

Burlington County Board of Chosen Freeholders



MUNICIPAL PARK DEVELOPMENT PROGRAM

2014 Application Form and Policy and Procedure Manual

Burlington County Department of Resource Conservation
P.O. Box 6000
Mount Holly, NJ 08060
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Introduction

The Board of Chosen Freeholders established the Burlington County Municipal Park Development Program to assist its partner municipalities in the development and improvement of parks for outdoor passive and active recreation and in their efforts to preserve open space and farmland. Through this program the Freeholders will offer grants to build or improve municipal parks, to offset the local cost share required by the County's Farmland Preservation Program, or to provide additional financial assistance for acquisition of locally important open space in conjunction with the County's Local Open Space Preservation Program.

Funds for this program are currently available in the Burlington County Open Space, Recreation, Farmland and Historic Preservation Trust Fund ("Trust Fund"). The Freeholders created the Trust Fund pursuant to N.J.S.A. 40:12-15.1 following overwhelming voter approval of three ballot questions in 1996, 1998, and 2006. Voters authorized the Freeholders to collect a levy of up to 4 cents per \$100 of assessed property value each year through 2036 for deposit in the Trust Fund. On July 14, 2010, the Freeholders adopted Amendment 2010-01 to the Burlington County Parks and Open Space Master Plan to allow for use of Trust Fund revenues for this grant program.

The duration of the grant program and the amount to be allocated from the Trust Fund will be decided an annual basis by the Freeholders. Municipalities that are interested in obtaining grant funding will be required to submit an application to the County in accordance with a schedule to be developed each year. Because funding is limited, this is a competitive program. While matching funds are not required, municipalities that can show the County that grant funds are being matched from other sources will be given priority in the ranking of applications.

This manual has been developed as a guiding instrument for municipalities interested in applying for grant funds from Burlington County. The manual includes specific instructions for completion of applications, describes the criteria by which applications will be ranked, and outlines the process by which grants will be awarded.

II. Eligible Applicants

Only Burlington County municipalities are eligible to receive grant funding through this program. Municipalities that form partnerships with other towns for the purpose of constructing or improving shared recreational facilities will receive special consideration when applications are ranked and may be eligible to receive additional grant funding.

Municipalities that have outstanding obligations in excess of one year for local cost share under the Farmland Preservation Program will not be eligible to apply unless that municipality has executed an agreement with the County that sets forth terms for repayment of that obligation.

Please note that the County Local Open Space Preservation Program will continue to provide funding to municipalities and charitable conservancies for acquisition of land for conservation or recreation purposes.

III. Grant Amounts

Burlington County will award grants of up to \$250,000. At the discretion of the Board, municipalities may be eligible to receive a bonus of 10% or more of the maximum award amount if their project furthers the goals of the County Parks and Open Space Master Plan; is a multi-municipal project that will provide shared facilities; or furthers sustainability goals such as those identified as “Actions for Sustainable Communities” in the Sustainable Jersey program (www.sustainablejersey/actionlist), particularly sustainability goals associated with carbon sequestration in that a significant portion of the project entails the planting of trees and perennial shrubs.

Municipalities may only submit one application per annual grant cycle.

IV. Matching Funds

No matching funds are required. However, municipalities that show that County funds are being matched by other funding sources, or propose projects that employ innovative use of labor, such as use of volunteers or local work force, or are partnering with neighboring municipalities to provide shared services, will receive priority consideration.

V. Eligible Projects & Project Costs

Open Space Acquisition

Municipalities may apply grant funds to the cost of acquisition of locally important open space. The grant funds will be in addition to the 25% cost share now provided under the County Local Open Space Preservation Program. All conditions and restrictions of the County Local Open Space Program shall apply. An applicant must have submitted a project request and Open Space Plan for Freeholder endorsement to the County Local Open Space Preservation Program prior to submission of this application or must submit said materials at the time of submission of this grant application.

Farmland Preservation Program, Municipal Cost-Share

A municipality may apply grant funds to offset all or a portion of municipal cost share obligations required by the Burlington County Farmland Preservation Program. Grant funds may be used to offset prior due or current obligations. Future obligations for farms will not be funded.

