RESOLUTION 2025-28
APPROVAL OF FY2026 HIGHLANDS PROTECTION FUND CAPITAL BUDGET FOR PLAN CONFORMANCE FUNDING GRANTS

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, Section 6.g the Highlands Act authorizes the Highlands Council to enter into any and all agreements or contracts and execute any and all instruments to carry out any power, duty or responsibility assigned to it under the Highlands Act; and

WHEREAS, Section 14 of the Highlands Act expressly requires mandatory Plan Conformance for municipalities or counties located wholly or partially in the Preservation Area, which 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 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 or county 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, the Highlands Act provides that Highlands Council approval of a Petition for Plan Conformance confers specific benefits on the conforming municipality or county including: planning grants, technical assistance, state aid, priority for projects, tax stabilization funds, a strong presumption of validity and extraordinary deference in the event of legal challenge, and legal representation; and

WHEREAS, Section 18 of the Highlands Act obligates the Highlands Council to establish a grant funding program to reimburse municipalities and counties 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 and counties 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 Council encourages every Highlands municipality and county to participate in the implementation of the Regional Master Plan and provides grants to assist Highlands municipalities in conforming with and implementing the goals, policies and objectives of the Regional Master Plan; and

WHEREAS, the following municipalities are in need of reimbursement-based grant funding in order to address the Highlands Act requirements for Plan Conformance or to explore Plan Conformance:

Plan Conformance Funding (not-to-exceed amounts):

Municipality	**Purpose**	**Amount**
Mount Olive Township, Morris County	Lake Management Plan Phase 2	$88,814
High Bridge Borough, Hunterdon County	Stormwater Management Planning	$34,750
West Milford Township, Passaic County	Zoning Ordinance Update	$24,000
	Total	**$147,564**

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WHEREAS, the Highlands Council staff recommends that the Highlands Council authorizes the execution of Plan Conformance Grant Agreements with the above municipalities, for the funding allotted to the above-referenced tasks in the amounts designated, not to exceed in the aggregate, $147,564; 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 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 Plan Conformance Grant Agreements with the above municipalities, in the not-to-exceed amounts as set forth above.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 16th of October 2025.

Carl J. Richko

Carl J. Richko, Chairman

Vote on the Approval of This Resolution	Motion		Second		Yes		No		Abstain		Absent
Councilmember Alstede					√						
Councilmember Bush					√						
Councilmember Dougherty					√						
Councilmember Dressler											√
Councilmember Francis					√						
Councilmember James					√						
Councilmember Kibler			√		√						
Councilmember Van Abs	√				√						
Councilmember Visioli											√
Chairman Richko					√						