town	Plan Conformance Petition Preparation	\$50,000
Boonton Town	Plan Conformance Implementation - Phase I	\$50,000
Glen Gardner	Land Use Plan Element	\$20,000
High Bridge	Open Space/Recreation Plan Element	\$25,000
Hunterdon County	Sustainable Economic Development Plan	\$45,000
Lopatcong Township	Highlands Center Planning	\$20,000
Morris County	Economic Development Planning	\$75,000
Oxford Township	Highlands Center Planning - Phase II	\$30,000
Passaic County	Sustainable Economic Development Planning	\$75,000
Phillipsburg	Sustainable Economic Development Planning	\$75,000
Somerset County	Priority Investment Corridors (Economic Development)	\$50,000

Total: \$680,000; and

**WHEREAS**, the Highlands Council staff recommends that the Highlands Council authorize the execution of a Supplemental Amended Plan Conformance Grant Agreement with each of the aforementioned municipalities for the funding allotted to the above-referenced tasks in the amounts so designated, not to exceed in the aggregate, \$1,555,000; and

**WHEREAS**, the Highlands Council approved the FY2018 Highlands Protection Fund Capital Budget pursuant to Resolution 2017-15 on October 19, 2017; and

**WHEREAS**, the above-referenced \$1,555,000 allocation is included in the FY 2018 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 Supplemental Amended Plan Conformance Grant Agreements with the above listed municipalities, at not to exceed amounts 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 2018 in order to provide grant funding for those 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, not to exceed \$1,555,000 in the aggregate; and

**BE IT FURTHER RESOLVED**, that the Highlands Council hereby authorizes, ratifies and approves the Highlands Implementation Plan and Schedules for the above-referenced municipalities,

**RESOLUTION 2017-14**  
**APPROVAL OF FY2018 HIGHLANDS PROTECTION FUND CAPITAL BUDGET FOR**  
**WATER USE AND CONSERVATION MANAGEMENT PLAN, WASTEWATER**  
**MANAGEMENT PLANS, AND PLAN CONFORMANCE FUNDING**

including the reallocation of their existing Plan Conformance Grant and the allocation of additional grant funding to pay for the reasonable expenses incurred to complete their Plan Conformance conditions; and

**BE IT FURTHER RESOLVED**, that the Executive Director is authorized to make any amendments to the Highlands Implementation Plan and Schedules of the above listed municipalities, and to amend their Plan Conformance Grant Agreements 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 19<sup>th</sup> day of October, 2017

  
\_\_\_\_\_  
Jim Rilee, Chairman

<b>Vote on the Approval of This Resolution</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Councilmember Alstede	_____	_____	✓	_____	_____	_____
Councilmember Carluccio	_____	_____	✓	_____	_____	_____
Councilmember Dougherty	_____	_____	✓	_____	_____	_____
Councilmember Dressler	_____	_____	✓	_____	_____	_____
Councilmember Francis	_____	_____	_____	_____	_____	✓
Councilmember Holtaway	✓	_____	✓	_____	_____	_____
Councilmember James	_____	✓	✓	_____	_____	_____
Councilmember Richko	_____	_____	✓	_____	_____	_____
Councilmember Sebetich	_____	_____	✓	_____	_____	_____
Councilmember Tfrank	_____	_____	_____	_____	_____	✓
Councilmember Visioli	_____	_____	✓	_____	_____	_____
Councilmember Vohden	_____	_____	✓	_____	_____	_____
Councilmember Walton	_____	_____	_____	✓	_____	_____
Chairman Rilee	_____	_____	✓	_____	_____	_____

## **RESOLUTION 2017-15**

### **NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL ANNUAL MEETING SCHEDULE FOR 2018**

**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 2018; 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 2018. All scheduled meetings will begin at **4:00pm**:

January 18  
February 15  
March 15  
April 19  
May 17  
June 21  
July 19  
August 16  
September 27  
October 18  
December 6

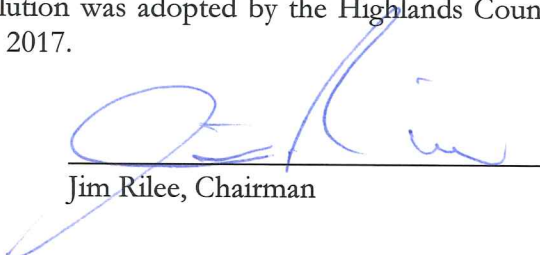
2. The Highlands Council's regular public meetings shall be held at the dates and times noted above at its office at 100 North Road, Chester, New Jersey, with the understanding that the Council may choose to make changes in location or time, but only with the provision of adequate advance public notice; 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 2017-15**  
**NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL**  
**ANNUAL MEETING SCHEDULE FOR 2018**

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 19<sup>th</sup> day of October, 2017.

  
\_\_\_\_\_  
Jim Rilee, Chairman

	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede		✓	✓			
Councilmember Carluccio			✓			
Councilmember Dougherty			✓			
Councilmember Dressler			✓			
Councilmember Francis						✓
Councilmember Holtaway			✓			
Councilmember James			✓			
Councilmember Richko			✓			
Councilmember Sebetich				✓		
Councilmember Tfank						✓
Councilmember Visioli			✓			
Councilmember Vohden	✓		✓			
Councilmember Walton			✓			
Chairman Rilee			✓			





CHRIS CHRISTIE  
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KIM GUADAGNO  
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JIM RILEE  
Chairman

MARGARET NORDSTROM  
Executive Director

## MEMORANDUM

**To:** Budget & Finance Committee

**From:** Margaret Nordstrom, Executive Director

**Subject:** Committee Meeting Minutes – September 28, 2017

**Date:** October 6, 2017

A Budget and Finance (B&F) Committee meeting was held on Thursday, September 28 (following the joint meeting with the RMP Amendment Committee members). Committee Members present: Committee Chair Holtaway, Member Visioli, and Chairman Rilee (via phone).

Also, present via phone: Nicholas Kant, Governor's Authorities Unit Assistant Counsel.

Staff Members present: Margaret Nordstrom, James Humphries, Kim Ball Kaiser, Herbert August, Ranji Persaud, and Annette Tagliareni.

*Ms. Nordstrom opened the meeting at 3:21pm.*

### Fiscal Year (FY) 2018 – General Operating Budget

Mr. Persaud gave a summary of the FY2018 General Operating Budget. Mr. Persaud noted that there were no significant changes to the budget. Mr. Persaud noted some adjustments/changes to the following line items:

- Postage Machine Rental and Software
- Water Cooler and Suppliers
- Other Materials and Supplies

Member Visioli asked for an explanation regarding line item "Legal Services." Ms. Nordstrom responded that "Legal Services" is for the services the Council receives from the Deputy Attorney General's (DAG) office.

*Committee Chair Holtaway made a motion to move the proposed FY2018 General Operating budget for Council's consideration. Committee Member Visioli seconded the motion. All were in favor.*

**Fiscal Year (FY) 2018 – Highlands Protection Fund Capital Budget**

Mr. August gave a summary of the FY2018 Highlands Protection Fund Capital Budget. Mr. August noted that in order to address specific programs based on regulatory changes by New Jersey Department of Environmental Protection (NJDEP) and the requirements of EO114, the FY2018 budget provides additional funding for Wastewater Management Planning and Waster Use and Conservation Management Planning. The FY2018 budget also addresses “next steps” for Plan Conformance implementation for municipalities and counties. Mr. August noted that counties are beginning to work with us more so than in the past. Mr. August also noted that this funding is a reimbursement base grant so in order for municipalities/counties to receive funding, they must provide work deliverables. Mr. August provided a historic summary for reference.

*Committee Chair Holtaway made a motion to move the proposed FY2018 Highlands Protection Fund Capital budget for Council's consideration. Committee Member Visioli seconded the motion. All were in favor.*

*The committee meeting adjourned at 3:37pm.*



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## RMP Amendments

Updates and additions to the 2008 Highlands RMP are cataloged on this page.

### Pending: Procedure for Amending the RMP

- Draft for Final Adoption: [Procedure for Considering Proposals to Amend the Highlands Regional Master Plan](#) (pdf)

### Public Hearings

The Highlands Council held six public hearings to solicit public comment on the draft Procedure.

#### September 14, 2017 (AM)

Highlands Council Office  
Chester, NJ

Audio: [mp3](#) | [wma](#)

#### September 14, 2017 (PM)

Highlands Council Office  
Chester, NJ

Audio: [mp3](#) | [wma](#)

#### September 20, 2017

Silas Condict County Park  
Kinnelon, NJ

Audio: [mp3](#) | [wma](#)

#### September 20, 2017

Department of Land Preservation  
County of Warren  
Oxford, NJ

Audio: [mp3](#) | [wma](#)

#### September 25, 2017

New Jersey Department of  
Environmental Protection  
Trenton, NJ

Audio: [mp3](#) | [wma](#)

#### September 26, 2017

Hopatcong Municipal Building  
Hopatcong, NJ

Audio: [mp3](#) | [wma](#)

- [Public Comments and Highlands Council Responses](#) (pdf)
- [Written Public Comments Submitted](#) (pdf) - *Does not include testimony from public hearings. See audio links above.*
- [Public Notice Announcing Public Hearing Schedule](#) (pdf)

### January 2011: Addendum A - Acreage Update

Amends Table 1.1 of the RMP (p 20-22) "Acreage of the Highlands Region in Municipalities and Counties."