A municipality may apply grant funds to the acquisition of locally important farms by fee simple or easement acquisition. These locally important farms need not meet the criteria for inclusion into the County Farmland Preservation Program. All other conditions and restrictions of the County Farmland Preservation Program shall apply. The per acre cost of the development easement, not the fee simple cost, will be considered as the basis for the grant funds. Properties acquired by eminent domain will not be eligible.

Park Development/Improvement Projects

Grant funds may be used for the capital (hard) costs associated with the development and improvements to public parklands that are owned, controlled and maintained by the municipality or held by the municipality pursuant to a long-term lease entered into for recreation or conservation purposes with the State or Federal government and extending at least 25 years beyond the anticipated grant.

Such projects may include, but are not limited to: rehabilitation of parkland, green space or greenways; development and redevelopment of playgrounds and outdoor passive recreation areas; and,

the development and redevelopment of active recreation areas. Please note that grants funds cannot be used for purchase and installation of artificial turf.

The grant amount will be based on the projected construction costs of the approved project elements.

Soft costs, purchase of equipment, including scoreboards, and operation and maintenance costs are not eligible.

VI. Public Hearing Requirements

Applicants are reminded that Green Acres regulations require that a local government unit hold at least one public hearing when a change in use of parkland is being proposed. This includes the development of lands for public outdoor recreation or construction of buildings or other structures for public indoor recreation. Applicants that propose to use grant funding for such a change in use of parkland, must comply with the public hearing requirements at N.J.A.C. 7:36-25.6.

VII. Review of Applications

Applications will be reviewed by a committee comprised of the Freeholder liaison to the Department of Resource Conservation and County staff representing the Resource Conservation and Engineering Departments. The Committee will evaluate and rank the applications in accordance with the evaluation criteria set forth below. Committee recommendations will be presented to the Board of Chosen Freeholders who will select the projects to be funded. The Freeholders will then adopt a resolution formalizing the grant awards and authorizing execution of grant agreements with the selected applicants.

Please be reminded that this is a competitive grant program. A complete, well-written and well-organized application that is responsive to the project evaluation criteria and application requirements will be more likely to receive funding.

VIII. Project Evaluation

Each project will be evaluated and ranked in accordance with the criteria and point system listed below. The Application Narrative prepared as part of the application should be used by the applicant to demonstrate how the project meets the following criteria.

- **Regional Significance** - does the project meet not only local but regionally significant goals? Does the project provide connectivity to other public preserved lands? Is the project being proposed by a partnership of municipalities? Will facilities to be constructed be shared with other towns? (0 to 7 points)
- **Strength of Local Program** - is there evidence of a pattern of municipal investment in and commitment to the local parks, recreation, and open space program? Is the municipality committed to moving the project forward? Have local funds been committed to meet costs not covered by grant or other funding sources? Have other matching funds been obtained? Use of in-house forces and/or volunteers for park development projects will receive priority consideration. (0 to 7 points)
- **Relationship to Other Planning Efforts** - is the project included as part of an officially adopted local plan and does it address documented local needs? All projects should be

consistent with local plans and other plans such as the County Parks and Open Space Master Plan and/or Comprehensive Farmland Preservation Plan. (0 to 5 points)

- **Community Support/Need** - is there clear public support for the project? Does the project provide recreational facilities to meet documented unmet needs of the township? Letters of support, participation of other partners and volunteers and outside funding sources will be considered. (0 to 8 points)
- **Program Priorities** - does the project consider or provide for physically and developmentally challenged populations, further sustainability goals such as use of renewable or alternative energies (see Sustainable Jersey website, www.sustainablejersey/actionlist), access to public transportation, hiking or biking trails, and/or provide public water access? (0 to 8 points)
- **Design** - is project design sensitive to or enhance special natural, cultural, and historic features on the site? Does the project demonstrate compatibility with adjacent land uses? Use of sustainable design features? (0 to 5 points)

IX. Grant Award Procedures

A municipality that has been selected to receive grant funding will be required to execute a grant agreement with the County. A sample grant agreement is enclosed, although the form and content of the grant agreement is subject to change. Grant agreement language is non-negotiable.

