

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

**RES-2021-850**

**Adopted: October 6, 2021**

**WHEREAS**, the Morris County Board of Chosen Freeholders (n/k/a the Morris County Board of County Commissioners, hereinafter “Board”) 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**, 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 and the Committee recommended approval of the proposal including compensation at its July 27, 2021 meeting; and

**WHEREAS**, the Committee adopted a resolution memorializing its recommendations at its meeting of September 14, 2021.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of the County of Morris in the State of New Jersey as follows:

1. The Board accepts the recommendation of the Committee to grant approval of the Township of Parsippany-Troy Hills’ Minor Diversion request of a 0.164-acre portion of Block 736-Lot 9.01 which is part of the Smith Road Sheep Farm Property to construct a replacement for Well 20, pump house and access drive.
2. The Board accepts the monetary compensation of \$11,619 for the diverted area.
3. The Board accepts the recommendation of the Committee for the deed for the diverted area to state the land will revert to open space should the well no longer be active.

4. 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 diversion of a portion of the Smith Road Sheep Farm Property and the acceptance of the monetary compensation therefor, and the Clerk to attest to the same.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Deborah Smith, Commissioner
<b>SECONDER:</b>	Kathryn A. DeFillippo, Commissioner
<b>AYES:</b>	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.*



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Debra L. Lynch, Clerk of the Board