

**Township of West Milford**  
Passaic County, New Jersey

**~ Resolution 2011 – 245 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY TO AUTHORIZE THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF WEST MILORD AND JERSEY OFF ROAD BICYCLE ASSOCIATION (“JORBA”)**

**WHEREAS**, the Township of West Milford desires to enhance its recreational opportunities to provide for an activity bicycle pump track; and

**WHEREAS**, the Director of Community Services & Recreation has suggested that the Farrell Field site is the most efficient and suitable location for such a facility; and

**WHEREAS**, JORBA, a non-profit organization has proposed to construct, maintain and oversee such activity bicycle pump track at no cost to the Township; and

**WHEREAS**, the Administration has negotiated a Lease Agreement for the use of such facility for Township residents and members of the public; and

**WHEREAS**, the said property has been funded by the New Jersey Department of Environmental Protection Green Acres and accordingly requires the submission of the proposed to the NJDEP for approval forty-five days before said Lease Agreement is executed; and

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford, County of Passaic, State of New Jersey hereby authorizes the Mayor to execute a Lease Agreement between the Township of West Milford and the Jersey Off Road Bicycle Association for a term of thirty-six (36) months.

**BE IT FURTHER RESOLVED** that the Lease Agreement shall be at no cost to the Township of West Milford.

**BE IT FURTHER RESOLVED** that while the construction, maintenance and upkeep of the facility shall be JORBA's responsibility, the Township of West Milford shall have the right to inspect the facility at any time as well as the right to promulgate rules and regulations for the use of the facility.

**BE IT FURTHER RESOLVED** that the Lease Agreement is subject to the approval of the New Jersey Department of Environmental Protection Green Acres pursuant to N.J.A.C. 7:36-25.13.

**BE IT FURTHER RESOLVED** that the Township Attorney is authorized to submit the Lease Agreement to the NJDEP Green Acres for consideration and approval.

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby approve any modifications herein that are consistent with NJDEP Green Acres guidelines.

Adopted: July 20, 2011

Adopted this 20<sup>th</sup> day of July, 2011  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk