



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-190

RESOLUTION RESCINDING RESOLUTION 17-083 WHICH DECLINED TO ISSUE A LETTER OF SUPPORT TO THE U.S. ARMY CORPS OF ENGINEERS AND REJECTED THE COASTAL STORM RISK MANAGEMENT PROJECT

WHEREAS, on April 6, 2017 the Mayor and Council of the Borough of Highlands approved Resolution 17-083 declining to issue a Letter of Support to the United States Army Corps of Engineers and rejected the Coastal Storm Risk Management Project; and

WHEREAS, subsequent to approving Resolution 17-083, the State of New Jersey, Department of Environmental Protection, by way of correspondence dated February 27, 2018, requested that the Borough consider issuing a letter of support in order to complete the United States Army Corps of Engineers New Jersey Coastal Storm Risk Management Feasibility Study (hereinafter "Feasibility Study"); and

WHEREAS, the State of New Jersey, Department of Environmental Protection, advised that the United States Army Corps of Engineers requires a letter of support from their agency as the non-federal sponsor, in order to complete the aforesaid Feasibility Study, however in order to submit such a letter of support, the Borough would need to rescind Resolution 17-083 as well as submit a letter setting forth that it does support completion of the aforesaid Feasibility Study; and

WHEREAS, by and through their correspondence dated February 27, 2018, the State of New Jersey, Department of Environmental Protection represented that rescinding Resolution 17-083, in order to allow for completion of the aforesaid Feasibility Study, "... will not result in any financial obligation from the Borough. Due to PL 113-2, also known as the "Sandy Bill", this study is being 100% federally funded"; and

WHEREAS, by and through correspondence dated March 13, 2018, the United States Army Corps of Engineers, indicated that in order to resume and complete the aforesaid Feasibility Study, the Borough would be required to rescind Resolution 17-083 and issue a letter of support; and

WHEREAS, by and through their correspondence dated March 13, 2018, the United States Army Corps of Engineers represented that "Sandy Public Law 113-2 allows for completion of this feasibility study at 100% Federal expense"; and

WHEREAS, Resolution 18-090 which authorized rescinding Resolution 17-083 and issuing a letter of support for the aforesaid Feasibility Study, failed in its adoption and was not approved at the Council Meeting on April 18, 2018; and

WHEREAS, at the Workshop portion of the Council Meeting which was conducted on August 15, 2018, the State of New Jersey, Department of Environmental Protection and the United States Army Corps of Engineers made a presentation and once again requested that the Borough rescind Resolution 17-083 and issue a letter of support for completion of the aforesaid Feasibility Study; and

WHEREAS, the Mayor and Council have determined that it is in the best interest of the Borough to rescind Resolution 17-083, which declined to issue a Letter of Support to the United States Army Corps of Engineers and rejected the Coastal Storm Risk Management Project.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Highlands, that Resolution 17-083 be and is hereby rescinded and the governing body hereby authorizes the issuance of a letter of support setting forth that the Borough of Highlands supports completion of the United States Army Corps of Engineers New Jersey Coastal Storm Risk Management Feasibility Study, based on the representations of the State of New Jersey, Department of Environmental Protection and the United States Army Corps of Engineers, which set forth that issuing such a letter of support for the Feasibility Study will not result in any financial obligation to the Borough.

BE IT FURTHER RESOLVED that prior to the execution of any agreement related to the financing of the project or any commitment of the Borough of Highlands related to the project or undertaking pertaining thereto, the Borough will first proceed with a referendum in order to ascertain the sentiment of the legal voters, in accordance with the requirements promulgated by N.J.S.A. 19:37-1 et. seq.

BE IT FURTHER RESOLVED that the Borough Clerk shall transmit certified copies of this Resolution to the State of New Jersey, Department of Environmental Protection and the United States Army Corps of Engineers.

Motion to Approve Resolution 18-190:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON		X	X			
D'ARRIGO				X		
RYAN			X			
O'NEIL	X		X			

I, Bonnie Brookes, Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Council Meeting, held September 5, 2018. WITNESS my hand this 6th day of September 2018.


 Bonnie Brookes, RMC
 Municipal Clerk