

**RESOLUTION RECOMMENDING ACCEPTANCE OF TOWNSHIP OF PARSIPPANY-TROY HILL'S REQUEST FOR DIVERSION, INCLUDING COMPENSATION, OF A PORTION OF THE SMITH ROAD SHEEP FARM PROPERTY**

**WHEREAS**, the Morris County Board of Chosen Freeholders (n/k/a the Morris County Board of County Commissioners, "Commissioners") in accordance with Resolution #49 dated December 14, 2005 entered into a grant agreement under the Morris County Open Space Trust Fund Program ("Program") for a FY05 grant award totaling \$350,000 with the Township of Parsippany-Troy Hills ("Township") for a project entitled "Smith Road Sheep Farm" located on Block 736 – Lots 9.01 and 9.02 in the Township; and

**WHEREAS**, the Smith Road Sheep Farm was acquired in 2006 by the Township with the assistance of additional funding including but not limited to the NJDEP Green Acres Program ("Green Acres"); and

**WHEREAS**, in 2017 the Township determined that Well 20 used for the Township's water supply would need to be decommissioned due to decreased capacity and treatment requirements unable to be achieved in its current location and that another parcel in the vicinity would be needed for a replacement well and treatment building; and

**WHEREAS**, a review of other Township and privately-owned parcels was undertaken for a replacement well and treatment building considering factors including but not limited to extent and depth of aquifer, parcel geometry, site access, proximity to wetlands and sensitive habitats, potential for contamination and/or water quality issues, and proximity to major roadways; and

**WHEREAS**, prioritization of three parcels based on these factors resulted in exploration borings which resulted in the determination that Block 736 – Lot 9.01 ("Property") was the only parcel that had subsurface materials suitable for the development of a replacement well; and

**WHEREAS**, based on these findings the Township filed a Minor Diversion application request with Green Acres for the construction a replacement well, pump house and access drive on a 0.164-acre portion of the Property by the Township's water department in support of the Township's drinking water system; 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 an alternatives analysis encompassing a total of fourteen parcels based on the well suitability criteria stated above and testing of the Property, public hearings, and determination of monetary compensation in accordance with Green Acres' regulations; and

**WHEREAS**, the proposal allows the Township to continue to provide an adequate supply of drinking water which meets all of the requirements of the USEPA and NJDEP necessary to serve the residents of the Township; and

**WHEREAS**, per Program Rules 3.3.8., the Township made a presentation of their minor diversion proposal to the Morris County Open Space Trust Fund Committee (“Committee”) on May 27, 2021 which resulted in additional questions which were addressed to the Committee’s satisfaction at its July 27, 2021 meeting; and

**WHEREAS**, the Committee recommended approval of the Township’s Minor Diversion request of a 0.164-acre portion of the Property to construct a replacement for Well 20, pump house and access drive to the Board of County Commissioners; and

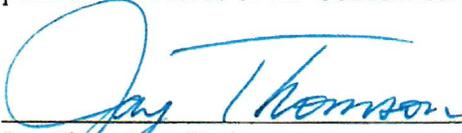
**WHEREAS**, the Committee also recommended approval of \$11,619 as the monetary compensation to Morris County; and

**WHEREAS**, Township representatives stated they were amenable to having the diverted area revert to open space should the replacement well no longer be necessary for its intended use which the Committee supported.

**NOW, THEREFORE, BE IT RESOLVED** by the Morris County Open Space Trust Fund Committee as follows:

1. The Committee recommends that the Board of County Commissioners of the County of Morris accept the Township of Parsippany-Troy Hill’s request to divert a 0.164-acre portion of Block 736 – Lot 9.01 which is part of the Smith Road Sheep Farm in the Township of Parsippany-Troy Hills.
2. The Committee recommends that the Board of County Commissioners accept the monetary compensation of \$11,619 for the diverted area.
3. The Committee recommends the deed for the diverted area state the land will revert to open space should the well no longer be active.
4. This resolution shall take effect immediately.

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be entered into the permanent records of the Committee.

  
Jay Thomson, Chairperson  
Open Space Trust Fund Committee

09/14/2021  
Date

Member	1 <sup>st</sup>	2 <sup>nd</sup>	Aye	Nay	Abstain	Absent
Jacqueline Albrecht						√
Patrick Antonetti			√			
Astri Baillie		√	√			
Betty Cass-Schmidt			√			
Jennifer Cooper			√			
Nita Galate	√		√			
Thomas Gallagher			√			
David Kaplan					√	
Suzanne McCluskey			√			
Robert Norton						√
Mohamed Seyam			√			
Laura Szwak						√
Jay Thomson			√			

I hereby certify the above to be a true copy of a resolution adopted by the Morris County Open Space Trust Fund Committee at a meeting held on September 14, 2021.

  
Barbara J. Murray, Program Coordinator  
Open Space Trust Fund