

**MUNICIPAL CLERK,  
ADMINISTRATOR  
& REGISTRAR**

Diane Pflugfelder, RMC/CMC

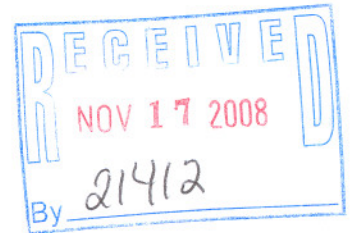
clerk@bethlehemnj.org



**ADDRESS:**  
405 Mine Road, Asbury, NJ 08802

**PHONE:** 908.735.4107 Ext. 101  
**FAX:** 908.735.0485

**OFFICE HOURS:**  
Monday – Friday  
8:30 am to 3:30 pm



12 November 2008

Thomas A Borden, Esq.  
Deputy Executive Director and Chief Counsel  
New Jersey Highlands Council  
100 North Road, Route 513  
Chester, NJ 07930.2322

Ms Lucy Vandenberg, Executive Director  
State of New Jersey  
Council on Affordable Housing  
101 South Broad Street, CN 813  
Trenton, NJ 08625

**RE:** Resolution Seeking Extension to Petition for Substantive Certification  
Resolution of Municipal Intent to Petition for Plan Conformance

Dear Mr. Borden and Ms. Vandenberg;

Enclosed please find original certified copies of the above referenced Resolutions for your files. Please do not hesitate to contact this office with additional requests for documentation or inquiry.

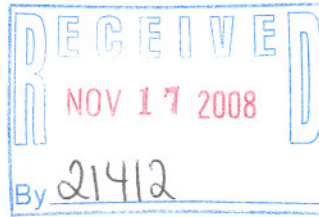
Thank you for your time.

With Regards,

Diane Pflugfelder, RMC/CMC  
Municipal Clerk/Administrator

Enc.

cc: Anthony Iacocca, Municipal Attorney



Resolution

Resolution of the Township of Bethlehem  
Declaring the Township's Notice of Intent  
to Petition the Highlands Council for Plan Conformance

*WHEREAS*, The Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20-1 et seq., finds and declares that protection of the New Jersey Highlands is an issue of State level importance because of its vital link to the future of the State's drinking water supplies and other key natural resources; and

*WHEREAS*, The Highlands Act creates a coordinated land use planning system requiring the Highlands Water Protection and Planning Council (Highlands Council) to prepare and adopt a Regional Master Plan for the Highlands Region and requiring that within nine to fifteen months after 8 September 2008, each county and municipality located wholly or partially in the Preservation Area must submit a Petition for Plan Conformance to the Highlands Council for that portion of its jurisdiction lying within the Preservation Area; and

*WHEREAS*, The Highlands Act specifies that conformance with the Regional Master Plan (Plan Conformance) requires revisions to municipal and county master plans and development regulations as applicable to the development and use of land to align them with the goals, requirements, and provisions of the Regional Master Plan; and

*WHEREAS*, The Highlands Council's Plan Conformance Guidelines require that for jurisdictions with any lands in the Preservation Area, a Notice of Intent to conform to the Regional Master Plan must be submitted to the Highlands Council as soon as practicable, but not later than 1 February 2009 and that for any lands in the Planning Area, a Notice of Intent may be submitted at any time; and

*WHEREAS*, Bethlehem Township lies within the Highlands Regional as defined by the Highlands Act; and

*WHEREAS*, The Governing Body of the Township of Bethlehem believes that it is in the best interest of Bethlehem Township to conform to the Regional Master Plan.


*NOW, THEREFORE, BE IT RESOLVED*, That the Mayor and Governing Body of the Township of Bethlehem, County of Hunterdon, State of New Jersey that the Township of Bethlehem hereby provides the Highlands Council with this Notice of Intent to petition the Highlands Council for Plan Conformance for all lands lying within the Preservation Area; and

*BE IT FURTHER RESOLVED*, This Notice of Intent additionally specifies that the Governing Body of Bethlehem Township intends to include all lands lying with the Planning Area in the petition. In accordance with the Highlands Council's Plan Conformance Guidelines, this Notice of Intent is not binding with respect to lands within the Planning Area.

*BE IT FURTHER RESOLVED*, This Notice of Intent provides notice to the Highlands Council that the Governing Body of Bethlehem Township has set 8 December 2009 as the target date for submission of a Petition for Plan Conformance.

Vote: aye - Meehan  
aye - Jimenez  
absent - Kucinski  
aye - G. Glazar  
aye - Graefe

I, Diane Pflugfelder, R.M.C/C.M.C, Municipal Clerk of the Township of Bethlehem, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the governing body at a meeting held on 16 October 2008.

