

**CHAPTER 238**

**AN ACT** appropriating moneys from the "Garden State Green Acres Preservation Trust Fund," and appropriating and reappropriating certain other moneys, to assist local government units to acquire or develop lands for recreation and conservation purposes.

**BE IT ENACTED** by the Senate and General Assembly of the State of New Jersey:

1. a. There is appropriated to the Department of Environmental Protection from the "Garden State Green Acres Preservation Trust Fund," established pursuant to section 19 of P.L.1999, c.152 (C.13:8C-19), the sum of \$16,070,000 to provide grants or loans, or both, to assist local government units to develop lands for recreation and conservation purposes. The following projects to develop lands for recreation and conservation purposes located in municipalities eligible to receive State aid pursuant to P.L.1978, c.14 (C.52:27D-178 et seq.), either as of June 30, 2003 or the effective date of this act, are eligible for funding with the moneys appropriated pursuant to this subsection:

<b>LOCAL GOVERNMENT UNIT</b>	<b>COUNTY</b>	<b>PROJECT</b>	<b>APPROVED AMOUNT</b>
Lodi Boro	Bergen	Memorial Park Dev	\$515,000
Camden County	Camden	Cooper River Boathouse Dev (Pennsauken Twp)	800,000
Gloucester Twp	Camden	Hickstown Road Dev	200,000
Pennsauken Twp	Camden	Cooper River Boathouse Dev	800,000
Vineland City	Cumberland	Multi Park Development Project Dev	600,000
Essex County	Essex	Multi Parks Improvements Dev (Bloomfield Twp, East Orange City, Irvington Twp, Newark City, Orange City Twp, & Verona Twp)	1,000,000
East Orange City	Essex	Multi Parks Redevelopment Dev	800,000
Glassboro Boro	Gloucester	Multi Park Improvements Dev	590,000
Hoboken City	Hudson	Multi Parks Dev	200,000
Jersey City	Hudson	Montgomery Gateway Dev	510,000
Jersey City	Hudson	Myrtle Ave Park Dev	490,000
North Bergen Twp	Hudson	Bruin Stadium Improvements Dev	240,000
Union City	Hudson	47th Street Pool	500,000
Union City	Hudson	Improvements Dev Park Avenue Playground Dev	500,000
Weehawken Twp	Hudson	Pier B Restoration Dev	800,000
West New York Town	Hudson	Pier 8 Park Dev	800,000
Trenton City	Mercer	Cadwalader Park Dev	800,000
Carteret Boro	Middlesex	Arthur Kill Waterfront Phase II Dev	200,000
Perth Amboy City	Middlesex	Shoreline Improvement Project Dev	800,000
Perth Amboy City	Middlesex	Truxton & Columbus Circle Parks Dev	200,000
Asbury Park City	Monmouth	West Side Rec Area Dev	800,000

Keansburg Boro	Monmouth	Shore Blvd Recreation Field Dev	433,000
Long Branch City	Monmouth	Urban Parks Dev 2	200,000
Brick Twp	Ocean	Drum Point Rec Complex II Dev	800,000
Clifton City	Passaic	Athenia Steel Rec Complex Dev	600,000
Passaic City	Passaic	Pulaski Park Restoration Project Dev	42,000
Paterson City	Passaic	Great Falls & Pocket Parks Phase 1 Dev	800,000
Elizabeth City	Union	Elmora Racquet Club Improvements Dev	800,000
Plainfield City	Union	Multi Park Improvements Dev	<u>250,000</u>
<b>TOTAL</b>			<b><u>\$16,070,000</u></b>

b. Any transfer of funds, or change in project sponsor, site, or type, listed in subsection a. of this section shall require the approval of the Joint Budget Oversight Committee or its successor.

c. the extent that moneys remain available after the projects listed in subsection a. of this section are offered funding pursuant thereto, any project of a local government unit that previously received funding appropriated or reappropriated from any Green Acres bond act, any annual appropriations act, or the Garden State Green Acres Preservation Trust Fund for recreation and conservation purposes, or that receives funding approved pursuant to P.L.2003, c.239, P.L.2003, c.240, P.L.2003, c.241, or section 2, 3, 4, or 5 of this act, shall be eligible to receive additional funding, as determined by the Department of Environmental Protection, subject to the approval of the Joint Budget Oversight Committee or its successor.

d. For the purposes of this section, "Green Acres bond act" means P.L.1995, c.204, P.L.1992, c.88, P.L.1989, c.183, P.L.1987, c.265, and P.L.1983, c.354.

2. a. There is appropriated to the Department of Environmental Protection from the "Garden State Green Acres Preservation Trust Fund," established pursuant to section 19 of P.L.1999, c.152 (C.13:8C-19), the sum of \$6,752,000 to provide grants or loans, or both, to assist local government units to develop lands for recreation and conservation purposes. The following projects to develop lands for recreation and conservation purposes, located in densely or highly populated municipalities or sponsored by densely populated counties or highly populated counties, are eligible for funding with the moneys appropriated pursuant to this subsection:

<b>LOCAL GOVERNMENT UNIT</b>	<b>COUNTY</b>	<b>PROJECT</b>	<b>APPROVED AMOUNT</b>
Fort Lee Boro	Bergen	Fort Lee Recreational Redev	\$600,000
Maywood Boro	Bergen	Thoma Avenue Little League Field Dev	375,000
Essex County	Essex	Cons & Natural Resource Center Dev (Roseland Boro)	800,000
South Orange Village Twp	Essex	Baird Basketball Court Renovations Dev	183,000
Washington Twp	Gloucester	Washington Lake Park Enhancement Dev	205,000
Hudson County	Hudson	Laurel Hill Park Dev (Secaucus Town)	1,200,000
Harrison Town	Hudson	Waterfront Walkway Dev	600,000
Mercer County	Mercer	Baldpate Mountain Dev (Hopewell Twp)	1,000,000
Highland Park Boro	Middlesex	River Rd Environmental Ed Center Dev	189,000
Sayreville Boro	Middlesex	River Road Waterfront Park Dev	600,000
Keyport Boro	Monmouth	Ralph Pier Replacement	400,000
Middletown Twp	Monmouth	Banfield Park Dev	150,000
Berkeley Twp	Ocean	Veteran's Park Rec Dev	<u>250,000</u>
<b>TOTAL</b>			<b><u>\$6,752,000</u></b>

b. Any transfer of funds, or change in project sponsor, site, or type, listed in subsection a. of this section shall require the approval of the Joint Budget Oversight Committee or its successor.

c. To the extent that moneys remain available after the projects listed in subsection a. of this section are offered funding pursuant thereto, any project of a local government unit that previously received funding appropriated or reappropriated from any Green Acres bond act, any annual appropriations act, or the Garden State Green Acres Preservation Trust Fund for recreation and conservation purposes, or that receives funding approved pursuant to P.L.2003, c.239, P.L.2003, c.240, P.L.2003, c.241, or section 1, 3, 4, or 5 of this act, shall be eligible to receive additional funding, as determined by the Department of Environmental Protection, subject to the approval of the Joint Budget Oversight Committee or its successor.

d. For the purposes of this section:

"Densely or highly populated municipality" means a municipality with a population density of at least 5,000 persons per square mile, or a population of at least 35,000 persons, according to the latest federal decennial census;

"Densely populated county" means a county with a population density of at least 5,000 persons per square mile according to the latest federal decennial census;

"Green Acres bond act" means P.L.1995, c.204, P.L.1992, c.88, P.L.1989, c.183, P.L.1987, c.265, and P.L.1983, c.354; and

"Highly populated county" means a county with a population density of at least 1,000 persons per square mile according to the latest federal decennial census.

