

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

RESOLUTION #131-2024

**RESOLUTION FOR APPROVAL TO SUBMIT A GRANT APPLICATION
TO THE HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL (HIGHLANDS COUNCIL) FOR
FUNDING ASSISTANCE TO ACHIEVE COMPLIANCE UNDER THE 2023 TIER A MUNICIPAL STORMWATER
GENERAL PERMIT (NJPDES: NJG0151483)**

WHEREAS, The Highlands Water Protection and Planning Council (Highlands Council) is a regional planning agency that works in partnership with municipalities and counties in the Highlands Region to encourage a comprehensive regional approach to implementing the 2004 Highlands Water Protection and Planning Act (the Highlands Act); and

WHEREAS, in 2004, the State of New Jersey Department of Environmental Protection Agency (NJDEP) adopted amendments to the New Jersey Pollutant Discharge Elimination System (NJPDES) regulations for the development and implementation of the Municipal Stormwater Regulation Program (N.J.A.C. 7:14A-25) and established two NJPDES general permits to authorize municipal stormwater discharges, known as Tier A and Tier B; and

WHEREAS, the Municipal Stormwater Regulation Program (N.J.A.C. 7:14A-25) was developed in response to the U.S. Environmental Protection Agency's (USEPA) Phase II Rules published in December 1999, which required municipalities to develop and implement a program to reduce discharges of pollutants entering water bodies from stormwater systems known as "municipal separate storm sewer systems (MS4s)" to the maximum extent practicable; and

WHEREAS, the NJPDES MS4 permit was originally issued in 2004, renewed in 2009 and 2018, and again on January 1, 2023; and

WHEREAS, the 2023 MS4 permit renewal was designed to comply with the National Pollutant Discharge Elimination System (NPDES) MS4 General Permit Remand Rule in response to the increase in flooding events that result in additional stormwater runoff discharging pollutants into the nation's waterways; and

WHEREAS, additional requirements were added to the 2023 MS4 general permit beyond those required in earlier versions, including that all municipalities were classified as Tier A MS4 communities; and

WHEREAS, the Highlands Council does support the requirements of the New Jersey Stormwater Management Rules (N.J.A.C. 7:8) as effective stormwater management is an important element of natural resource protection, and therefore, vital to the success of the Highlands Water Protection and Planning Act (Highlands Act) and Regional Master Plan; and

WHEREAS, in recognition of the fiscal impacts of the new requirements under the 2023 MS4 general permit, the NJDEP developed Tier A Stormwater Assistance Grants for existing Tier A and transitioning Tier B to Tier A communities; and

WHEREAS, in recognition of the fiscal impacts of the new requirements under the 2023 MS4 permit, the Highlands Council developed a funding assistance program to supplement available NJDEP assistance grants and to further aid municipalities in the Highlands Region in completing the tasks associated with permit compliance:

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Mendham has determined a need does exist for supplemental funding for MS4 compliance in the amount of \$34,500.00 in accordance with the attached schedule;

BE IT FURTHER RESOLVED that the Borough Council of the Borough of Mendham does hereby authorize the submission of an application to the Highlands Council for funding assistance to achieve compliance under the 2023 Tier A Municipal Stormwater General Permit (NJPDES: NJG0151483).

Certification

I, Lauren McBride, Acting Borough Clerk of the Borough of Mendham, do hereby certify that the foregoing is a true copy of a resolution adopted by the Borough Council of the Borough of Mendham at a meeting held on the 26th day of August, 2024.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 26th day of August, 2024.

Lauren McBride, Acting Borough Clerk

This resolution shall take effect immediately.

Dated: August 26, 2024

ATTEST

BOROUGH OF MENDHAM

Lauren McBride, Acting Borough Clerk

Christine Serrano Glassner, Mayor