  
\_\_\_\_\_  
Diane Pflugfelder, R.M.C/C.M.C.  
Municipal Clerk

**RESOLUTION OF THE TOWNSHIP OF BETHELEHEM DECLARING  
THE TOWNSHIP'S NOTICE OF INTENT TO PETITION THE  
HIGHLANDS COUNCIL FOR PLAN CONFORMANCE**

**WHEREAS**, the Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20-1 et seq., finds and declares that protection of the New Jersey Highlands is an issue of State level importance because of its vital link to the future of the State's drinking water supplies and other key natural resources; and

**WHEREAS**, the Highlands Act creates a coordinated land use planning system requiring the Highlands Water Protection and Planning Council (Highlands Council) to prepare and adopt a Regional Master Plan for the Highlands Region and requiring that within nine to 15 months after September 8, 2008, each county and municipality located wholly or partially in the Preservation Area must submit a Petition for Plan Conformance to the Highlands Council for that portion of its jurisdiction lying within the Preservation Area; and

**WHEREAS**, the Highlands Act specifies that conformance with the Regional Master Plan (Plan Conformance) requires revisions to municipal and county master plans and development regulations as applicable to the development and use of land to align them with the goals, requirements, and provisions of the Regional Master Plan; and

**WHEREAS**, the Highlands Council's Plan Conformance Guidelines require that for jurisdictions with any lands in the Preservation Area, a Notice of Intent to conform to the Regional Master Plan must be submitted to the Highlands Council as soon as practicable, but not later than February 1, 2009 and that for any lands in the Planning Area, a Notice of Intent may be submitted at any time; and

**WHEREAS**, Bethlehem Township lies within the Highlands Region as defined by the Highlands Act; and

**WHEREAS**, the Governing Body of Bethlehem Township believes that it is in the best interest of Bethlehem Township to conform to the Regional Master Plan.

**NOW, THEREFORE BE IT RESOLVED**, that by the Mayor and Township Committee of the Township of Bethlehem, County of Hunterdon, State of New Jersey that the Township of Bethlehem hereby provides the Highlands Council with this Notice of Intent to petition the Highlands Council for Plan Conformance for all lands lying within the Preservation Area; and

**BE IT FURTHER RESOLVED**, this Notice of Intent additionally specifies that the Governing Body of Bethlehem Township intends to include all lands lying with the Planning Area in the petition. In accordance with the Highlands Council's Plan Conformance Guidelines, this Notice of Intent is not binding with respect to lands within the Planning Area.

**BE IT FURTHER RESOLVED**, this Notice of Intent provides notice to the Highlands Council that the Governing Body of Bethlehem Township has set December 8, 2009 as the target date for submission of a Petition for Plan Conformance.

John Graefe

Mayor

ATTEST:

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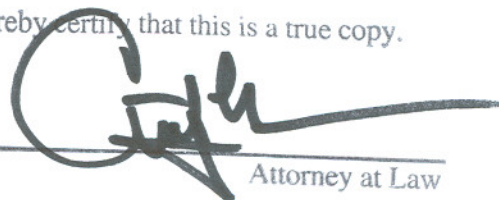
Diane Pflugfelder, Municipal Clerk

CERTIFICATION:

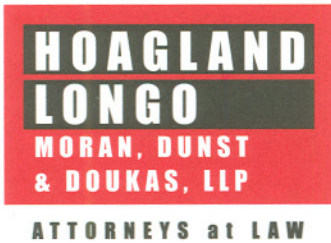
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Robert G. Kenny, Esq., Township Attorney

I hereby certify that this is a true copy.

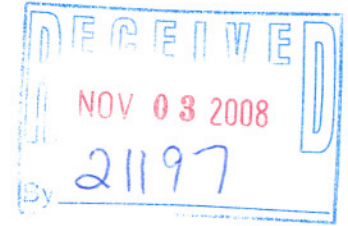


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Attorney at Law



40 Paterson Street, PO Box 480  
New Brunswick, NJ 08903  
Tel: (732) 545-4717 Fax: (732) 545-4579  
www.hoaglandlongo.com

Robert G. Kenny  
Partner  
rkenny@hoaglandlongo.com



October 31, 2008

**Via Regular and Certified Mail, R.R.R.**

Ms. Eileen Swan, Executive Director  
State of New Jersey  
Highlands Water Protection and Planning Council  
100 North Road (Route 513)  
Chester, New Jersey 07930-2322

**Re: PLAN CONFORMANCE**  
**CERTIFIED RESOLUTION - NOTICE OF INTENT TO CONFORM**  
**Bethlehem Township 2008 Municipal Retainer**  
Our File No.: 5551832 - RGK

Dear Ms. Swan:

Please be advised that this office represents the Township of Bethlehem in connection with the above matter.

In accordance with your correspondence dated October 9, 2008 to the Honorable Steve Kucinski, enclosed please find for filing a certified copy of a "Resolution of the Township of Bethlehem Declaring the Township's Notice of Intent to Petition the Highlands Council for Plan Conformance" which was adopted by the Township Governing Body on October 16, 2008.

Thank you for your time and attention.

Very truly yours,

  
ANTHONY C. COCCA

cc:

enc. Ms. Lucy Vandenberg, Executive Director, COAH (Via Regular and Certified Mail, R.R.R.)  
Hon. John Graefe, Mayor (Via Email)  
Hon. Steve Kucinski, Committee Member (Via Email)  
Diane Pflugfelder, Municipal Clerk and Business Administrator (Via Email)  
Robert G. Kenny, Esq., Township Attorney (Via Email)  
Elizabeth McManus, Township COAH Specialist (via Email)  
Robert O'Brien, Township Engineer (Via Email)