3. a. There is appropriated to the Department of Environmental Protection from the "Garden State Green Acres Preservation Trust Fund," established pursuant to section 19 of P.L.1999, c.152 (C.13:8C-19), the sum of \$7,566,000 to provide grants or loans, or both, to assist local government units to acquire lands for recreation and conservation purposes. The following projects to acquire lands for recreation and conservation purposes located in municipalities eligible to receive State aid pursuant to P.L.1978, c.14 (C.52:27D-178 et seq.), either as of June 30, 2003 or the effective date of this act, are eligible for funding with the moneys appropriated

pursuant to this subsection:

<b>LOCAL GOVERNMENT UNIT</b>	<b>COUNTY</b>	<b>PROJECT</b>	<b>APPROVED AMOUNT</b>
Garfield City	Bergen	Passaic River Historic Park Acq	\$800,000
Camden City	Camden	New Roosevelt Park Acq	800,000
Gloucester Twp	Camden	Slim's Ranch Acq	800,000
Essex County	Essex	Riverfront Park & Rec Facility Acq (Newark City)	1,200,000
Hoboken City	Hudson	Northwest Quadrant Acq	800,000
Kearny Town	Hudson	Waterfront Acq	766,000
Carteret Boro	Middlesex	Arthur Kill Waterfront Acq	800,000
Old Bridge Twp	Middlesex	Cedar Ridge II Acq	800,000
Long Branch City	Monmouth	Manahasset Creek Acq	800,000
<b>TOTAL</b>			<b><u>\$7,566,000</u></b>

b. Any transfer of funds, or change in project sponsor, site, or type, listed in subsection a. of this section shall require the approval of the Joint Budget Oversight Committee or its successor.

c. To the extent that moneys remain available after the projects listed in subsection a. of this section are offered funding pursuant thereto, any project of a local government unit that previously received funding appropriated or reappropriated from any Green Acres bond act, any annual appropriations act, or the Garden State Green Acres Preservation Trust Fund for recreation and conservation purposes, or that receives funding approved pursuant to P.L.2003, c.239, P.L.2003, c.240, P.L.2003, c.241, or section 1, 2, 4, or 5 of this act, shall be eligible to receive additional funding, as determined by the Department of Environmental Protection, subject to the approval of the Joint Budget Oversight Committee or its successor.

d. For the purposes of this section, "Green Acres bond act" means P.L.1995, c.204, P.L.1992, c.88, P.L.1989, c.183, P.L.1987, c.265, and P.L.1983, c.354.

4. a. There is appropriated to the Department of Environmental Protection from the "Garden State Green Acres Preservation Trust Fund," established pursuant to section 19 of P.L.1999, c.152 (C.13:8C-19), the sum of \$20,644,300 to provide grants or loans, or both, to assist local government units to acquire lands for recreation and conservation purposes. The following projects to acquire lands for recreation and conservation purposes, located in densely or highly populated municipalities or sponsored by densely populated counties or highly populated counties, are eligible for funding with the moneys appropriated pursuant to this subsection:

*(1) Planning Incentive Acquisition Projects*

<b>LOCAL GOVERNMENT UNIT</b>	<b>COUNTY</b>	<b>PROJECT</b>	<b>APPROVED AMOUNT</b>
Bergen County	Bergen	Open Space Plan Acq	\$1,000,000
Evesham Twp	Burlington	Planning Incentive Acq	600,000
Mount Laurel Twp	Burlington	Mt Laurel Acq Plan	600,000
Camden County	Camden	Open Space Plan Acq	1,000,000
Cherry Hill Twp	Camden	Planning Incentive Acq	600,000
West Orange Twp	Essex	Open Space Acq	600,000
Mercer County	Mercer	Planning Incentive Acq	1,000,000
Hamilton Twp	Mercer	Open Space Acq	600,000
Middlesex County	Middlesex	Open Space Acq	1,000,000
East Brunswick Twp	Middlesex	Open Space Plan Acq	600,000
Edison Twp	Middlesex	Edison Acq Plan	600,000
North Brunswick Twp	Middlesex	North Brunswick Plan Acq	600,000

South Brunswick Twp	Middlesex	Open Space Acq	600,000
Monmouth County	Monmouth	Planning Incentive Acq	1,000,000
Marlboro Twp	Monmouth	Open Space Acq	600,000
Middletown Twp	Monmouth	Planning Incentive Acq	600,000
Morris County	Morris	Planning Incentive Acq	1,000,000
Parsippany-Troy Hills Twp	Morris	Open Space Acq	600,000
Dover Twp	Ocean	Open Space & Rec Plan Acq	600,000
Jackson Twp	Ocean	Open Space Acq Plan	600,000
Passaic County	Passaic	Open Space Plan Acq	1,000,000
Franklin Twp	Somerset	Open Space Plan Acq	600,000
Hillsborough Twp	Somerset	Hillsborough Land Acq	600,000
Union County	Union	Open Space & Rec Plan Acq	<u>1,200,000</u>
<b>SUBTOTAL</b>			<b><u>\$17,800,000</u></b>

(2) *Site Specific Incentive Acquisition Projects*

<b>LOCAL GOVERNMENT UNIT</b>	<b>COUNTY</b>	<b>PROJECT</b>	<b>APPROVED AMOUNT</b>
Edgewater Boro	Bergen	Grand Cove Marina Acq	<u>\$600,000</u>
<b>SUBTOTAL</b>			<b><u>\$600,000</u></b>

(3) *Standard Acquisition Projects*

<b>LOCAL GOVERNMENT UNIT</b>	<b>COUNTY</b>	<b>PROJECT</b>	<b>APPROVED AMOUNT</b>
Bergenfield Boro	Bergen	Cooper Pond Park Addition Acq	\$600,000
Maywood Boro	Bergen	Thoma Avenue Acq	225,000
Ridgefield Park Village	Bergen	McGowan Park Addition Acq	103,000
Hudson County	Hudson	Open Space Acq (Secaucus Town)	285,000
Piscataway Twp	Middlesex	Open Space Acq	600,000
Point Pleasant Boro	Ocean	Canal Park Property Acq	<u>431,300</u>
<b>SUBTOTAL</b>			<b><u>\$2,244,300</u></b>
<b>TOTAL</b>			<b><u>\$20,644,300</u></b>

b. Any transfer of funds, or change in project sponsor, site, or type, listed in subsection a. of this section shall require the approval of the Joint Budget Oversight Committee or its successor.

c. To the extent that moneys remain available after the projects listed in subsection a. of this section are offered funding pursuant thereto, any project of a local government unit that previously received funding appropriated or reappropriated from any Green Acres bond act, any annual appropriations act, or the Garden State Green Acres Preservation Trust Fund for recreation and conservation purposes, or that receives funding approved pursuant to P.L.2003, c.239, P.L.2003, c.240, P.L.2003, c.241, or section 1, 2, 3, or 5 of this act, shall be eligible to receive additional funding, as determined by the Department of Environmental Protection, subject to the approval of the Joint Budget Oversight Committee or its successor.

d. For the purposes of this section:

"Densely or highly populated municipality" means a municipality with a population density of at least 5,000 persons per square mile, or a population of at least 35,000 persons, according to the latest federal decennial census;

"Densely populated county" means a county with a population density of at least 5,000 persons per square mile according to the latest federal decennial census;

"Green Acres bond act" means P.L.1995, c.204, P.L.1992, c.88, P.L.1989, c.183, P.L.1987, c.265, and P.L.1983, c.354; and

"Highly populated county" means a county with a population density of at least 1,000 persons per square mile according to the latest federal decennial census.

