

RESOLUTION 2007-

**NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING AMONG
THE HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL, THE NEW
JERSEY STATE PLANNING COMMISSION, AND THE OFFICE OF SMART GROWTH**

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, pursuant to Section 6.g of the Highlands Act, the Highlands Council is empowered to “enter into any and all agreements or contracts, execute any and all instruments, and do and perform any and all acts or things necessary, convenient, or desirable for the purposes of the council or to carry out any power, duty, or responsibility expressly given in” the Highlands Act; and

WHEREAS, in 1986, the Legislature enacted the State Planning Act recognizing that New Jersey, the nation’s most densely populated state, requires sound and integrated Statewide planning and coordination of Statewide planning with local and regional planning in order to conserve the State’s natural resources, revitalize its urban centers, protect the quality of its environment, and provide needed housing and adequate public services at a reasonable cost while promoting beneficial economic growth, development and renewal; and

WHEREAS, the State Planning Act requires that the State Planning Commission (SPC) develop, adopt, and periodically revise a State Development and Redevelopment Plan (State Plan) which shall provide a coordinated, integrated and comprehensive plan for the growth, development, renewal and conservation of the State and its regions, and which shall identify areas for growth, agriculture, open space conservation and other appropriate designations to be used as a tool for assessing suitable locations for infrastructure, housing, economic growth, and conservation; and

WHEREAS, the Office of Smart Growth (OSG), as staff to the SPC, is charged with providing technical assistance and guidance to counties, municipalities and other planning entities across the State in order to implement the State Planning Act; and

WHEREAS, the Highlands Act created the Highlands Council, a regional planning agency, to develop, adopt and periodically revise a Regional Master Plan (RMP), after consulting with the SPC and other governmental entities, with a goal of protecting and enhancing the significant values of the resources of the Highlands Region; and

WHEREAS, the Highlands Act requires that the Highlands Council submit the RMP to the SPC for plan endorsement exclusively for the Planning Area of the Highlands Region; and

WHEREAS, in order to achieve the shared goals of sound land use planning of the Highlands Council, the SPC, and the OSG, it is mutually beneficial to enter into a Memorandum of Understanding to develop a cooperative planning process that will enable each agency to efficiently and effectively carry out their respective statutory responsibilities; and

WHEREAS, the cooperative planning process developed pursuant to a Memorandum of Understanding will advance coordinated and comprehensive planning in the State, will result in greater predictability and transparency in planning with respect to meeting the mandates of the Highlands Council, the SPC, and the OSG and will benefit State agencies, counties, municipalities and the public; and

**DRAFT – FOR CONSIDERATION AT THE DECEMBER 13, 2007
MEETING OF THE HIGHLANDS COUNCIL**

WHEREAS, the Highlands Council’s State and Federal Agency Coordination Committee met on October 4, 2007 to review the draft Memorandum of Understanding and recommended consideration of the same by the Highlands Council; and

WHEREAS, on December 5, 2007, the State Planning Commission approved Resolution 2007-09 authorizing the secretary and principal executive officer to execute the Memorandum of Understanding on behalf of the SPC and the Office of Smart Growth;

NOW THEREFORE BE IT RESOLVED, that the Highlands Council hereby finds that the Memorandum of Understanding properly effectuates the Highlands Act and the State Planning Act and furthermore hereby authorizes its Executive Director to make any necessary minor, non substantive, amendments to properly effectuate the intent of the Council and thereafter to execute the Memorandum of Understanding on behalf of the Highlands Council.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its meeting held on the 13th day of December, 2007.

John Weingart, Chairman

Vote on the Approval of
this Resolution

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Councilmember Alstede	_____	_____	_____	_____
Councilmember Calabrese	_____	_____	_____	_____
Councilmember Carluccio	_____	_____	_____	_____
Councilmember Cogger	_____	_____	_____	_____
Councilmember Dillingham	_____	_____	_____	_____
Councilmember Kovach	_____	_____	_____	_____
Councilmember Letts	_____	_____	_____	_____
Councilmember Pasquarelli	_____	_____	_____	_____
Councilmember Peterson	_____	_____	_____	_____
Councilmember Schrier	_____	_____	_____	_____
Councilmember Vetrano	_____	_____	_____	_____
Councilmember Way	_____	_____	_____	_____
Councilmember Weingart	_____	_____	_____	_____
Councilmember Whitenack	_____	_____	_____	_____