X. Time for Project Completion

Grant execution must occur within six (6) months of the adoption of the Freeholder resolution. If more than six (6) months are needed to execute the Grant Agreement, the municipal governing body must submit a written request for a time extension that shall include an explanation for the delay and a proposed schedule for completion.

Closing on the acquisition or project completion must occur two (2) years of the execution date of the Grant Agreement.

If more time is needed to complete the project, the municipal governing body may submit a written request for a time extension. The request should also set forth the municipality's due diligence in pursuing the project, an explanation for the unforeseen difficulties encountered by the municipality in completing the project within the allotted period, and a proposed schedule for completion. Requests for extension must be submitted prior to the expiration of the period allowed for project completion.

If a timely request for extension is not received or if a request is denied, the funding award will be cancelled.

XI. Grant Conditions

A copy of the grant agreement that will be entered into by the County and municipality selected to receive a grant is attached. Please be aware that, in addition to the terms related to project completion, the agreement includes the following conditions:

The facility/property must be open to the general public.

Municipalities shall work with the County to promote public awareness of the grant when it is awarded and when said grant funds are utilized for the purposes of conservation and park development consistent with the Municipal Park Development Program. A sign, to be provided by the County, must be posted acknowledging funding from the County of Burlington.

Proposed changes to the scope of the project must be submitted in writing with a full description of the changes and the funding implications.

Changes to a project deemed "Major" by the County will not be permitted. Major changes may include, but are not limited to, selection of new project location, deletion of key project elements, substantial budget changes, and loss of municipal commitment.

Changes that negatively impact the fundamental merits of the project that resulted in its selection for funding may not be approved. Unauthorized changes in project scope may result in the withholding of all or some of the County grant funds.

XII. Grant Disbursement

Grant funds will not be disbursed prior to the execution of the grant agreement between the County and the municipality. Grant funds will be disbursed only after all required documentation as described below has been submitted to the County and found to be acceptable.

Open Space Acquisition

Payment up to the grant amount will be made for that portion of the purchase price or the fair market value, whichever is less, that is not covered by other funding sources. In no case shall payment exceed the amount represented by the purchase price/fair market value minus any partner cost-share funding.

County funds will be provided at closing if all pre-disbursement conditions of the award have been satisfied and notice of closing is provided to the County at least thirty (30) days prior to the closing date. Otherwise, funds will be disbursed on a reimbursement basis after all conditions are satisfied. All requirements of the Burlington County Local Open Space Program relative to document submission must be satisfied prior to disbursement of grant funds.

Farmland Preservation Program, Municipal Cost-Share

If grant funds are to be used to offset local cost share obligations for a County farmland preservation project, applicants will be provided a voucher to submit to the County in lieu of remitting payment. The voucher will be provided to the applicant once the final cost share amount is known. This will occur after County and/or municipal final approval of the specific project but before settlement. Grant funding will be directly applied by the County to offset municipal cost-share obligations.

If grant funds are to be used to offset costs for a locally important farm, the grant disbursement policies will be consistent with the disbursement policies in place for open space acquisition.

Park Development/Improvement Projects

Grant funds will be distributed to municipalities on a reimbursement basis in two installments: 1) upon demonstration that 50% of the grant amount has been expended; and 2) upon project completion.

Requests for reimbursement for 50% of the grant amount must include:

- A signed County voucher for payment (to be provided);
- Detailed breakdown showing how funds were expended and evidence of expenditures (paid invoices, contractor payment applications, etc.); and
- Certification by a township official that funds were expended in the manner described.

Requests for final reimbursement upon project completion must include:

- A signed County voucher for payment (to be provided);
- A certified copy of a resolution by the governing body determining that the project is complete and authorizing final payment to the contractor.;
- Final payment application (AIA Form) signed by project engineer; and
- Certification by a township official or project professional verifying that the project was completed in substantial conformance to the project scope as described in the application and the grant agreement.

Upon request by the County, the applicant must make available for review and/or submission to the County copies of construction contracts, the detailed bid proposal, any approved project change orders, and record or as-built drawings.

Applicants will only be reimbursed for actual eligible costs. An applicant will not receive the full grant amount if the final actual project cost is less than the grant award.