5. a. There is appropriated to the Department of Environmental Protection from the "Garden State Green Acres Preservation Trust Fund," established pursuant to section 19 of P.L.1999, c.152 (C.13:8C-19), the sum of \$250,000 to purchase and provide playground equipment in municipalities eligible to receive State aid pursuant to P.L.1978, c.14 (C.52:27D-178 et seq.), either as of June 30, 2003 or the effective date of this act, under a Community Playgrounds Initiative pilot program to be established by the department. The municipalities selected to receive the playground equipment shall be subject to the approval of the Joint Budget Oversight Committee or its successor.

b. Any transfer of funds, or change in project sponsor, site, or type, listed in subsection a. of this section shall require the approval of the Joint Budget Oversight Committee or its successor.

c. To the extent that moneys remain available after the project listed in subsection a. of this section is offered funding pursuant thereto, any project of a local government unit that previously received funding appropriated or reappropriated from any Green Acres bond act, any annual appropriations act, or the Garden State Green Acres Preservation Trust Fund for recreation and conservation purposes, or that receives funding approved pursuant to P.L.2003, c.239, P.L.2003, c.240, P.L.2003, c.241, or section 1, 2, 3, or 4 of this act, shall be eligible to receive additional funding, as determined by the Department of Environmental Protection, subject to the approval of the Joint Budget Oversight Committee or its successor.

d. For the purposes of this section, "Green Acres bond act" means P.L.1995, c.204, P.L.1992, c.88, P.L.1989, c.183, P.L.1987, c.265, and P.L.1983, c.354.

6. a. There is reappropriated to the Department of Environmental Protection the unexpended balances, due to project withdrawals, cancellations, or cost savings, of the amounts appropriated or reappropriated from any Green Acres bond act, any annual appropriations act, or the Garden State Green Acres Preservation Trust Fund to assist local government units to acquire or develop lands for recreation and conservation purposes, for the purposes of providing:

(1) grants or loans, or both, to assist local government units to acquire or develop lands for recreation and conservation purposes, for projects approved as eligible for such funding pursuant to P.L.2003, c.239, P.L.2003, c.240, P.L.2003, c.241, or section 1 through 5 of this act; and

(2) additional funding, as determined by the Department of Environmental Protection, to any project of a local government unit that previously received funding appropriated or reappropriated from any Green Acres bond act, any annual appropriations act, or the Garden State Green Acres Preservation Trust Fund for recreation and conservation purposes or that receives funding approved pursuant to P.L.2003, c.239, P.L.2003, c.240, P.L.2003, c.241, or sections 1 through 5 of this act, subject to the approval of the Joint Budget Oversight Committee or its successor. Any such additional funding provided from a Green Acres bond act may include administrative costs.

b. There is appropriated to the Department of Environmental Protection such sums as may be, or may become available, on or before June 30, 2005, due to interest earnings or loan repayments in any "Green Trust Fund" established pursuant to a Green Acres bond act, for the purpose of providing:

(1) grants or loans, or both, to assist local government units to acquire or develop lands for recreation and conservation purposes, for projects approved as eligible for such funding pursuant to P.L.2003, c.239, P.L.2003, c.240, P.L.2003, c.241, or sections 1 through 5 of this act; and

(2) additional funding, as determined by the Department of Environmental Protection, to any project of a local government unit that previously received funding appropriated or reappropriated from any Green Acres bond act, any annual appropriations act, or the Garden State Green Acres Preservation Trust Fund for recreation and conservation purposes or that receives funding approved pursuant to P.L.2003, c.239, P.L.2003, c.240, P.L.2003, c.241, or

sections 1 through 5 of this act, subject to the approval of the Joint Budget Oversight Committee or its successor. Any such additional funding provided from a Green Acres bond act may include administrative costs.

c. For the purposes of this section, "Green Acres bond act" means P.L.1995, c.204, P.L.1992, c.88, P.L.1989, c.183, P.L.1987, c.265, and P.L.1983, c.354.

7. This act shall take effect immediately.

Approved January 12, 2004.