

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2014 – 280 ~

### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY SUPPORTING THE STATE HOUSE COMMISSION PRE-APPLICATION TO THE NJDEP GREEN ACRES PROGRAM FOR DIVERSION OF 1.15 ACRES OF BUBBLING SPRINGS PARK

**WHEREAS**, Block 9001, Lot 10, is part of the West Milford Township's Bubbling Springs which is encumbered with restrictions against disposal or diversion from recreation and conservation uses by the New Jersey Department of Environmental Protection's Green Acres Program; and

**WHEREAS**, In 1988, the Township sold a 1.15 acre portion of lands from what was Block 9001, Lot 10, of the Bubbling Springs Park. This 1.15 acres of land was added to the adjacent lot (Block 9001, Lot 11), and

**WHEREAS**, the removal of Green Acres restrictions from parkland requires the approval of the Commissioner of the Department of Environmental Protection and the State House Commission pursuant to *N.J.A.C. 7:36-26*; and

**WHEREAS**, West Milford Township wishes to apply for approval for this past diversion of Bubbling Springs Park, which was a major disposal or diversion of parkland under *N.J.A.C. 7:36-26*; and

**WHEREAS**, as required by *N.J.A.C. 7:36-26.8*, West Milford Township held a scoping hearing on November 13, 2013, to solicit public comment on the prior 1.15 acre diversion of parkland from Bubbling Springs Park; and

**WHEREAS**, the next step in the application process for approval of a major disposal or diversion of parkland is the filing of a pre-application under *N.J.A.C. 7:36-26.9*; and

**WHEREAS**, in accordance with *N.J.A.C. 7:36-26.9(d)11*, it is necessary for West Milford Township to submit as part of the pre-application a Resolution endorsing the application to approve the prior diversion of parkland.

**NOW THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford, in the County of Passaic, State of New Jersey as follows:

#### **Green Acres Program, State House Commission Pre-Application Local Parkland—Major Disposal/diversion**

1. The West Milford Township Council endorses the filing of a pre-application for the Bubbling Springs Park diversion pursuant to *N.J.A.C. 7:36-26*;
2. The West Milford Township Council hereby submits the pre-application to rectify the prior diversion that occurred in the past, and;
3. The West Milford Town Council acknowledges that in order to obtain the approval of the Bubbling Springs Park Diversion, all substantive and procedural requirements of *N.J.A.C. 7:36-26* must be met, including compensation requirements at *N.J.A.C. 7:36-26.10*.

Adopted: September 3, 2014

Adopted this 3<sup>rd</sup> day of September, 2014  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk