

## RESOLUTION 2021-10

### APPROVAL OF WATER USE AND CONSERVATION MANAGEMENT PLAN FUNDING FOR THE TOWNSHIP OF LOPATCONG, WARREN COUNTY

**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 (RMP) 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**, 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 Regional Master Plan (RMP) requires that conforming municipalities develop Water Use and Conservation Management Plans (WUCMPs) that reflect the policies and objectives of the RMP; and

**WHEREAS**, Lopatcong Township, Warren County has successfully petitioned the Highlands Council for Plan Conformance and is in need of grant funding in order to address the Highlands Act requirements for Plan Conformance funding; and

**WHEREAS**, Lopatcong Township is in need of funding, not to exceed \$60,000, in order to address WUCMP funding; and

**WHEREAS**, the Highlands Council staff recommends that the Highlands Council authorize the execution of a Plan Conformance Grant Agreement with Lopatcong Township for the funding allotted to the above-referenced tasks in an amount not to exceed \$60,000; 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

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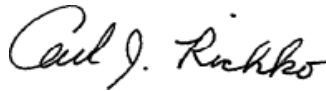
expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

**NOW, THEREFORE, BE IT RESOLVED** that the Highlands Council hereby authorizes the Executive Director to execute a Plan Conformance Grant Agreement Amendment with Lopatcong Township, in an amount not to exceed \$60,000 for development of its WUCMP.

**BE IT FURTHER RESOLVED**, that the Executive Director is authorized to make any amendments to the Highlands Implementation Plan and Schedule of Lopatcong Township, and to amend their Plan Conformance Grant Agreement 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 15th day of April 2021.



Carl J. Richko, Chairman

| Vote on the Approval of<br>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                            |        |        | √   |    |         |        |