

**TOWNSHIP OF WARREN**

**RESOLUTION NO. 2019-038**

**RESOLUTION SUPPORTING THE STATE HOUSE COMMISSION FINAL APPLICATION TO THE NJDEP GREEN ACRES PROGRAM FOR A MAJOR DISPOSAL OF A 3.60 PORTION OF A CONSERVATION EASEMENT LOCATED ON BLOCK 5, LOT 1.01 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF WARREN.**

**WHEREAS**, Block 5, Lot 1.01 as shown on the Tax Map of the Township of Warren includes a conservation easement (the "Conservation Easement") for the benefit of Warren Township; and

**WHEREAS**, the Conservation Easement is subject to restrictions against disposal or diversion from recreational or conservation uses by the New Jersey Department of Environmental Protection's Green Acres Program; and

**WHEREAS**, Jersey Central Power & Light (JCP&L) is proposing to locate a new 230/34.5 kV substation (the "JCP&L Substation") on a portion of the Conservation Easement; and

**WHEREAS**, in conjunction with the siting of the JCP&L Substation, it is necessary to remove the Green Acres restrictions from a 3.60 acre portion of the Conservation Easement (the "Conservation Easement Portion"); and

**WHEREAS**, the removal of Green Acres restrictions from that portion of the Conservation Easement requires the approval of the Commissioner of the Department of Environmental Protection and the State House Commission pursuant to N.J.A.C. 7:36-26; and

**WHEREAS**, the Township of Warren wishes to apply for approval for the siting of the JCP&L substation as a major disposal of parkland under N.J.A.C. 7:36-26; and

**WHEREAS**, Resolution No. 2018-127 was passed on June 14, 2018 supporting the pre-application submission pursuant to N.J.A.C. 7:36-26.9(d)11; and

**WHEREAS**, a public hearing was held on December 19, 2018 and public comment was accepted until January 2, 2019; and

**WHEREAS**, in accordance with N.J.A.C. 7:36-26.11(i)4, it is necessary for the Township of Warren to submit as part of the final application a Resolution endorsing the application to dispose of the parkland.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Warren, in the County of Somerset, State of New Jersey, as follows:

1. The Township Committee of the Township of Warren endorses the filing of a final application for the disposal of a portion of the Conservation Easement pursuant to N.J.A.C. 7:36-26.

2. The Township Committee of the Township of Warren has reviewed both oral and written comments accepted during the public comment period and has made a finding that the major disposal of the parkland is still in the best interest of the public.

3. The Township of Warren hereby finds that the disposal of a portion of the Conservation Easement in connection with the siting of the JCP&L Substation would meet the minimum substantive criteria at N.J.A.C. 7:36-26.1(d) by ensuring that JCP&L can continue to provide reliable service to existing customers, including approximately 4,500 customers in Warren Township, and to service the need for future demand on the system.

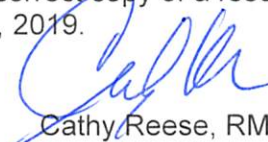
4. The Township of Warren acknowledges that in order to obtain the approval of the disposal of a portion of the Conservation Easement in connection with the siting of the JCP&L Substation, all procedural and substantive requirements of N.J.A.C. 7:36-26 must be met, including compensation requirements at N.J.A.C. 7:36-26.10.

5. Upon approval of the disposal of a portion of the Conservation Easement in connection with the siting of the JCP&L Substation by the Commissioner of the New Jersey Department of Environmental Protection and the State House Commission and proof that all terms and conditions of the approval have been satisfied or will be satisfied in a timely manner, the Township Committee of the Township of Warren hereby authorizes and directs the Mayor and Township Clerk to execute 1) a Green Acres Release and Compensation Agreement and 2) a Deed of Restriction for any replacement land serving in whole or in part as compensation for the disposal, in accordance with N.J.A.C. 7:36-26.11(m).

INTRODUCED	SECONDED	COMMITTEE	AYE	NAY	ABSTAIN	ABSENT
x		LAZO	x			
		GARAFOLA				x
	x	SORDILLO	x			
		MARION	x			
		DINARDO				x

CERTIFICATION

I, Cathy Reese, Township Clerk of the Township of Warren, in the County of Somerset, New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted at a meeting of the Township Committee held on February 7, 2019.

  
 Cathy Reese, RMC  
 Township Clerk