

**Board of County Commissioners
Morris County, New Jersey**

RES-2021-817

Adopted: October 6, 2021

WHEREAS, the Morris County Board of County Commissioners (“f/k/a the Morris County Board of Chosen Freeholders”) (“Board”) in accordance with Resolution #11 dated January 14, 2004, entered into a grant agreement under the Morris County Open Space Trust Fund Program (“Program”) for a FY03 grant totaling \$500,000 with the Township of Harding (“Township”) for property located at Lot 1 Block 34 in the Township of Harding known as the Glen Alpin Property (“Property”); and

WHEREAS, Morris County, in accordance with Resolution #37 dated August 11, 2004, additionally entered into a Deed of Easement dated October 19, 2004 for a conservation restriction on The Glen Alpin Property with the Township and Harding Land Trust intended to engage a non-profit organization to restore and manage the Glen Alpin Property for public use; and

WHEREAS, the Glen Alpin Property was acquired in 2004 by the Township and Harding Land Trust with the assistance of additional funding partners including but not limited to the NJDEP Green Acres; and

WHEREAS, since the plan to engage a non-profit to restore and manage the property was unsuccessful, as were three Requests for Proposals to identify uses for the structure that would be compatible with Morris County Open Space and Green Acres restrictions, the Township filed a Major Diversion application request with Green Acres to dispose 3.52 acres in fee area including the structure to a private entity, plus divert 0.63 acres in easement on the Property while retaining 6.06 acres of the property as preserved parkland managed by the Township; and

WHEREAS, in accordance with Program Rules Section 3.3.8.C, Green Acres was determined to be the lead agency in the review process and copies of all submittals were made to Morris County; and

WHEREAS, Green Acres review included but was not limited to scoping and public hearings, an alternatives analysis and determination of compensation consisting of two properties labelled the Culbertson and NJDOT parcels in the documentation; and

WHEREAS, the Culbertson (5.35 +/- acres) and NJDOT (12.65 +/- acres) parcels in total combined acreage exceed the minimum replacement acreage and the minimum value requirement required by Green Acres and both of which will be encumbered as Green Acres parkland and Morris County Open Space properties; and

WHEREAS, the Township obtained approval from the NJDEP Green Acres of the disposal of a portion of the Glen Alpin Property, as evidenced by approval of the State House Commission on June 23, 2021; and

WHEREAS, per Program Rules, Sec. 3.3.8.C.2, the Township made a presentation to the Morris County Open Space Trust Fund Committee (“Committee”) on May 27, 2021, regarding its request to dispose and divert a portion of the Property, which meeting was properly noticed to the public; and

WHEREAS, the Committee recommended that the Board accept the Township’s request to dispose and divert a portion of the Property; and

WHEREAS, the Township prepared and made available to the public the report required by the Local Land and Buildings Law, N.J.S.A. 40A:12-13.5; and

WHEREAS, the Township held a public meeting on July 6, 2021, at 9:00 a.m. at the Kirby Municipal Building pursuant to the Local Land and Buildings Law, N.J.S.A. 40A:12-1, et seq, which was properly noticed to the public pursuant thereto; and

WHEREAS, on August 6, 2021, at 9:00 a.m., a second public meeting was held in the second-floor conference room at 30 Schuyler Place, Morristown, New Jersey, pursuant to the Local Land and Buildings Law, N.J.S.A. 40A:12-1, et seq, which was properly noticed to the public pursuant thereto; and

WHEREAS, on August 6, 2021, at 9:00 a.m., a public meeting was held in the second-floor conference room, 30 Schuyler Place, Morristown, New Jersey pursuant to the New Jersey Conservation Restriction and Historic Preservation Act, N.J.S.A. 13:8B-5, which was properly noticed to the public pursuant thereto; and

WHEREAS, on August 11, 2021, at 4:30 p.m., the Township made a presentation to the County Commissioner Board at the Board’s regularly scheduled work session meeting; and

WHEREAS, the Township has agreed, as further consideration for the release of the restrictions, to grant to the Morris County Park Commission a trail easement to connect the Patriot’s Path Trail within the Jockey Hollow National Historic Park to the intersection of Mount Kemble Road and Tempe Wick Road, together with trailhead parking on the Glen Alpin Property and public access to the historic Kemble Family Gravesite on the Glen Alpin Property; and

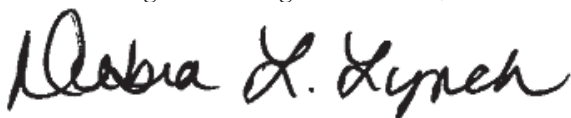
WHEREAS, the Board determined that it is in Morris County’s best interest to grant the Township’s request to dispose and divert a portion of the Property and accept the proposed replacement land as compensation therefore.

NOW, THEREFORE, BE IT RESOLVED by the Morris County Board of County Commissioners as follows:

1. That the County of Morris hereby accepts the recommendation of the Morris County Open Space Trust Fund Review Board to grant the Township of Harding’s request to dispose and divert 3.52 acres in fee and 0.63 acres in easement on the Glen Alpin Property.
2. That the County of Morris hereby accepts the recommendation of the Morris County Open Space Trust Fund Committee to accept the Culbertson (5.35 +/- acres) and NJDOT (12.65 +/- acres) parcels as compensation for the disposal and diversion which will both be encumbered as Green Acres parkland and Morris County Open Space properties.
3. That the Director of the Board of County Commissioners is hereby authorized to sign and execute all agreements and other documents reasonable and necessary to effectuate the disposal and diversion of a portion of the Glen Alpin Property and the acceptance of the Culbertson and NJDOT properties as compensation therefor, and the Clerk to attest to the same.
4. This Resolution shall take effect immediately.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Deborah Smith, Commissioner
SECONDER:	Kathryn A. DeFillippo, Commissioner
AYES:	Shaw, Smith, Cabana, DeFillippo, Krickus, Mastrangelo, Selen

I hereby certify the above to be a true copy of a resolution adopted by the Board of County Commissioners of the County of Morris at a regular meeting on October 6, 2021.



Debra L. Lynch, Clerk of the Board