XIII. Application Submission Requirements

Application Forms

The application is available in a fillable PDF format at: www.co.burlington.nj.us/resourceconservation

Submission Information

Applications must be submitted by the deadline stated below to the Department of Resource Conservation. Send by regular mail to: P.O. Box 6000, Mt. Holly, NJ 08060 or, by overnight courier or hand delivery, to: 624 Pemberton-Browns Mills Road, Pemberton, NJ 08068.

Deadline for Submission

Applications for 2014 funding must be postmarked or delivered to the Burlington County Resource Conservation Department on or before close of business on JUNE 13, 2014.

Projected Review and Award Schedule

Application Due Date:	June 13, 2014
Review Committee Recommendations to Freeholder Board:	August 13, 2014
Freeholder Resolution Awarding Grants:	August 27, 2014

Municipal Contact

It is recommended that municipalities identify a municipal contact person by name and title to which all correspondence and communications related to the grant application will be directed.

Municipal Resolution

The municipality must adopt and submit with its application a resolution which authorizes submission of the application to the County and memorializes the governing body's approval and financial commitment to the project. A form of resolution is provided Resource Conservation website. Applicants may not modify the language in the municipal resolution and must identify the project by name, street address, and tax block and lot.

Contents of Applications

Please provide five (5) copies of the application to facilitate review of the proposal. All applications must be submitted with the following:

- Application Cover Page
- Completed Application Form
- Project Map/Tax Map
- Project Narrative
- Certified Copy of Municipal Resolution
- Other Supporting Documentation

The **Project Narrative** is the applicant's opportunity to identify how its project meets the project evaluation criteria by which the project will be ranked. The applicant should include in the **Supporting Documentation** any documents that are deemed necessary to enhance its application.



BURLINGTON COUNTY
Municipal Park Development Program
2014 Application

DEADLINE FOR SUBMISSIONS: June 13, 2014, 5:00 p.m.

SUBMIT APPLICATIONS TO: Burlington County Department of Resource Conservation

By Mail: P.O. Box 6000
Mt. Holly, NJ 08060

Hand/Express Delivery to: 624 Pemberton-Browns Mills Road
Pemberton, NJ 08068

Attach all materials expressly requested in this application, as well as any other documentation you feel is necessary to complete your application.

PLEASE NOTE: Five (5) copies of each application are required.

Please type or print neatly

Applicant Information:

Name of Municipality

Address

Contact Name

Contact Title

Phone Number

Fax Number

E-Mail Address

Project Information

- Project Type: (Check one)
- Open Space Acquisition
 - Farmland Preservation
 - Park Development/Improvement

Project Title: _____

Street Address: _____

Block(s)/Lot(s): _____

Site Acreage _____

Project Map: Attach a legible (8 1/2" x 11") street map with site and area roads clearly indicated.

Tax Map: Attach Tax Map (8 1/2" x 11") with site clearly indicated outlining boundaries of site and showing all easements.

Project Description: If a park development project, describe current use of site and proposed improvements in detail. Describe how proposed improvements tie into future plans for the site. Attach concept plan if applicable and available.

Project Funding:

Construction/Acquisition Costs \$ _____

County Funds Requested \$ _____

Balance \$ _____

Funding Sources for Balance:

Municipal Funds \$ _____

Green Acres Grant/Loan \$ _____

Other Grants, Donations and/or
In-kind Contribution \$ _____

Please explain below the source of the municipal funds (bond proceeds, Municipal Open Space Trust Fund, budget appropriation, etc.), the status of the other sources of funding, specific details on other grants or donations anticipated and the expected in-kind contributions.

Park Development Project Schedule: Include actual dates if known.

Completion of Design _____

Award of Construction Contract _____

Completion of Construction _____

Status of Open Space Acquisition Project:

Application filed with County Local Open Space Program _____ Yes _____ No

Appraisal(s) Completed _____ Yes _____ No

Project Evaluation Factors:

Please check all that apply.

A. Regional Significance

- | | | | |
|----|---|------------------------------|-----------------------------|
| 1. | Project meets local/regional needs | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 2. | Project connects other preserved lands | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 3. | Project to provide shared facilities with other towns | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

B. Strength of Local Program

- | | | | |
|----|--|------------------------------|-----------------------------|
| 1. | Municipality shows pattern of investment and commitment to park development and/or land preservation | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 2. | Municipal commitment to project | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 3. | Have other funds been secured | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4. | Project incorporates use of in-house staff or volunteers | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

C. Relationship to Other Planning Efforts & Community Needs

- | | | | |
|----|---|------------------------------|-----------------------------|
| 1. | Project part of a locally adopted plan | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 2. | Project addresses documented local need | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 3. | Project consistent with County Parks and Open Space Master Plan and/or Comprehensive Farmland Preservation Plan | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

D. Community Support

- | | | | |
|----|--|------------------------------|-----------------------------|
| 1. | Project has public support and addresses public need | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 2. | Project includes participation of partners or volunteers | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

E. Program Priorities

- | | | | |
|----|---|------------------------------|-----------------------------|
| 1. | Project provides new opportunities for physically or developmentally challenged | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 2. | Project entails plantings of trees or shrubs that are native to the area, that optimize carbon sequestration or improve habitat | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 3. | Project is within ½ mile of public transportation | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

- | | | | |
|----|--|------------------------------|-----------------------------|
| 4. | Project includes hiking/biking trails | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 5. | Project provides new or enhanced access to the water | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 6. | Project incorporates other action items under the Sustainable Jersey program | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

F. Design

- | | | | |
|----|---|------------------------------|-----------------------------|
| 1. | Project enhances natural, cultural and/or historic features | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 2. | Project incorporates sustainable design | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 3. | Project compatible with adjacent land uses | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

Project Narrative:

Please explain, briefly, on separate paper, why this project is a high priority for your municipality. The project narrative should include details about how your project meets the project evaluation criteria by which the project will be ranked. This is an opportunity for you to make a case for your project and to convey special features/factors of the site, which may not be adequately addressed elsewhere in the application.

Status of Project(s) Funded by Prior Years Grants:

If the municipality was the recipient of a Municipal Parks Development Program grant in 2010, 2011, 2012 and/or 2013, please describe in detail the status of the projects for which funding was received. In addition, please include photos (in digital format) of completed projects that the County may use for promotional purposes.

Supporting Documentation:

Attach all additional material you deem necessary to assist the County in evaluating your application. Items include, but are not limited to: letters of support, photographs, local/regional plan compliance, etc.

Certification

I hereby certify that, to the best of my knowledge, this application is a true and accurate portrayal of the project request under the Burlington County Municipal Park Development Program.

Signature _____

Name: _____

Title: _____

Date: _____

Attest: _____

Title: _____

Date _____

SAMPLE MUNICIPAL RESOLUTION

WHEREAS, the Burlington County Board of Chosen Freeholders has approved the Open Space, Recreation, Farmland and Historic Preservation Trust Fund ("Trust Fund") and established a Municipal Park Development Program ("Program") to provide grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for municipal public park and recreation development purposes; and

WHEREAS, the Governing Body of _____ (name of municipality) desires to obtain County Municipal Park Development Program funds in the amount of \$_____ to fund _____ (name of project, address, lot, & block); and

WHEREAS, the total cost of the project including all matching funds is estimated to be \$_____; and

(Use this clause for Open Space Acquisition projects)

WHEREAS, the _____ (name of municipality) will be the holder of any interest acquired with County funds.

(Use this clause for Farmland Preservation Program local cost share)

WHEREAS, the County will be the holder of any interest acquired through the Program.

(Use this clause for Park Development projects)

WHEREAS, the _____ (name of municipality) is the owner of and controls the project site.

NOW, THEREFORE, BE IT RESOLVED BY _____ (name of the governing body) **THAT:**

1. _____ (name of title of authorized official) is authorized to (a) make an application to the County of Burlington for Municipal Park Development Program Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Park Development Program and (c) act as the municipal contact person and correspondent of the above named municipality;
2. The _____ (name of municipality) is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If awarded a grant by the County of Burlington under the Municipal Park Development Program, the municipality will use the approved funds in accordance with the Municipal Park Development Program Policy and Procedure Manual, and applicable federal, state, and local government rules, regulations and statutes thereto; and

4. 4. _____(name and title of authorized official) is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Burlington for the approved funds; and
5. This resolution shall take effect immediately.

CERTIFICATION

I, _____ do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of _____(name of municipality) at a meeting held on the _____ day of _____, 2014. In Witness Whereof, I have hereunder set my hand and official seal of the municipality this _____ day of _____, 2014.

Burlington County Municipal Park Development Program
2014 Grant Agreement
between the
Burlington County Board of Chosen Freeholders
and the

Township of _____

THIS AGREEMENT made this ____ day of _____, 2014 by and between the BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON, a body politic and corporate of the State of New Jersey, having its principal offices at 49 Rancocas Road, in the Township of Mount Holly, County of Burlington, and State of New Jersey, (hereinafter referred to as the "County") and the Township of _____, a body politic and corporate of the State of New Jersey, having its principal offices located at _____, County of Burlington and State of New Jersey, (hereinafter referred to as the "Municipality");

RECITALS

WHEREAS, in order to preserve the rural character of Burlington County and enhance the quality of life for its residents, the Board has long championed the preservation of farmland and open space and the development of land for recreational purposes;

WHEREAS, in recognition of the need to establish a steady and reliable funding source to finance its preservation and park development programs, the Board obtained voter approval to create the Burlington County Farmland, Open Space, Recreation and Historic Preservation Trust Fund ("Trust Fund") to be supported by a property tax that is not to exceed \$0.04 per \$100 of assessed valuation;

WHEREAS, the County wishes to broaden its ongoing partnership with its municipalities to further mutual goals for conservation and park development by providing grants for such purposes and has created the Municipal Park Development Program, hereinafter "Program";

WHEREAS, the Municipality has made application to the County for grant funding under the Program and the County has reviewed said application and found it to be in conformance with the scope and intent of the Program in whole or in part and has approved the award of a grant to the Municipality;

WHEREAS, N.J.S.A 40:8A-1 et seq. authorizes a County and municipality to enter into contracts for the joint provision of any service which any party to the agreement is empowered to render within its own jurisdiction;

NOW, THEREFORE, in consideration of the award of funding, and in accordance with the application heretofore filed, the County and Municipality agree to perform in accordance with the terms and conditions set forth in this agreement.

1. The Municipality agrees to undertake the funded project in the manner set forth in the Policy and Procedure Manual for the Municipal Park Development Program and this agreement and Exhibit 1 – Approved Project Description (“Approved Project”).

2. The period of performance under this Agreement is specified two years from the date of execution on the part of the County, for which period, funds are available and allotted. Requests for extension must be made in writing prior to the expiration of the time allowed for project completion. The request should set forth the municipality’s due diligence in pursuing the project, an explanation for the unforeseen difficulties encountered by the municipality in completing the project within the allotted period, and a proposed schedule for completion. There shall be no obligation on the part of the County to renew or extend this time period. If a timely request for extension is not received or if a request is denied, the County shall cancel the funding award.

3. The amount of the award to be provided by the County under this agreement is [amount]. The County award is based upon the Municipality’s 2014 application to the County as supplemented.

4. The Municipality agrees to secure all funds necessary for completion of the Approved Project and to complete the Approved Project in accordance with this Agreement and the conditions, specifications, plans, estimates, project proposals and maps submitted to the County and incorporated herein by reference.

5. The Municipality must notify the County in writing of any changes to the scope of the Approved Project and provide with such notification a full description of the changes and the funding implications. Changes that negatively impact the fundamental merits of the project that resulted in project selection may not be approved.

Changes to a project deemed “Major” by the County will not be permitted. Major changes include, but are not limited to, selection of new project location and deletion of key project elements.

Unauthorized changes in project scope may result in the withholding of all or some of the County funding.

6. In the case of a land acquisition project, Program funds shall be dispersed on a reimbursement basis after the satisfactory submittal of all required project documentation.

In the case of a parks development project, Program funds shall be dispersed on a reimbursement basis in two installments. Municipality may apply for reimbursement after 50% of the grant amount has been expended. Requests for

reimbursement must be accompanied by a detailed breakdown showing how funds were expended along with documentation providing evidence of such expenditures (paid invoices, contractor payment applications, etc.) and a certification by a municipal official that funds were expended in the manner described. The remaining 50% shall be disbursed upon the satisfactory completion of the project and submittal of required documentation as identified in the Policy and Procedure Manual which include, among other things, a certified copy of a resolution by the governing body finding that the project is complete and authorizing final payment to the contractor.

7. Municipality agrees that any Program funds received from the County shall be used only for the purposes described herein.

8. Costs eligible for assistance shall be limited to those eligible costs listed in the Policy and Procedures Manual for the Program. The County award of funding specifically does not include financial assistance for any soft costs, including but not limited to, any costs for title searches, title insurance, surveys, attorney fees, recording fees, and real estate taxes.

9. The Municipality shall furnish and deliver all necessary documentation within the timeframe and in the manner requested by the County and shall grant County personnel and any authorized representatives of the County reasonable access to all records related to the Approved Project.

10. Municipality shall maintain all land and improvements described herein for a period of no less than ten years.

11. Municipality shall cause to be included appropriate deed restriction language as provided by Burlington County in all deeds for property acquired using Program funds.

12. Municipality shall work with the County to promote public awareness of the grant when it is awarded, and when said grant is ultimately utilized for the purposes of conservation and park development consistent with the Municipal Park Development Program. Municipality shall display a sign on the property reflecting the use of County funds for purchase of or improvement to the property, which sign shall be provided by the Program Administrator.

13. Municipality shall provide access to the facility/property for County staff to conduct inspections of the Approved Project within 48 hours notice by the County.

14. No official or employee of the Municipality who is authorized in his/her official capacity to negotiate, make, accept or approve, or take part in such decisions regarding a contract or subcontract in connection with the Approved Project shall have any financial or other personal interest in any such contract or subcontract.

15. In the event Municipality does not perform any of the services, obligations, or responsibilities provided under this Agreement, or in the event that the services do not attain the objectives set forth in the initial application or this agreement to the sole satisfaction of the County, then the County may withhold all, or a portion of, any payment to be made under this agreement, and in addition, may declare this subcontract null and void and may disqualify the Municipality from participation in future Program funding rounds.

In the event of termination, the County shall have no further liability to the Municipality and in no event will the County be liable to pay for services not actually rendered.

16. The County will provide a Program Administrator for the program that will advise the Municipality in performance of the required services. Contact:

Burlington County Department of Resource Conservation
PO Box 6000
Mount Holly, NJ 08060
856 642-3850

17. The Municipality, at the request of the County, shall prepare a progress report and submit to the County within 30 calendar days after the date requested. The report shall include a narrative description of the status of the Approved Project and the date on which the Approved Project will be completed and any other information that may be requested by the County.

18. The Municipality now complies with all applicable State and Federal Laws in connection with its business and activities related to the services to be provided including, without limitation, any applicable Federal or State Civil Rights Law, order or regulation.

19. The execution of this Agreement has been authorized by the Municipality's governing body and the Burlington County Board of Chosen Freeholders. A copy of the authorizing resolution or ordinance adopted by the Municipality shall be provided to the County.

20. The Municipality shall indemnify and hold the County of Burlington harmless from any and all loss, damages, suits, penalties, expenses, including but not limited to reasonable investigation and legal expenses, arising out of the operation of the program, or arising out of, or under this Agreement. The Municipality further agrees to indemnify the County of Burlington from suits or actions of every nature or description brought against it, or damages received or sustained by any part or parties, by or from any of the acts of the Municipality or of the Municipality's, Director's employees, agents or volunteers.

21. The Municipality shall procure and maintain at its own expense, liability insurance for any personal injury or property damage caused by the Municipality in its

normal and usual course of its business. The Municipality expressly understands and agrees that any insurance protection required by this Agreement shall in no way limit the Municipality's obligations assumed in this Agreement and shall not be construed to relieve the Municipality from liability in excess of such coverage.

IN WITNESS WHEREOF, and intending to be legally bound, the parties have caused this Agreement to be duly signed, sealed and executed by their respective proper officials the day and year first written above.

(SEAL)

BOARD OF CHOSEN FREEHOLDERS
OF THE COUNTY OF BURLINGTON

Attest: _____

By: _____
Paul Drayton
County Administrator

Date

(SEAL)

TOWNSHIP OF: _____

Attest: _____

By: _____
Mayor

Date