- [Addendum A, January 2011](#) (pdf)







**CHRIS CHRISTIE**  
*Governor*

**KIM GUADAGNO**  
*Lt. Governor*

**State of New Jersey**  
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**JIM RILEE**  
*Chairman*

**MARGARET NORDSTROM**  
*Executive Director*

## **MEMORANDUM**

**To:** Landowner Equity and Land Preservation Committee

**From:** Margaret Nordstrom, Executive Director

**Subject:** Committee Meeting Minutes – October 12, 2017

**Date:** November 2, 2017

A Landowner Equity and Land Preservation Committee meeting was held on Thursday, October 12, 2017 at the Highlands Council office in Chester. Committee Members present: Council Chair Rilee (via phone), Committee Chair Walton, and Committee Members Francis and Visioli.

Staff Members present: Margaret Nordstrom, John Maher, James Humphries, Kim Ball Kaiser, Drew Siglin, Christine LaRocca, Carole Ann Dicton, and Annette Tagliareni

Also present via phone: Nicholas Kant, Assistant Counsel, Governor's Authorities Unit.

Committee Chair Walton called the meeting to order at 2:30pm.

Chief Counsel Maher introduced staff member Christine LaRocca, Staff Attorney, who is assisting with the closings for the Highlands Development Credit Purchase Program (HDCPP) and Highlands Open Space Partnership Funding Program (OSP).

### HDC Purchase Program Update – recommendations for closing deadlines for applicants

Ms. Nordstrom turned the meeting over to staff member Drew Siglin to update the committee on the HDCPP applications since the Bank Board's approvals on November 3, 2016 and April 5, 2017:

- 46 total offers made to HDCPP applicants
- 3 applicants declined the offers or withdrew their applications
- 8 closings have been completed
- 35 pending closings
- 16 HDCPP applications remained unfunded (\$4,512,000 total request)

*Chairman Rilee joined the meeting via telephone at 2:32pm.*

Mr. Siglin noted that the HDC closings can take some time. Some common causes for delay include:

- Failure to receive a Letter of Acknowledgement from Mortgage holders
- Submission of incomplete documentation needed for closing by applicant
- Failure by applicant to submit any documentation needed for closing

Mr. Siglin further stated that, although the Open Space Rule (N.J.A.C. 7:70), specified that applicants to the matching grant program have 12 months to close (with up to two 6-month extensions), no deadline for closing is specified in the Rule for applicants to the HDCPP.

Member Visioli asked if we are able to impose closing deadlines without a Rule change. Chief Counsel Maher stated that language in the Rule would allow the Bank to withdraw an offer where the required information required from an offeree was not supplied within six months.

After much discussion, the members recommended that the previously approved HDCPP applicants will receive a letter indicating they have six months to provide a complete closing documentation package to the Highlands Council from the date of the letter. For those applicants approved for purchase in the future, a six-month deadline for providing closing documents will be clarified when applicants receive closing instructions from the Council.

Mr. Maher concluded that Council staff will notify the previously approved, outstanding applicants via a letter that applicants must provide all closing documents within six months. The closing deadline will be established as six-months following the Highlands Council approval and Governor review period of the next HDC Bank meeting minutes (scheduled for November 2, 2017).

If an extension is needed for an HDC closing, the applicant will need to request one from the HDC Bank.

#### Funding – HDCPP & OSP

Mr. Siglin provided an update regarding on the OSP applications:

- 5 total offers made to OSP applicants
- 1 closing has been completed
- 4 pending closings with a March 2018 deadline
- 26 OSP applications remained unfunded (\$10,754,824 total request)

Mr. Siglin then updated the committee on available funding for the HDCPP and OSP. Mr. Siglin noted that since the last time the committee met the Council received notification of an additional \$2.4 M award from the Federal Highlands Conservation Act (HCA) Grant. With this additional funding, the total available funding is approximately \$6.4M. Council staff discussed the option of applying approximately \$4.5M toward HDCPP applications, which would fund all 16 unfunded applications. With the remaining funding of approximately \$1.8M, Council staff discussed options, including (1) holding the remaining funding to use as required matching funds for the next HCA grant funding or (2) use the funding toward the outstanding OSP applications.

Regarding the 62 total HDCPP applications, the committee agreed to allocate funding to the remaining 16 applications. Regarding the OSP applications, the committee agreed to allocate the remaining funding (\$1.8M) towards the OSP applications instead of holding the funding. Mr. Siglin

noted that the OSP applicants will need to be contacted to see if the applications remained active. Once that is determined, the committee will recommend which OSP applications to fund, using the \$1.8M. Those OSP applications will be brought to the Council for consideration. Approximately \$60,000 would be reserved for closing costs or future allocation. It is anticipated that the Highlands Council will approve the additional OSP applications for purchase at a future Council meeting.

