

## CHAPTER 76

AN ACT appropriating moneys from the “Garden State Green Acres Preservation Trust Fund” and various Green Acres bond funds, 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. As used in this act:

“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.

“Garden State Green Acres Preservation Trust Fund” means the fund established pursuant to section 19 of P.L.1999, c.152 (C.13:8C-19).

“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.

“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.

2. There is appropriated to the Department of Environmental Protection the following sums for the purpose of providing grants or loans, or both, to assist local government units to acquire lands for recreation and conservation purposes pursuant to section 3 of this act and for the purpose of providing grants or loans, or both, to assist local government units to develop lands for recreation and conservation purposes pursuant to section 4 of this act:

a. \$16,000,000 from the “Garden State Green Acres Preservation Trust Fund”;

b. \$20,000,000 previously appropriated by P.L.2007, c.111 as Garden State Preservation Trust Supplemental Funding and deposited into the “Garden State Green Acres Preservation Trust Fund” pursuant to P.L.2007, c.111; and

c. \$18,917,725 reappropriated from the “Garden State Green Acres Preservation Trust Fund,” and from the Green Trust funds established pursuant to the Green Acres bond acts, and made available due to project withdrawals, cancellations, or cost savings.

3. a. The following projects to acquire lands for recreation and conservation purposes are eligible for funding with the moneys appropriated pursuant to section 2 of this act:

(1) Planning Incentive Acquisition Projects:

LOCAL GOVERNMENT UNIT	COUNTY	PROJECT	APPROVED AMOUNT
Atlantic County	Atlantic	Atlantic County Open Space Acq	\$600,000
Alpine Boro	Bergen	Alpine Boro Open Space	300,000
Cresskill Boro	Bergen	Cresskill Open Space Acq	300,000
Franklin Lakes Boro	Bergen	Woodside Avenue	300,000
Old Tappan Boro	Bergen	Old Tappan Acq	53,000
Ridgewood Village	Bergen	Open Space Project	300,000

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Burlington County	Burlington	Planning Incentive	600,000
Bordentown Twp	Burlington	Bordentown Twp Open Space Acq	300,000
Eastampton Twp	Burlington	Planning Incentive	300,000
Moorestown Twp	Burlington	Open Space Preservation Plan	300,000
Clementon Boro	Camden	Clementon Open Space Acq	300,000
Gibbsboro Boro	Camden	Greenway Acq	250,000
Gloucester Twp	Camden	Open Space Acq	600,000
Voorhees Twp	Camden	Planning Incentive	300,000
Livingston Twp	Essex	Open Space Acq	300,000
Gloucester County	Gloucester	Open Space Plan	600,000
Hunterdon County	Hunterdon	County Open Space Plan	600,000
Delaware Twp	Hunterdon	Open Space Acq	300,000
Franklin Twp	Hunterdon	Franklin Open Space Plan	300,000
High Bridge Boro	Hunterdon	Open Space Plan	300,000
Kingwood Twp	Hunterdon	Open Space Plan	300,000
Readington Twp	Hunterdon	Greenway Incentive Plan	300,000
Union Twp	Hunterdon	Union Twp Open Space Plan	300,000
West Amwell Twp	Hunterdon	Sourlands/Open Space Acq	300,000
East Windsor Twp	Mercer	East Windsor Open Space Acq	300,000
Hopewell Twp	Mercer	Hopewell Open Space Acq	300,000
Princeton Twp	Mercer	Princeton Open Space Acq	300,000
Robbinsville Twp	Mercer	Green Links Program	300,000
West Windsor Twp	Mercer	West Windsor Planning Incentive	300,000
Allentown Boro	Monmouth	Planning Incentive Acq	300,000
Atlantic Highlands Boro	Monmouth	Atlantic Highlands Boro Open Space Acq	300,000
Holmdel Twp	Monmouth	Holmdel Planning Incentive Acq	300,000
Little Silver Boro	Monmouth	Open Space Acq	300,000
Manasquan Boro	Monmouth	Manasquan Boro Open Space Acq	300,000
Millstone Twp	Monmouth	Millstone Planning Incentive – Project Evergreen	300,000
Ocean Twp	Monmouth	Ocean Twp Planning Incentive	300,000

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Shrewsbury Boro	Monmouth	Recreation & Open Space Plan	300,000
Upper Freehold Twp	Monmouth	Upper Freehold Open Space Acq-2000	300,000
Boonton Twp	Morris	Open Space Acq	300,000
Chester Twp	Morris	Chester Twp Open Space Acq	300,000
East Hanover Twp	Morris	East Hanover Twp PI	300,000
Florham Park Boro	Morris	Open Space Acq	300,000
Hanover Twp	Morris	Open Space Acq	300,000
Jefferson Twp	Morris	Jefferson Acq Plan	300,000
Kinnelon Boro	Morris	Open Space Acq	300,000
Madison Boro	Morris	Madison Boro Open Space Acq	300,000
Mendham Twp	Morris	Mendham Twp Open Space Acq	225,000
Mount Olive Twp	Morris	Mt Olive Greenway Acq	300,000
Ocean County	Ocean	Planning Incentive	600,000
Little Egg Harbor Twp	Ocean	Planning Incentive	300,000
Point Pleasant Beach Boro	Ocean	Open Space & Recreation Acq	300,000
Ringwood Boro	Passaic	Ringwood Boro Open Space Acq	300,000
Woodstown Boro	Salem	Salem River Greenway	100,000
Somerset County	Somerset	County Open Space Acq	450,000
Bedminster Twp	Somerset	Bedminster Parks Exp	300,000
Bernards Twp	Somerset	Open Space Acq	300,000
Peapack-Gladstone Boro	Somerset	Open Space Acq	100,000
Warren Twp	Somerset	Warren Twp Planning Incentive	300,000
Sussex County	Sussex	Planning Incentive Grant	450,000
Byram Twp	Sussex	Byran Open Space Plan	300,000
New Providence Boro	Union	Open Space Acq	300,000
Alpha Boro	Warren	Alpha Boro Open Space	300,000
Franklin Twp	Warren	Planning Incentive	300,000
Hardwick Twp	Warren	Hardwick Twp Open Space	300,000
Harmony Twp	Warren	Open Space & Recreation Plan	<u>300,000</u>
<b>TOTAL</b>			<b><u>\$20,828,000</u></b>

(2) Site Specific Incentive Acquisition Projects:

LOCAL GOVERNMENT UNIT	COUNTY	PROJECT	APPROVED AMOUNT
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Allendale Boro	Bergen	Orchard Park Acq	\$300,000
Cape May City	Cape May	Cape May City Open Space	300,000
Lambertville City	Hunterdon	Lambertville Open Space Project	175,000
Hazlet Twp	Monmouth	225 Middle Road Acq	206,000
Spring Lake Heights Boro	Monmouth	Fletcher Property Acq	300,000
Wall Twp	Monmouth	Ridge Road Sand Mine Acq	300,000
Chester Boro	Morris	Chester Open Space Acq	260,000
West Milford Twp	Passaic	Apple Acres/Open Space Acq	<u>300,000</u>
<b>TOTAL</b>			<b><u>\$2,141,000</u></b>

(3) Standard Acquisition Projects:

LOCAL GOVERNMENT UNIT	COUNTY	PROJECT	APPROVED AMOUNT
Brigantine City	Atlantic	St. Phillips School Property Acq	\$300,000
Linwood City	Atlantic	Park Acq	58,750
East Rutherford Boro	Bergen	Two Carlton Avenue Passive Park	300,000
Paramus Boro	Bergen	Soldier Hill Park	112,500
Lower Twp	Cape May	Fulling Mill Sanctuary Extension Acq	<u>132,875</u>
<b>TOTAL</b>			<b><u>\$904,125</u></b>

b. 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, 2007 or the effective date of this act, are eligible for funding with the moneys appropriated pursuant to section 2 of this act:

LOCAL GOVERNMENT UNIT	COUNTY	PROJECT	APPROVED AMOUNT
Jersey City	Hudson	Boyd McGuiness Park Expansion	\$575,000
Old Bridge Twp	Middlesex	Cottrell Farm Acq	600,000
Neptune Twp	Monmouth	South Riverside Drive Waterfront Acq	600,000
Clifton City	Passaic	Schultheis Farm Acq	<u>600,000</u>
<b>TOTAL</b>			<b><u>\$2,375,000</u></b>

c. The following projects to acquire lands for recreation and conservation purposes, located in densely or highly populated municipalities or sponsored by densely populated

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counties or highly populated counties, are eligible for funding with the moneys appropriated pursuant to section 2 of this act:

(1) Planning Incentive Acquisition Projects:

LOCAL GOVERNMENT UNIT	COUNTY	PROJECT	APPROVED AMOUNT
New Milford Boro	Bergen	Open Space Preservation Initiative	\$450,000
Evesham Twp	Burlington	Planning Incentive Acq	450,000
Mount Laurel Twp	Burlington	Mt. Laurel Acq Plan	450,000
Camden County	Camden	Open Space Plan Acq	750,000
Cherry Hill Twp	Camden	Planning Incentive Grant Acq	450,000
Caldwell Boro	Essex	Caldwell Boro Planning Incentive	450,000
West Orange Twp	Essex	West Orange Twp Open Space Acq	450,000
Mercer County	Mercer	Mercer County Planning Incentive Acq	750,000
Middlesex County	Middlesex	Middlesex County Open Space Acq	750,000
East Brunswick Twp	Middlesex	Open Space Plan Acq	450,000
North Brunswick Twp	Middlesex	North Brunswick Plan Acq	450,000
Sayreville Boro	Middlesex	Open Space Acq	450,000
South Brunswick Twp	Middlesex	Open Space Acq	450,000
Monmouth County	Monmouth	Planning Incentive Acq	750,000
Middletown Twp	Monmouth	Middletown Twp Planning Incentive	450,000
Parsippany-Troy Hills Twp	Morris	Parsippany-Troy Hills Open Space Acq	450,000
Berkeley Twp	Ocean	Planning Incentive Acq	450,000
Manchester Twp	Ocean	Planning Incentive	450,000
Wayne Twp	Passaic	Wayne Open Space Acq	450,000
Franklin Twp	Somerset	Open Space Plan Acq	450,000
Union County	Union	Union County Open Space and Recreation Plan Acq	<u>900,000</u>
<b>TOTAL</b>			<b><u>\$11,100,000</u></b>

(2) Standard Acquisition Projects:

LOCAL GOVERNMENT UNIT	COUNTY	PROJECT	APPROVED AMOUNT
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Piscataway Twp	Middlesex	Piscataway Open Space Acq	\$450,000
Belmar Boro	Monmouth	River Road Acq	450,000
<b>TOTAL</b>			<b>\$900,000</b>

4. a. The following projects to develop lands for recreation and conservation purposes are eligible for funding with the moneys appropriated pursuant to section 2 of this act:

LOCAL GOVERNMENT UNIT	COUNTY	PROJECT	APPROVED AMOUNT
Egg Harbor Twp	Atlantic	Bargaintown Park	\$250,000
Westampton Twp	Burlington	Sports Complex	250,000
Ocean City	Cape May	Multi Park ADA Accessibility	200,000
Verona Twp	Essex	Development at Hilltop Park Phase II	250,000
Pine Beach Boro	Ocean	Vista Park	250,000
Frelinghuysen Twp	Warren	Frelinghuysen Twp Recreation Complex	<u>250,000</u>
<b>TOTAL</b>			<b><u>\$1,450,000</u></b>

b. 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, 2007 or the effective date of this act, or sponsored by densely populated counties, are eligible for funding with the moneys appropriated pursuant to section 2 of this act:

LOCAL GOVERNMENT UNIT	COUNTY	PROJECT	APPROVED AMOUNT
Garfield City	Bergen	Historic Dundee Dam Pedestrian Way and Preserve	\$500,000
Camden County	Camden	Stockton Station Park and Greenway (Camden City)	500,000
Pennsauken Twp	Camden	Community Recreation Facility	500,000
Essex County	Essex	Essex County Park Plaza (Newark City)	750,000
Essex County	Essex	Multi-Parks Improvements (Belleville Twp Bloomfield Twp Caldwell Twp Boro East Orange City Essex Fells Twp Montclair Twp Newark City Orange City Twp Verona Twp)	750,000

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West Orange Twp)			
Bloomfield Twp	Essex	Bloomfield Multi Parks	500,000
Irvington Twp	Essex	Orange Avenue Park Dev	125,000
Newark City	Essex	Jesse Allen Park	500,000
Orange City Twp	Essex	Bell Stadium Rehabilitation	500,000
Woodbury City	Gloucester	Multi Parks Development	500,000
Hudson County	Hudson	Lincoln Park Athletic Fields (Jersey City)	750,000
Bayonne City	Hudson	Harbor View Park	500,000
Hoboken City	Hudson	1600 Park Dev	500,000
Kearny Town	Hudson	Multi Park Playgrounds	500,000
Weehawken Twp	Hudson	Waterfront Multi Use Pavilion	500,000
Trenton City	Mercer	Greg Grant Park	350,000
Middlesex County	Middlesex	New Brunswick Landing (New Brunswick City)	625,000
New Brunswick City	Middlesex	New Brunswick Landing	500,000
Perth Amboy City	Middlesex	Willow Pond Park	220,000
Brick Twp	Ocean	Multi-Park Dev	500,000
Passaic City	Passaic	Boverini Stadium Field Improvements	500,000
Paterson City	Passaic	Restoration and Revitalization of Pennington Park	500,000
Union County	Union	Ponderosa Farm Park (Scotch Plains Twp)	750,000
Elizabeth City	Union	Livingston Street Recreation Complex	<u>500,000</u>
<b>TOTAL</b>			<b><u>\$12,320,000</u></b>

c. The following projects to develop lands for recreation and conservation purposes, located in densely or highly populated municipalities or sponsored by highly populated counties, are eligible for funding with the moneys appropriated pursuant to section 2 of this act:

LOCAL GOVERNMENT UNIT	COUNTY	PROJECT	APPROVED AMOUNT
Ventnor City	Atlantic	Rehabilitation of Ventnor Fishing Pier	\$375,000

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Edgewater Boro	Bergen	Grand Cove Marina Dredging	375,000
Rutherford Boro	Bergen	Rutherford Waterfront Park	315,100
Maplewood Twp	Essex	Maplewood Playing Fields Improvement	375,000
South Orange Twp	Essex	Rahway River Greenway	375,000
Guttenberg Town	Hudson	Guttenberg Town Riverfront Park	320,500
Hamilton Twp	Mercer	Shady Brook Pond	389,000
Garwood Boro	Union	Athletic Field Complex	<u>375,000</u>
<b>TOTAL</b>			<b><u>\$2,899,600</u></b>

5. a. Any transfer of funds, or change in project sponsor, site, or type, listed in section 3 or section 4 of this act shall require the approval of the Joint Budget Oversight Committee or its successor.

b. To the extent that moneys remain available after the projects listed in section 3 or section 4 of this act 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 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.

6. a. Of the monies appropriated pursuant to section 5 of P.L.2003, c.238, the sum of \$200,000 shall be allocated for the Department of Environmental Protection to purchase and provide playground equipment under the Community Playgrounds Initiative pilot program established by the department in accordance with section 5 of P.L.2003, c.238, as follows:

LOCAL GOVERNMENT UNIT	COUNTY	APPROVED AMOUNT
Camden City	Camden	\$50,000
Millville City	Cumberland	50,000
Orange City Twp	Essex	50,000
Asbury Park City	Monmouth	50,000

b. Notwithstanding any provision of section 5 of P.L.2003, c.238 to the contrary, the allocation pursuant to this section shall not require the approval of the Joint Budget Oversight Committee or its successor.

7. 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 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 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, 2009, due to interest earnings or loan repayments in any "Green Trust Fund" established pursuant to a Green Acres bond act or in the "Garden State Green Acres Preservation Trust Fund," 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 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 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.

8. This act shall take effect immediately.

Approved September 6, 2008.