

RESOLUTION 2017-9
APPROVAL OF WATER USE AND CONSERVATION MANAGEMENT PLAN AND
STORMWATER PROGRAM DEVELOPMENT FUNDING FOR THE
TOWNSHIP OF DENVILLE, MORRIS 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), as well as Stormwater Management Plans, that reflect the policies and objectives of the RMP; and

WHEREAS, Denville Township, Morris County has successfully petitioned the Highlands Council for Plan Conformance and 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, Denville is in need of additional funding, not to exceed \$85,000, in order to address WUCMP funding and Stormwater Management Plans; and

WHEREAS, the Highlands Council staff recommends that the Highlands Council authorize the execution of an Amended Plan Conformance Grant Agreement with Denville Township for the funding allotted to the above-referenced tasks in an amount not to \$85,000; 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

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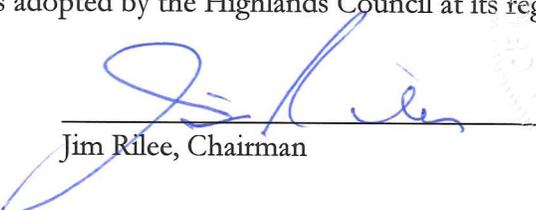
minutes of the meeting of the Council has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED that the Highlands Council hereby authorizes the Executive Director to execute an Amended Plan Conformance Grant Agreement with Denville Township, in an amount not to exceed \$85,000 and stipulating that the funds will be expended at the same average monthly spending level as set forth in Resolution 2017-8.

BE IT FURTHER RESOLVED, that the Executive Director is authorized to make any amendments to the Highlands Implementation Plan and Schedules of Denville Township, 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 20th day of July, 2017.



 Jim Rilee, Chairman

**Vote on the Approval of
 The 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 Tbank			✓			
Councilmember Visioli		✓	✓			
Councilmember Vohden			✓			
Councilmember Walton			✓			
Chairman Rilee			✓			