*Member Walton made a motion to allocate the funding for the HDCPP in the amount of \$4,069,302.00\* and for the OSP in the amount of \$1,774,395.50. Member Rilee second the motion. All were in favor.*

(\*\$4,512,000.00 minus \$442,698, representing previously approved allocations that have been withdrawn from the program.)

#### Report out to Council on October 19, 2017

Committee Chair Walton will provide an update to Council at its next meeting scheduled on October 19, 2017. Council will consider the committee's recommendation to allocate funding to the programs by a voice vote:

- \$4,069,302.00 to the HDCPP
- \$1,774,395.50 to the OSP
- Remaining funds (approximately \$60,000) set aside for closing costs and future allocation

#### Highlands Development Credit (HDC) Bank Meeting

The next HDC Bank meeting is scheduled for Thursday, November 2, 2017 at 4:00 pm. At this meeting the Bank will consider by resolution to approve the following HDCPP applications and associated parcels.

<b>Municipality</b>	<b>Block</b>	<b>Lot</b>
Clinton Township	68	6
Bedminster Township	2	8.02
Lebanon Township	56	13
Lebanon Township	65	2
Roxbury Township	9203	1
Lebanon Township	24	8
Alexandria Township	4	12
Independence Township	1	67
Lebanon Township	24	8.06
Alexandria Township	4	51
Lebanon Township	24	8.08
Lebanon Township	24	8.07
Lebanon Township	37	25
Lebanon Township	24	8.09
Union Township	25	21
Bethlehem Township	18	2

*The meeting adjourned at 2:57pm.*

**RESOLUTION 2017-****NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
ADOPTION OF THE “RMP ADDENDUM 2017-1 PROCEDURE FOR CONSIDERING  
PROPOSALS TO AMEND THE HIGHLANDS REGIONAL MASTER PLAN” AS AN  
AMENDMENT OF, AND ADDENDUM TO, THE HIGHLANDS REGIONAL MASTER PLAN**

**WHEREAS**, the Highlands Water Protection and Planning Act (Highlands Act or 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**, Section 8(a) of the Highlands Act mandates that the Council prepare and adopt a Regional Master Plan (RMP) for the Highlands Region; and also states that the RMP “shall be periodically revised and updated at least once every six years, after public hearings”; and

**WHEREAS**, the Highlands Council is completing the six-year review of the RMP required by the Highlands Act and has released a draft Monitoring Program Recommendation Report (MPRR) for public comment, which includes one or more recommendations to amend the RMP; and

**WHEREAS**, the Council prepared a document entitled “RMP Addendum 2017-1 Procedure for Considering Proposals to Amend the Highlands Regional Master Plan” (Procedure); and

**WHEREAS**, on January 19, 2017 the Council approved a Resolution stipulating that the Highlands Council shall utilize the Procedure going forward to finalize the MPRR and to consider any proposals to amend the RMP arising out of the MPRR, and that the Highlands Council shall adopt a final version of the Procedure as an amendment to the RMP; and

**WHEREAS**, the Highlands Council must adopt the Procedure as an addendum to the RMP before the Council can consider and adopt any other amendments to the RMP arising out of the MPRR; and

**WHEREAS**, the Highlands Act provides that the RMP may be periodically revised and updated after “public hearings”; and

**WHEREAS**, the Highlands Council staff conducted five (5) public hearings in various locations in the Highlands Region and one (1) public hearing in Trenton during the month of September 2017 to solicit public comment on the draft Procedure; and

**WHEREAS**, the Highlands Council staff has provided the Highlands Council with its responses to all comments and other input received from interested parties during the public comment period, including any proposed changes to the draft Procedure based upon the public comments received; and

**WHEREAS**, the RMP Amendment Committee has considered all proposed changes to the draft Procedure and has forwarded its recommendation to Council that it adopt the final Procedure as an amendment of, and addendum to, the RMP; and

**WHEREAS**, pursuant to N.J.S.A. 13:20-5.j, no action authorized by the Highlands Council to amend the RMP shall have force or effect until thirty (30) 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 the expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

**RESOLUTION 2017-12****NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
ADOPTION OF THE "RMP ADDENDUM 2017-1 PROCEDURE FOR CONSIDERING  
PROPOSALS TO AMEND THE HIGHLANDS REGIONAL MASTER PLAN" AS AN  
AMENDMENT OF, AND ADDENDUM TO, THE HIGHLANDS REGIONAL MASTER PLAN**

**NOW, THEREFORE, BE IT RESOLVED**, that the Highlands Council hereby adopts the final "RMP Addendum 2017-1 Procedure for Considering Proposals to Amend the Highlands Regional Master Plan" as an amendment of, and addendum to, the RMP.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 19<sup>TH</sup> day of October, 2017.

\_\_\_\_\_  
Jim Rilee, Chairman

**Vote on the Approval of  
This Resolution**

	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Councilmember Alstede	_____	_____	_____	_____	_____	_____
Councilmember Carluccio	_____	_____	_____	_____	_____	_____
Councilmember Dougherty	_____	_____	_____	_____	_____	_____
Councilmember Dressler	_____	_____	_____	_____	_____	_____
Councilmember Francis	_____	_____	_____	_____	_____	_____
Councilmember Holtaway	_____	_____	_____	_____	_____	_____
Councilmember James	_____	_____	_____	_____	_____	_____
Councilmember Richko	_____	_____	_____	_____	_____	_____
Councilmember Sebetich	_____	_____	_____	_____	_____	_____
Councilmember Tfank	_____	_____	_____	_____	_____	_____
Councilmember Visioli	_____	_____	_____	_____	_____	_____
Councilmember Vohden	_____	_____	_____	_____	_____	_____
Councilmember Walton	_____	_____	_____	_____	_____	_____
Chairman Rilee	_____	_____	_____	_____	_____	_____



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## Monitoring Program Recommendation Report

This first-ever *Monitoring Program Recommendation Report (MPRR)* provides a baseline evaluation of the RMP. Recommendations contained in the *MPRR* are the result of an analysis of indicators identified through a public process, combined with an examination of implementation activities to date. In this way, the *MPRR* provides a framework for potential amendments to the RMP along with a six-year work plan for the Council.

- [Complete Final Draft MPRR](#) - contains all sections listed below (14 MB zip)

### Contents:

- [Introduction](#) (2 MB pdf)
- [Topic Areas](#) (7 MB pdf)
- [Indicator Analysis Reports](#) (8 MB pdf)
- [Process Summary](#) (373 KB pdf)
- [Summary of Recommendations](#) (74 KB pdf)
- [Supporting Documents](#) (35 KB pdf)
- [Appendix A: List of Indicators Considered](#) (198 KB pdf)
- [Appendix B: Public Comments and Highlands Council Responses](#) (558 KB pdf)
- [Acknowledgements](#) (121 KB pdf)

\*\* If you are unable to download the files above, a hard copy is available for review in the Highlands Council office during regular business hours.\*\*

- [Revision Log](#) (172 KB pdf) - *Documents changes made between Draft and Final MPRR.*

## Public Comments

A public comment period for the draft MPRR was open from July 11 through September 10, 2017.

- [Public Comments Received](#) (pdf) - *See Appendix B above for responses.*
- Public Notice: [Opening of Public Comment Period \(now closed\)](#) - 7/11/17 (pdf)

## Fiscal Impact Assessment

A [Fiscal Impact Assessment](#) was completed in support of the MPRR.

### Monitoring Program Recommendation Report

- [Fiscal Impact Assessment](#)
- [Public Comments](#)
- [Public Participation and Outreach](#)
- [Presentations](#)
- [Background](#)
- [RMP Amendment Committee](#)



**RESOLUTION 2017-**  
**NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL**  
**AUTHORIZATION FOR HIGHLANDS COUNCIL EXECUTIVE DIRECTOR TO RELEASE**  
**THE "MONITORING PROGRAM RECOMMENDATION REPORT" TO THE PUBLIC**

**WHEREAS**, the Highlands Water Protection and Planning Act (Highlands Act or 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**, Section 8(a) of the Highlands Act mandates that the Council prepare and adopt a Regional Master Plan (RMP) for the Highlands Region; and also states that the RMP "shall be periodically revised and updated at least once every six years, after public hearings"; and

**WHEREAS**, the Highlands Council is completing the six-year review of the RMP required by the Highlands Act and as part of that process released a draft Monitoring Program Recommendation Report (MPRR) for public comment, which includes one or more recommendations to amend the RMP; and

**WHEREAS**, the Council prepared a document entitled "Procedure for Considering Proposals to Amend the Highlands Regional Master Plan" (Procedure); and

**WHEREAS**, on January 19, 2017 the Council approved Resolution 2017-3 stipulating that the Highlands Council shall utilize the Procedure going forward to finalize the MPRR and to consider any proposals to amend the RMP arising out of the MPRR; and

**WHEREAS**, on June 15, 2017 the Council voted to release the draft MPRR for public comment; and

**WHEREAS**, in accordance with the public participation requirements set forth in the Procedure, the Highlands Council, by public notice dated July 11, 2017, established a period for public comment from July 11 to September 10, 2017; and

**WHEREAS**, the Highlands Council staff has provided the Highlands Council its response to all comments and other input received from interested parties during the public comment period, including any proposed changes to the draft MPRR based upon the public comments received;

**NOW, THEREFORE, BE IT RESOLVED**, that the Highlands Council hereby approves the final MPRR for release to the public and directs that the Executive Director, or her designee, take the following actions:

1. Publicly release the final MPRR, including all addenda, by posting same to the Council's website;
2. Transmit the final MPRR to the Governor and to the New Jersey Legislature;
3. Transmit the final MPRR to the governing body of every municipality and county located in the Highlands Region and to the State Planning Commission.

**RESOLUTION 2017-13****NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
AUTHORIZATION FOR HIGHLANDS COUNCIL EXECUTIVE DIRECTOR TO RELEASE  
THE "MONITORING PROGRAM RECOMMENDATION REPORT" TO THE PUBLIC****CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 19<sup>TH</sup> day of October, 2017.

\_\_\_\_\_  
Jim Rilee, Chairman

**Vote on the Approval of  
This Resolution**

	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Councilmember Alstede	_____	_____	_____	_____	_____	_____
Councilmember Carluccio	_____	_____	_____	_____	_____	_____
Councilmember Dougherty	_____	_____	_____	_____	_____	_____
Councilmember Dressler	_____	_____	_____	_____	_____	_____
Councilmember Francis	_____	_____	_____	_____	_____	_____
Councilmember Holtaway	_____	_____	_____	_____	_____	_____
Councilmember James	_____	_____	_____	_____	_____	_____
Councilmember Richko	_____	_____	_____	_____	_____	_____
Councilmember Sebetich	_____	_____	_____	_____	_____	_____
Councilmember Tfank	_____	_____	_____	_____	_____	_____
Councilmember Visioli	_____	_____	_____	_____	_____	_____
Councilmember Vohden	_____	_____	_____	_____	_____	_____
Councilmember Walton	_____	_____	_____	_____	_____	_____
Chairman Rilee	_____	_____	_____	_____	_____	_____





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JIM RILEE  
Chairman

MARGARET NORDSTROM  
Executive Director

## MEMORANDUM

**To:** RMP Amendment Committee

**From:** Margaret Nordstrom, Executive Director

**Subject:** RMP Amendment Committee Meeting of October 4, 2017

**Date:** October 11, 2017

---

The RMP Amendment Committee met on Wednesday, October 4, 2017 at the Highlands Council office in Chester. This meeting was publicly noticed and opened to the public to attend.

RMP Amendment Committee Members present: Council Chair Rilee (via phone), Committee Chair Alstede, Members Vohden and Holtaway (via phone).

Highlands Council Staff Members present: Margaret Nordstrom, John Maher, James Humphries, Kim Ball Kaiser, Carole Ann Diction

Also, present via phone: Nicholas Kant, Assistant Counsel, Governor's Authorities Unit

Public present: Ed Wengryn, Robert J. Bracken, Charles Urban, Alan Hunt, Wilma Frey, George Stafford, Cinny MacGonagle, Bill Kibler, Julia Somers, David Peifer, R. Sparling, George Cassa.

*Committee Chair Alstede called the meeting to order at 4:02pm.*

Final Draft - Monitoring Program Recommendation Report (MPRR) & Pending Amendment:  
Addendum 2017-1 – Draft Procedures for Considering Proposals to Amend the Highlands Regional  
Master Plan (Procedure)

Mr. Humphries gave an overview via a PowerPoint presentation on the process for the MPRR and Procedure documents. Mr. Humphries noted that the MPRR is a six-year work plan that provides recommendations, guidance and rationale for future amendments to the RMP. Mr. Humphries emphasized that the MPRR is not an amendment and does not change anything in the RMP, whereas the Procedure document details the process by which amendments to the RMP may be made and as such went through a 5+1 public hearing process.

Mr. Humphries then highlighted areas of the MPRR that had the most significant comments and changes. These comments/changes were outlined in Council staff's memorandum to Council dated October 3, 2017:

- Forestry Best Management Practices
- Disturbance areas adjacent to streams
- Climate Change
- Implementation and Outreach

At this time, Committee Chair Alstede asked if members had any comments/questions regarding the MPRR document. Since there were none, Committee Chair Alstede asked for a motion to move the Final MPRR document to Council.

*Member Vohden made a motion to move the Final MPRR document to Council. Member Holtaway seconded it. All were in favor.*

Ms. Nordstrom noted that Council staff notified by email all commenters (who gave testimony at public hearings or submitted comments on the Procedure and MPRR documents) to alert them when the Public Comment Response documents were posted to Council's website. Ms. Nordstrom also noted that although some comments had to be categorized as unresponsive as they did not pertain to the document at hand, Council staff heard and recorded all comments, and will take them into account as potential action items.

### Procedure Document

At this time, John Maher, Chief Council, gave a brief history regarding the Procedure document for amending the RMP:

- January 19, 2017 – Council authorization to use the Draft Procedure document
- August 17, 2017 – Council authorization for staff to conduct 5+1 public hearings on the Procedure document
- September 14-26, 2017 – Six public hearings were conducted on the Procedure document

Mr. Maher reviewed the significant comments received and the Council staff's responses. Based on public testimony/comments submitted regarding the Procedure document, Mr. Maher stated that staff recommends the following changes to the draft Procedure as set forth in the comment response document:

- Add the following sentence to page 4 of the draft Procedure:

*A copy of the proposed RMP amendment(s) that the Committee is expected to take action on will be available to the public at the time that the Council provides public notice of the RMP Amendment Committee meeting.*

- Revise the sentence on page 4 of the draft Procedure as follows:

*The Council will provide not less than a 10-day public notice of the dates, times and locations of the public hearings, and shall also invite the submission of written comments within not less than 30, **nor more than 90**, days of the date of the public notice. **The Council will determine, on a case-by-case basis, the length of the***

***public comment period at the time it authorizes public hearings on the proposed amendment(s).***

- Add the following sentence to footnote 2 on page 1 of the draft Procedure:

*Even though it would not be the norm, a RMP amendment could be considered and adopted outside of the six-year reexamination process, utilizing the procedure provided herein. In that case, the Highlands Council, by a vote of at least 8 members, would refer the recommendation to the RMP Amendment Committee for its review; Council staff would send the RMP Amendment Committee a report, setting forth staff's response to the recommendation; after evaluating the proposal, the Committee would send its report and recommendation to the Council; and the Highlands Council would take action on the recommendation as it deemed appropriate. If the Council decided to move the proposal forward, it would proceed with the public hearings required before final adoption. Alternatively, the RMP Amendment Committee could recommend that the Highlands Council defer the proposal until the next six-year reexamination process.*

Ms. Nordstrom highlighted a particular commenter who alluded that Council staff had 27 amendments for the RMP. Ms. Nordstrom stated that Council staff does not have 27 amendments to move forward to Council. The only amendments Council staff currently has ready for Council to review and potentially adopt as addendums to the RMP are two guidance documents.

- Highlands Redevelopment Area Designations
- Plan Conformance Guidelines (to include Center Designations)

At this time, Committee Chair Alstede asked if members had any comments/questions regarding the recommended revisions to the Procedure document. Since there were none, Committee Chair Alstede asked for a motion to move the Procedure document, as revised, to Council.

*Member Vohden made a motion to move the Procedure document, as revised, to Council. Member Holtaway seconded it. All were in favor.*

*The RMP Amendment Committee adjourned at 4:31pm.*



CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

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JIM RILEE  
Chairman

MARGARET NORDSTROM  
Executive Director

## MEMORANDUM

To: RMP Amendment Committee

From: Margaret Nordstrom, Executive Director

Subject: RMP Amendment Committee Meeting of September 28, 2017

Date: October 6, 2017

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The RMP Amendment Committee met jointly with the Budget & Finance Committee on September 28, 2017 at the Highlands Council office in Chester.

RMP Amendment and Budget & Finance Committee Members present: Council Chair Rilee (via phone), Committee Members Holtaway, Sebetich, Visioli, and Vohden (via phone).

Highlands Council Staff Members present: Margaret Nordstrom, James Humphries, Kim Ball Kaiser, Corey Piasecki, Herbert August, Ranji Persaud, and Carole Ann Diction

Also present via phone: Nicholas Kant, Assistant Counsel, Governor's Authorities Unit

*Ms. Nordstrom called the meeting to order at 2:30pm.*

### Addendum 2017-1 – Procedure for Considering Proposals to Amend the Highlands Regional Master Plan (Procedure)

As an update to the public hearings conducted on the Procedure document, Ms. Nordstrom reported that many of the comments did not pertain to the Procedure document so those comments will appear as "unresponsive" in the Public Comment Response document. Ms. Nordstrom emphasized however, that many of those comments contained valuable insights and will be taken into consideration.

Ms. Nordstrom added that one of the Highlands municipalities felt strongly about the Procedure document and as such sent a representative to all public meetings. Among other issues, their main concern was that the Procedure document, in giving the Council a mechanism to adopt amendments to the Regional Master Plan (RMP), in effect takes the Highlands Council status from an advisory



board to a legislative authority. Ms. Nordstrom stated that the response to that comment is as follows:

*The Highlands Council is not an “advisory board,” nor is it assuming the role of a “legislative authority” by adopting a procedure to consider potential amendments to the RMP. The Highlands Act requires the Council to adopt a Regional Master Plan and directs that it “shall be periodically revised and updated at least once every six years, after public hearings.” C.13:20-8. By adopting a procedure to consider proposals to amend the RMP, the Highlands Council is doing what the State legislature specifically directed it to do, i.e., to adopt an RMP and “to periodically revise and update” it.*

Ms. Nordstrom noted that a majority of the commenters requested:

- To extend public comment period for future amendments to 90 days;
- To add seventh public hearing that should be held outside the Highlands (i.e., Jersey City, Newark, etc.); and
- To allow the public to make public comments at RMP Amendment committee meetings that are open to the public.

Ms. Nordstrom then reviewed the changes that would be made to the Procedure document in response to the comments received during the public hearings, and those changes are:

- Add the following sentence to page 4 of the draft Procedure:

*A copy of the proposed RMP amendment(s) that the Committee is expected to take action on will be available to the public at the time that the Council provides public notice of the RMP Amendment Committee meeting.*

- Revise the sentence on page 4 of the draft Procedure as follows:

*The Council will provide not less than a 10-day public notice of the dates, times and locations of the public hearings, and shall also invite the submission of written comments within not less than 30, **nor more than 90**, days of the date of the public notice. **The Council will determine, on a case-by-case basis, the length of the public comment period at the time it authorizes public hearings on the proposed amendment(s).***

- Add the following sentence to footnote 2 on page 1 of the draft Procedure:

*Even though it would not be the norm, a RMP amendment could be considered and adopted outside of the six-year reexamination process, utilizing the procedure provided herein. In that case, the Highlands Council, by a vote of at least 8 members, would refer the recommendation to the RMP Amendment Committee for its review; Council staff would send the RMP Amendment Committee a report, setting forth staff’s response to the recommendation; after evaluating the proposal, the Committee would send its report and recommendation to the Council; and the Highlands Council would take action on the recommendation as it deemed appropriate. If the Council decided to move the proposal forward, it would proceed with the public hearings required before final adoption. Alternatively, the RMP Amendment Committee could recommend that the Highlands Council defer the proposal until the next six-year reexamination process.*

Ms. Nordstrom noted that all commenters would be notified when the Public Comment Response and Procedure documents are posted to Council’s website.

Monitoring Program Recommendation Report (MPRR)

Mr. Humphries gave a report on the public comments received regarding the MPRR. Due to these comments, Council staff made edits, corrections to the MPRR and provided to the Committee members an “edit log” of those changes. Mr. Humphries pointed out the areas that had the most significant comments and changes:

- Forestry
- Smart Growth
- Disturbance areas adjacent to streams
- Climate Change

Mr. Humphries noted that in most of the above cases, further studies/white papers will be needed. Ms. Nordstrom noted that the MPRR does not authorize any changes to the RMP; it just offers recommendations.

The only amendments Council staff currently has ready for Council to review and potentially adopt as addendums to the RMP are two guidance documents.

- Highlands Redevelopment Area Designations
- Plan Conformance Guidelines

Mr. Humphries concluded that the following documents would be provided to Council and the public in preparation for the RMP Amendment “public” Committee meeting scheduled on October 4, 2017 at 4:00pm. The purpose of this meeting is to recommend to Council to release the final MPRR to the public and to adopt the Procedure document as Addendum 2017-1 to the RMP.

- Final Draft MPRR
- Public Comment Response – MPRR
- “Revision” Log - MPRR
- Procedure document
- Public Comment Response - Procedure

#### Fiscal Year (FY) 2018 RMP Budget

At this time, Mr. Humphries reviewed the proposed FY 2018 RMP Budget for the Planning and Science Agenda, the FY 2018 Plan Conformance budget, as well as various grant funding amounts and categories by municipality. The committee received a memorandum listing these budget items/programs. The RMP Budget is based on the recommendations contained in the draft MPRR. The following proposed items included in the RMP budget are:

- Highlands Critical Habitat/Ecosystem Evaluation
- Water Resources and Ecosystems Science Agenda
- GIS Interactive Mapping and Stormwater Technical Assistance
- Economic Development Planning
- Lake Management Planning

After all committee members reviewed and discussed the proposed FY2018 RMP Budget, the Budget & Finance Committee members took a vote to move the budget to the full Council.

*Member Holtaway made a motion to move the FY2018 RMP Budget to Council's October 19 meeting. Member Visioli second it. All were in favor.*

*The RMP Amendment Committee meeting was adjourned at 3:20pm.*

*RMP Amendment Committee members were dismissed.*

*The Budget & Finance Committee meeting commenced at 3:21pm (see separate Budget & Finance Committee Minutes dated October 6, 2017).*