

Township of West Milford

Passaic County, New Jersey

~ Resolution No. 2014 – 315 ~

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

WHEREAS, Block 9001, Lot 11 is part of the Bubbling Springs Park, 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, it is necessary to remove the Green Acres restrictions from a 1.15 acre portion of land that was added to the adjacent lot; 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, the West Milford 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, on November 13, 2013 the Town Council held a hearing supporting the pre-application; and public comment was accepted until November 20, 2013; and

WHEREAS, in accordance with *N.J.A.C. 7:36-26. 11(i)4*, it is necessary for West Milford Township to submit as part of the final application a Resolution endorsing the application to divert or dispose of parkland;

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

1. The Township Council of West Milford endorses the filing of a final application for the Bubbling Springs Park Diversion, pursuant to *N.J.A.C. 7:36-26*;
2. The Township Council of West Milford has reviewed oral and written comments accepted during the public comment period and have made a finding that the major disposal or diversion of parkland is still in the public's best interest.
3. The Township Council of West Milford hereby finds that the Bubbling Spring Park Diversion application will rectify the oversight that was involved when there was a lot line adjustment to the Bubbling Springs Park property. This application would meet the minimum substantive criteria at *N.J. A. C. 7:36-26.1 (d)*.
4. The Township Council of West Milford 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*; and that the Township is donating a 43.1 acre site to the State, which exceeds the ratio requirement and consists of lands of higher ecological value.

Adopted: October 1, 2014

Adopted this 1st day of October, 2014
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk