

TOWNSHIP OF WEST MILFORD

Passaic County, New Jersey

~ Resolution 2017 – 297 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY IN SUPPORT OF MAYOR BETTINA BIERI'S REQUEST TO THE PASSAIC COUNTY BOARD OF CHOSEN FREEHOLDERS FOR THE ACQUISITION OF THE ACTIVE RECREATION PORTION OF THE PROPERTY KNOWN AS THE HIGHLANDS PRESERVE ALSO KNOWN AS BLOCK 2902, LOT 3 IN THE TOWNSHIP

WHEREAS, the Highlands Preserve is a passive and active recreation site in West Milford owned and operated by Passaic County; and

WHEREAS, the Highlands Preserve constitutes 218.5 acres of land of which the Township estimates approximately 10 acres is used for active recreation and approximately 208.5 acres is used for passive recreation; and

WHEREAS, on August 2, 2017 Mayor Bettina Bieri sent a letter to Mr. Anthony DeNova, III, the Passaic County Administrator, attached hereto and made a part hereof, requesting that the County consider bifurcating the property known as the Highlands Preserve, Block 2902, Lot 3 in the Township and transferring ownership of the active recreation area to the Township while the County retains the passive recreation areas for that continued use; and

WHEREAS, the West Milford Township Council supports the Mayor's request; and

WHEREAS, on August 14, 2017 Administrator DeNova responded by letter, attached hereto and made a part hereof, outlining a number of reasons why Passaic County denies the request; and

WHEREAS, while West Milford has a significant number of open space properties in the Township, there is a shortage of active recreation sites and a compelling need for such resources; and

WHEREAS, in addition to the health benefits derived by individuals who engage in active recreation, there are social considerations that weigh heavily on the minds of all elected officials and community leaders, including the benefits derived from active recreation in combatting crime, addiction, social disintegration, segregation, bullying and any form of stigma; and

WHEREAS, the Mayor and Township Council recognize and respect the arguments outlined in Mr. DeNova's letter, we have some comments thereto delineated below; and

1. The Mayor and Township Council request that the Board of Chosen Freeholders consider bifurcation of this property, retaining approximately 208.5 acres for passive recreation and transferring title to approximately 10 acres to the Township of West Milford for active recreation.
2. The Mayor and Township Council of the Township of West Milford understand that there are procedural steps and due diligence requirements associated with the transfer of any property including those properties acquired with Green Acres funds. The Township would like to explore with County Officials the potential of engaging in those processes and negotiating the due diligence process with an ultimate goal of transfer of ownership of a portion of this property to the Township of West Milford.
3. The Township understands that any and all Green Acres properties are open to the general public regardless of residency. Mayor Bieri did mention in her letter that the recreation fields have been used exclusively by West Milford Township residents but that was not intended to imply that it is not available to users outside of the Township. Furthermore, the Township reiterates that all Township Officials understand that, if the

Township were to assume title to the active recreation fields, access would continue to be provided in accordance with all Green Acres Rules and Regulations. In fact, West Milford operates other active recreational facilities in the Township in accordance with Green Acres Rules and Regulations.

4. The Mayor & Township Council strive to provide access to active recreational facilities to all residents and at no direct cost to the users. As such, the Township desires to obtain this active recreation facility to complement existing recreation facilities understanding that the cost of maintenance and improvements would be borne by the West Milford government unit and that access would be available to all users. Many of our local sports organizations are guided by volunteers who do not have the resources to pay permit fees. These organizations provide safe, healthy and interactive opportunities to all sectors of the community including children, teens, adults and seniors from every socio-economic group.
5. The Township understands the Passaic County Administrator's concerns about setting a precedent for the County if a transfer of ownership were to occur. The proposal submitted by the Mayor would simply transfer ownership of a small portion of the property to the Township. The passive recreation portion of the property would remain in the County's roster of recreation sites. Additionally, the Mayor and Council is confident that Passaic County officials would view this request, and all requests of any nature, independently, based on the merits of such requests.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that they do support the request submitted by Mayor Bettina Bieri to Passaic County Administrator Anthony J. DeNova III on August 2, 2017; and

BE IT FURTHER RESOLVED that the Mayor and Township Council hereby requests that the Passaic County Board of Chosen Freeholders reconsider this request and engage in a process of inclusion and discussion with the Township prior to making a final decision; and

BE IT FURTHER RESOLVED that the Mayor and Township Council does hereby convey appreciation to the Board of Chosen Freeholders and the Passaic County Administrator for considering this request and researching the possibilities further.

Adopted: September 20, 2017

Adopted this 20th day of September, 2017
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk