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# Highlands Council Holds Hearing on Proposed Open Space & Landowner Equity Program; Approves Hiring of New Chief Counsel

CHESTER, N.J. — Prior to its most recent regular meeting, the Highlands Water Protection and Planning Council held a hearing to solicit comments from the public regarding recently published proposed Rules for an Open Space Partnership Funding Program and Highlands Development Credit Purchase Program. The proposed Rules were published in the August 17 edition of the New Jersey Register, and will be available for public comment through October 16, 2015. Details are available on the Highlands Council website ([www.nj.gov/njhighlands](http://www.nj.gov/njhighlands)) by clicking “Rules and Permits” on the homepage.

The program seeks to address preservation and landowner equity goals of the Highlands Act, with an open space matching grant component for eligible government and nonprofit entities, and a transfer of development rights purchase component for individual property owners. Initial funding of \$9 million for the program will come from funds received by the Council in connection with mitigation requirements of utility projects in the Highlands. An additional \$9 million will be available for a second round, as necessary, from the same mitigation agreement.

“During my tenure with the Council we have made it a priority to explore opportunities to increase compensation for property owners in the Region,” explains Highlands Council Chairman Jim Rilee. “In 2014 we established a subcommittee of the Council to focus on landowner equity and this program is a direct result of those efforts. I am very pleased that we’re going to be offering these new options to property owners in the Highlands who are interested in preserving their land or relinquishing development rights.”

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The program is being formalized as “Rules” within the framework of the state’s Administrative Procedure Act, which requires an open and transparent process with opportunity for significant input from key stakeholders and the public.

“Before publishing the proposal, we reached out to a wide range of stakeholders including state, county, and local government entities as well as nonprofit groups that are potential partners in the Open Space component, and individuals who previously participated in the HDC purchase program,” says Highlands Council Executive Director Margaret Nordstrom. “So we feel we had a very solid proposal coming into tonight’s hearing. The public comment allows for additional input that could result in further refinements to the program.”

The Council expects to adopt the final version of the Rules at its December meeting and begin rolling out the program early in 2016.

In other business at its regular meeting, the Highlands Council voted to approve the hiring of John A. Maher as Chief Counsel. Maher is an accomplished legal professional with 35 years of experience specializing in civil litigation, contracts, real estate, zoning and land use, corporate and business counseling and alternative dispute resolution. His experience also includes six years serving on the Common Council for the City of Summit, NJ.

“John brings a well-rounded legal background with strength in a number of areas and extensive experience working with municipal and state officials,” says Rilee. “He is eager to support the work of the Council and we look forward to having him on board.”

Actions taken by the Council at this meeting will take effect following the Governor’s review and consideration of the meeting minutes, up to 10 business days from receipt of the minutes. Materials related to this meeting including resolutions, presentations, audio and minutes will be posted at: [www.nj.gov/njhighlands/about/calend/index.html](http://www.nj.gov/njhighlands/about/calend/index.html) (click on September 17 meeting).

*The Highlands Council is a regional planning agency, established in 2004 with the passing of the Highlands Water Protection and Planning Act and charged with implementation of the Act. More information is available at [www.nj.gov/njhighlands](http://www.nj.gov/njhighlands).*

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