

Township of West Milford

Passaic County, New Jersey

~ Resolution 2016 - 095 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING A CHANGE IN THE SPENDING ALLOCATION OF THE OPEN SPACE TRUST FUND IN ACCORDANCE WITH §239-2 OF THE TOWNSHP CODE

WHEREAS, on February 19, 2014 the Township Council did adopt ordinance 2014-001 which ordinance provides for the collection of taxes dedicated for the purpose of funding an open space, recreation, farmland and historic preservation trust fund; and

WHEREAS, ordinance 2014-001 was subsequently codified in the Township code in Chapter 239, "Open Space, Recreation, and Farmland and Historic Preservation Trust Fund"; and

WHEREAS, §239-2 established rules for the utilization of these open space funds; and

WHEREAS, §239-2 C allows the Governing Body of the Township of West Milford to change the spending allocation in said ordinance for a given calendar year on the condition that said reallocation of funds be approved by five affirmative votes of the Township Council; and

WHEREAS, there remains a balance of \$1,193,367 in the open space trust fund account which is dedicated solely to property acquisitions because said funds were raised by taxation for that purpose prior to the adoption of ordinance 2014-001 and those funds are not subject to the reallocation provision in §239-2 of the Township code; and

WHEREAS, there are balances in the open space trust fund account which are subject to reallocation having been raised through taxation subsequent to the adoption of ordinance 2014-001 as follows as of December 31, 2015:

\$ 90,058.39 for the purposes of acquisition
\$ 94,063.17 for the purpose of improving recreational facilities
\$ 75,027.20 for the purpose of historic preservation and conservation; and

WHEREAS, whenever possible for a multitude of years, successive Township councils have approved grant applications for the rehabilitation and improvement of various and multiple recreational facilities in the Township; and many of those grant applications have been successful whereby the Township has received grant funds from various sources to rehabilitate or improve recreational facilities in incremental phases throughout the Township; and

WHEREAS, the provisions of §239-2 C affords the Township Council the ability to change the spending allocation in one calendar year and the Township Council affirms that such reallocation is in the best interest of the municipality; and

WHEREAS, the Township has received grant funding through three separate grant applications for renovations to Nosenzo Pond Park and has a balance totaling \$161,733.89 available; and

WHEREAS, the total cost to completely renovate Nosenzo Pond Park is estimated at \$669,000; and

WHEREAS, with \$161,733.89 available in grant funds the Township could complete the project for \$537,266.11 in municipal funds before the end of 2016; and

WHEREAS, there is potential funding in various ordinances which funding, by affirmative action of the Township Council, could be allocated to this project; an

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that the funding allocation in the Township’s Open Space Trust Account be and is hereby changed in accordance with §239-2 of the Township Code as follows:

Funding in the acquisition and historic preservation lines of the open space trust account shall be transferred into the recreation account to fund the project outlined above; and

BE IT FURTHER RESOLVED, that funding allocations as outlined herein below shall be applied:

Funding Source	Amount
Total post-referendum balance (acquisition \$90,058.39; recreation \$94,063.17 historic preservation \$75,027.20, 2016 infusion by taxation \$150,000)	\$358,398.61
Grants for Nosenzo (2011 - \$31,597.89; 2014 - \$31,136; 2015 - \$99,000)	\$161,733.89
Ordinance 2000-09 is an ordinance that has funding for recreational facilities at Jungle Habitat. If we change that purpose (at a cost of approximately \$500 for bond counsel which can be charged to the grant, there will be a balance of \$77,367.50)	\$77,367.50
Ordinance 2007-18 for athletic field upgrades has a balance of \$23,100.	\$23,100.00
Ordinance 2014-005 has matching funds for the 2011 grant with a balance of \$48,400.	\$48,400.00
Total funds	\$669,750.15

BE IT FURTHER RESOLVED, that in accordance with the Township code this funding allocation does not affect the allocation of funds collected through taxation in future years in accordance with the allocations for same outlined in Chapter 239 of the Township code.

Adopted: February 17, 2016

Adopted this 17th day of February, 2016 and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk