

CHAPTER 98

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. \$55,000,000 from the “2007 Green Acres Fund” established pursuant to section 17 of the “Green Acres, Farmland, Blue Acres, and Historic Preservation Bond Act of 2007,” P.L.2007, c.119; and

b. \$65,123,420 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 interest earnings, loan repayments, and 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	\$1,000,000
Cresskill Boro	Bergen	Cresskill Open Space Acq	500,000
Oakland Boro	Bergen	Boro of Oakland Open Space & Recreation Plan	500,000
Park Ridge Boro	Bergen	Open Space Plan	500,000
Ridgewood Village	Bergen	Open Space Project	500,000
River Vale Twp	Bergen	Watershed Property Acq	500,000
Tenaflly Boro	Bergen	Tenaflly Open Space Acq	500,000
Burlington County	Burlington	Planning Incentive	1,000,000
Bordentown Twp	Burlington	Bordentown Twp Open Space Acq	500,000
Delran Twp	Burlington	Open Space & Recreation Plan	500,000
Eastampton Twp	Burlington	Planning Incentive	500,000
Medford Twp	Burlington	Open Space Incentive	500,000
Moorestown Twp	Burlington	Open Space Preservation Plan	500,000
Westampton Twp	Burlington	Planning Incentive	500,000
Clementon Boro	Camden	Clementon Open Space Acq	405,000
Haddonfield Boro	Camden	Open Space Acq	500,000
Voorhees Twp	Camden	Planning Incentive	500,000
Livingston Twp	Essex	Livingston Twp Open Space Acq	500,000
Gloucester County	Gloucester	Open Space Plan	1,000,000
East Greenwich Twp	Gloucester	Open Space & Recreation Plan	500,000
Harrison Twp	Gloucester	Planning Incentive Grant	500,000
Woolwich Twp	Gloucester	Open Space Plan	500,000
Hunterdon County	Hunterdon	County Open Space Plan	1,000,000
Bethlehem Twp	Hunterdon	Open Space Plan Implementation	500,000
Clinton Twp	Hunterdon	Open Space Acq Plan	500,000
Delaware Twp	Hunterdon	Open Space Acq	500,000
East Amwell Twp	Hunterdon	Open Space & Recreation Plan	500,000
High Bridge Boro	Hunterdon	Open Space Plan	500,000

P.L. 2009, CHAPTER 98

Kingwood Twp	Hunterdon	Open Space Plan	500,000
Readington Twp	Hunterdon	Greenway Incentive Plan	500,000
Union Twp	Hunterdon	Union Twp Open Space Plan	500,000
West Amwell Twp	Hunterdon	Sourlands/Open Space Acq	150,000
East Windsor Twp	Mercer	East Windsor Open Space Acq	500,000
Hopewell Boro	Mercer	St. Michael's Orphanage Site Acq	350,000
Hopewell Twp	Mercer	Hopewell Open Space Acq	500,000
Lawrence Twp	Mercer	Open Space Plan Acq	460,000
Princeton Twp	Mercer	Princeton Open Space Acq	500,000
Robbinsville Twp	Mercer	Green Links Program	500,000
West Windsor Twp	Mercer	West Windsor Planning Incentive	500,000
Plainsboro Twp	Middlesex	Plainsboro Preservation Acq	300,000
Allentown Boro	Monmouth	Planning Incentive Acq	300,000
Little Silver Boro	Monmouth	Open Space Acq	115,000
Manasquan Boro	Monmouth	Manasquan Boro Open Space Acq	500,000
Millstone Twp	Monmouth	Millstone Planning Incentive – Project Evergreen	500,000
Ocean Twp	Monmouth	Ocean Twp Planning Incentive	500,000
Shrewsbury Boro	Monmouth	Recreation & Open Space Plan	314,395
Tinton Falls Boro	Monmouth	Tinton Falls Acq	500,000
Upper Freehold Twp	Monmouth	Upper Freehold Open Space Acq – 2000	500,000
Boonton Twp	Morris	Open Space Acq	300,000
Denville Twp	Morris	Denville Open Space Acq	500,000
Florham Park Boro	Morris	Open Space Acq	500,000
Jefferson Twp	Morris	Jefferson Acq Plan	500,000
Kinnelon Boro	Morris	Open Space Acq	500,000
Madison Boro	Morris	Madison Boro Open Space Acq	500,000
Montville Twp	Morris	Montville Open Space Acq	500,000
Mount Olive Twp	Morris	Mount Olive Greenway Acq	500,000
Randolph Twp	Morris	Randolph Acq Program	500,000
Roxbury Twp	Morris	Roxbury Open Space Plan	250,000
Ocean County	Ocean	Planning Incentive Grant	900,000
Little Egg Harbor Twp	Ocean	Planning Incentive	500,000
Ocean Twp	Ocean	Planning Incentive	500,000
Point Pleasant Beach Boro	Ocean	Open Space & Recreation Acq	500,000
Stafford Twp	Ocean	Stafford Twp Planning Incentive Program	500,000
Ringwood Boro	Passaic	Ringwood Boro Open Space Acq	500,000
Salem County	Salem	Salem County Open Space Preservation Initiative	1,000,000
Woodstown Boro	Salem	Salem River Greenway	500,000
Somerset County	Somerset	County Open Space Acq	1,000,000
Bedminster Twp	Somerset	Bedminster Parks Exp	500,000
Montgomery Twp	Somerset	Open Space Acq 5	350,000
Peapack-Gladstone Boro	Somerset	Open Space Acq	500,000
Warren Twp	Somerset	Warren Twp Planning Incentive	500,000
Andover Twp	Sussex	Andover Twp Planning Incentive	500,000
Byram Twp	Sussex	Byram Open Space Plan	500,000
Frankford Twp	Sussex	Frankford Twp Planning Incentive	420,000
Lafayette Twp	Sussex	Open Space & Recreation Plan	500,000
Franklin Twp	Warren	Planning Incentive	447,000
Frelinghuysen Twp	Warren	Frelinghuysen Twp Open Space & Recreation Plan	425,000
Greenwich Twp	Warren	Greenwich Twp Planning Incentive	451,965
Hardwick Twp	Warren	Hardwick Twp Open Space	196,000
Harmony Twp	Warren	Harmony Twp Open Space & Recreation Plan	500,000
TOTAL			<u>\$40,634,360</u>

(2) Site Specific Incentive Acquisition Projects:

LOCAL GOVERNMENT UNIT	COUNTY	PROJECT	APPROVED AMOUNT
Port Republic City	Atlantic	Clarks Mill Pond Acq Project (PI)	\$200,000
Allendale Boro	Bergen	Orchard Park Acq	500,000
Woodcliff Lake Boro	Bergen	Woodcliff Lake Historic Park	400,000
Chesterfield Twp	Burlington	Recreation Fields Acq	500,000
Cape May City	Cape May	Cape May City Open Space	200,000
Spring Lake Heights Boro	Monmouth	Fletcher Property Acq	180,870
Wall Twp	Monmouth	Ridge Road Sand Mine Acq	400,000
Chester Boro	Morris	Chester Open Space Acq	500,000
West Milford Twp	Passaic	Apple Acres/Open Space Acq	500,000
TOTAL			<u>\$3,380,870</u>

(3) Standard Acquisition Projects:

LOCAL GOVERNMENT UNIT	COUNTY	PROJECT	APPROVED AMOUNT
Brigantine City	Atlantic	St. Phillips School Property Acq	\$365,000
Galloway Twp	Atlantic	Dellanoce Property Acq	85,500
Northfield City	Atlantic	Oak Ave Property Acq	255,750
Medford Lakes Boro	Burlington	Stokes Road Acq	224,000
Middle Twp	Cape May	Westwood Project/Hand Avenue	373,750
Eatontown Boro	Monmouth	Eatontown Boro Open Space Acq	69,000
Rumson Boro	Monmouth	Victory Park Expansion	218,750

P.L. 2009, CHAPTER 98

Boonton Town	Morris	Miller-Kingsland Historic Preservation Project	300,000
Millstone Boro	Somerset	Rezem Land Acq	<u>400,000</u>
TOTAL			<u>\$2,291,750</u>

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, 2008 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
Gloucester Twp	Camden	Open Space Acq	\$583,000
Bloomfield Twp	Essex	Bloomfield Twp Acq	1,000,000
Jersey City	Hudson	Berry Lane Acq	1,000,000
Old Bridge Twp	Middlesex	Cottrell Farm Acq	1,000,000
Neptune Twp	Monmouth	South Riverside Drive Waterfront Acq	800,000
Elizabeth City	Union	1 West End Place Acq	<u>134,000</u>
TOTAL			<u>\$4,517,000</u>

c. 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 section 2 of this act:

LOCAL GOVERNMENT UNIT	COUNTY	PROJECT	APPROVED AMOUNT
Bergen County	Bergen	Open Space Plan Acq	\$1,250,000
Fair Lawn Boro	Bergen	Open Space Acq	750,000
North Arlington Boro	Bergen	River Road Park	125,000
River Edge Boro	Bergen	Bogert Road Pocket Park	300,000
Evesham Twp	Burlington	Planning Incentive	\$750,000
Mount Laurel Twp	Burlington	Mt. Laurel Acq Plan	750,000
Camden County	Camden	Open Space Plan	1,000,000
Cherry Hill Twp	Camden	Planning Incentive Grant	750,000
Winslow Twp	Camden	Forest Meadows Program	750,000
Caldwell Boro	Essex	Caldwell Boro Planning Incentive	500,000
West Orange Twp	Essex	West Orange Twp Open Space Acq	750,000
Washington Twp	Gloucester	Open Space & Recreation Project	750,000
Mercer County	Mercer	Mercer County Planning Incentive	1,250,000
Hamilton Twp	Mercer	Hamilton Twp Open Space Acq	750,000
Middlesex County	Middlesex	Middlesex County Open Space Acq	1,250,000
East Brunswick Twp	Middlesex	Open Space Plan	750,000
North Brunswick Twp	Middlesex	North Brunswick Plan	750,000
Piscataway Twp	Middlesex	Piscataway Open Space Acq	750,000
Sayreville Boro	Middlesex	Open Space Acq	750,000
South Brunswick Twp	Middlesex	Open Space Acq	750,000
Monmouth County	Monmouth	Planning Incentive Acq	1,250,000
Avon-By-The-Sea Boro	Monmouth	Marina Acq	328,788
Highlands Boro	Monmouth	Acq of 2 Private Road	378,267
Howell Twp	Monmouth	Howell Twp Planning Incentive	750,000
Middletown Twp	Monmouth	Middletown Twp Planning Incentive	750,000
Parsippany-Troy Hills Twp	Morris	Parsippany-Troy Hills Open Space Acq	500,000
Jackson Twp	Ocean	Jackson Twp Open Space Acq Plan	750,000
Manchester Twp	Ocean	Planning Incentive	750,000
Wayne Twp	Passaic	Wayne Open Space Acq	750,000
Bridgewater Twp	Somerset	Bridgewater Open Space Plan	493,760
Franklin Twp	Somerset	Open Space Plan Acq	750,000
Hillsborough Twp	Somerset	Hillsborough Land Acq	350,000
Union County	Union	Union County Open Space & Recreation Plan	<u>1,500,000</u>
TOTAL			<u>\$24,725,815</u>
GRAND TOTAL			<u>\$75,549,795</u>

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
East Rutherford Boro	Bergen	Two Carlton Ave Park Dev	\$500,000
Westwood Boro	Bergen	Improvements to Westvale Park	500,000
Shamong Twp	Burlington	Stony Creek Recreation Complex	250,000
Runnemede Boro	Camden	Beaver Branch Park	500,000
Ocean City	Cape May	Multi Park ADA Accessibility	200,000
Fair Haven Boro	Monmouth	Fair Haven Fields Improvements	195,000
Hazlet Twp	Monmouth	Youth Athletic League Improvements	227,500

P.L. 2009, CHAPTER 98

Union Beach Boro	Monmouth	Scholer Park Phase II	480,250
Plumsted Twp	Ocean	Recreation Complex Improvements 3	100,000
Wanaque Boro	Passaic	Memorial Field Lighting Replacement	275,000
New Providence Boro	Union	Oakwood Park Renovation	500,000
Blairstown Twp	Warren	Gorab Property Park – Phase 1	500,000
Washington Boro	Warren	Railroad Avenue Park	<u>500,000</u>
TOTAL			<u>\$4,727,750</u>

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, 2008 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
Pleasantville City	Atlantic	Multi Park Recreational Sports Facility	\$868,300
Garfield City	Bergen	Historic Dundee Dam Pedestrian Way & Preserve	1,000,000
Hackensack City	Bergen	Second Ward Park Improvements	1,000,000
Pemberton Twp	Burlington	Imagination Kingdom Playground	890,000
Camden City	Camden	Stockton Station Park & Greenway	1,000,000
Bridgeton City	Cumberland	Track & Field Improvements Hursey Memorial Stadium	1,000,000
Essex County	Essex	Multi-Parks Improvements (Belleville Twp Bloomfield Twp Caldwell Twp Boro East Orange City Essex Fells Twp Irvington Twp Montclair Twp Newark City Orange City Twp South Orange Village Twp Verona Twp West Orange Twp)	1,500,000
Essex County	Essex	Yanticaw Park Improvements (Nutley Twp)	1,500,000
Irvington Twp	Essex	Irvington Twp Playground Improvements	600,000
Montclair Twp	Essex	Project Youth Sports Phase II	1,000,000
Newark City	Essex	Hayes Park East	1,000,000
Orange City Twp	Essex	City of Orange Twp Multi-Park Improvements	853,230
Monroe Twp	Gloucester	Owens Park Improvements	140,000
Hudson County	Hudson	James J. Braddock/N. Hudson Park Stadium (North Bergen Twp)	1,500,000
Hudson County	Hudson	Little League Ball Fields – Washington Park (Jersey City)	1,500,000
Bayonne City	Hudson	Peninsula Soccer Park	1,000,000
Hoboken City	Hudson	1600 Park Ave Development	600,000
Kearny Town	Hudson	Harvey Field Soccer Improvements	870,000
North Bergen Twp	Hudson	Soccer Field Resurfacing	607,125
Weehawken Twp	Hudson	Waterfront Multi Use Pavilion	1,000,000
Trenton City	Mercer	Hetzel Field Park Development	1,000,000
Middlesex County	Middlesex	New Brunswick Landing (New Brunswick City)	175,000
Carteret Boro	Middlesex	Multi-Parks Improvements 3	480,000
New Brunswick City	Middlesex	New Brunswick Landing	900,000
Woodbridge Twp	Middlesex	Sewaren Marina Park 2	400,000
Long Branch City	Monmouth	Multi-Parks Dev 2	1,000,000
Brick Twp	Ocean	Trader’s Cove Marina Park	1,000,000
Passaic County	Passaic	Lambert Castle Observatory Tower Rehab	1,250,000
Clifton City	Passaic	Athenia Steel Recreational Complex	1,000,000
Passaic City	Passaic	Pulaski Park Restoration Project	500,000
Paterson City	Passaic	Restoration & Revitalization of Pennington Park	1,000,000
Union County	Union	Stanford Drive Park (Berkeley Heights Twp)	1,475,000
Rahway City	Union	Waterfront Park	<u>200,000</u>
TOTAL			<u>\$29,808,655</u>

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
Atlantic City	Atlantic	3rd Ward Accessible Playground & Rec Facility	750,000
Ventnor City	Atlantic	Rehabilitation of Ventnor Fishing Pier	750,000
Edgewater Boro	Bergen	Veteran’s Field Improvements	741,655

P.L. 2009, CHAPTER 98

Leonia Boro	Bergen	Wood Park Rehabilitation	750,000
Ridgefield Park Village	Bergen	Fellowship Park Improvements	570,000
Rutherford Boro	Bergen	Rutherford Waterfront Park	131,665
Teaneck Twp	Bergen	Improvements to Votee Park Athletic Fields	750,000
Wood-Ridge Boro	Bergen	Bianchi House Passive Recreational Improvement	100,000
Camden County	Camden	Environmental Center (Cherry Hill Twp)	1,000,000
Maplewood Twp	Essex	Maplewood Playing Fields Improvement	460,000
Nutley Twp	Essex	Monsignor Owens Park Redevelopment	750,000
Guttenberg Town	Hudson	Guttenberg Town Riverfront Park	98,550
Red Bank Boro	Monmouth	Count Basie Park Phase II	750,000
Berkeley Twp	Ocean	Manitou Park Development	465,000
Toms River Twp	Ocean	Epstein/Frankenberg Park Phase I	750,000
Garwood Boro	Union	Athletic Field Complex Project	750,000
Roselle Park Boro	Union	Acker Park Renovations	<u>470,350</u>
TOTAL			<u>\$10,037,220</u>
GRAND TOTAL			<u>\$44,573,625</u>

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. 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, 2010, 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.

7. This act shall take effect immediately.

Approved August 6, 2009.