

**MINUTES**  
**MORRIS COUNTY**  
**OPEN SPACE PRESERVATION TRUST FUND COMMITTEE**  
**30 Schuyler Place, 4th Floor, Morristown, New Jersey**  
**March 3, 2010**

The meeting was called to order at 7:32 P.M. by Frank Pinto

Members present:

Robert Collins, Region VI - Kinnelon  
George Coogan, At-Large  
Louise Davis, Morris County Agriculture Development Board  
Joe Donegan, At-Large (arrived 7:33 P.M.)  
Len Fariello, Region VII – Hanover  
Stu Klatzman, Morris County Planning Board  
Mimi Letts, Morris Tomorrow  
Michael Obremski, Region II – Randolph  
Jim Rilee, Region III – Roxbury  
Laura Szwak, Morris County Municipal Utilities Authority  
Joseph Weisberg, Region V – Parsippany-Troy Hills

Members with excused absence:

Julie Baron, Morris County Park Commission  
John Manna, Region IV - Wharton  
William O'Connor, Region VIII – Chatham Township  
Susan Wright, Region I – Chester Borough

Also attending:

Jack Schrier, Morris County Board of Chosen Freeholders (departed at 7:42 P.M.)  
Frank T. Pinto, Jr., Director, Morris County Department of Planning & Development  
Ray Chang, Director, Morris County Preservation Trust  
Barbara Murray, Open Space Program Coordinator, Morris County Preservation Trust  
John Napolitano, Esq., Special Counsel, Morris County Open Space Trust Fund

Members of the public:

Joan Lisi, Protect our Wetlands, Waters, Woods (POWWW) (departed at 8:15 P.M.)  
Kathy Haake, Rockaway Borough resident (departed at 8:27 P.M.)  
Edward Wacks, Esq., Attorney for Rockaway Borough (departed at 8:27 P.M.)  
Melissa Burnside, Rockaway Borough Council (departed at 8:27 P.M.)  
Joyce Kanigel, Rockaway Borough Council (departed at 8:27 P.M.)  
Terrence Nolan, The Trust for Public Land (departed at 8:47 P.M.)

**OPEN PUBLIC MEETING STATEMENT**

Frank Pinto stated that, in accordance with the Open Public Meetings Acts, adequate notice of the meeting had been provided and filed with the Town of Morristown, the Morris County Clerk, the Daily Record and the Star Ledger.

## **WELCOME**

Freeholder Jack Schrier welcomed the new and returning members to the 2010 committee. He thanked the members for their time serving on the committee and commended their due diligence in the review of each year's applications. Members and staff introduced themselves.

## **PUBLIC COMMENT**

Kathy Haake, Rockaway Borough resident, spoke in support of the Borough's open space application on tonight's agenda. She said any flexibility the Board could offer on the project timeline would be appreciated.

## **APPROVAL OF MINUTES**

On a motion by Mimi Letts, seconded by Stu Klatzman, the committee approved the minutes of the December 9, 2009 meeting. A roll call vote was taken.

Aye: Coogan, Fariello, Klatzman, Letts, Rilee (abstain on executive session)

Nay: None                      Abstain: Collins, Davis, Donegan, Obremski, Szwak, Weisberg

## **STAFF REPORT**

1. Mr. Pinto discussed P.L. 1997, Chapter 24, the state enabling legislation which permits the creation of a county open space trust fund, as well as the trust fund's rules and regulations with the committee. Chapter 24 provides the basis for the Rules and Regulations which govern Morris County's Open Space Trust Fund. The Rules and Regulations are presently being merged with those for the Historic Preservation Program into one document.
2. Ms. Barbara Murray described the role of regional representatives. She noted that although the primary role of representatives is to review and make annual recommendations to the Board of Chosen Freeholders on open space applications, regional representatives also provide valuable expertise and local knowledge about projects. Ms. Murray outlined membership responsibilities.
3. Mr. John Napolitano, Esq. reviewed the County's policies governing Conflict of Interest and Attendance at Meetings with the committee.

## **NEW BUSINESS**

1. Ms. Murray reviewed the grant timeline and stated the 2010 application would be posted on the website in the spring. A flyer announcing the application's availability will be mailed to all municipalities and non-profits as well. Completed applications are due July 23 this year. In August, staff prepares materials for an application summary booklet for members to use on the field visits, which will be scheduled for September and October.
2. Ms. Murray mentioned each member was required to submit a financial disclosure form, identifying their membership on the County's Open Space Trust Fund Committee. She stated copies of the form could be accessed from the Department of Community Affairs website.

**CLOSED SESSION**

On a motion by Jim Rilee, seconded by Stu Klatzman, the committee closed the open portion of the meeting and voted to conduct a closed session.

**RETURN TO MEETING**

The meeting reopened to the public at 8:59 P.M.

**ACTIONS RESULTING FROM CLOSED SESSION**

- 1. Protect our Wetlands, Water, Woods (POWWW)/Jonathan’s Woods Extension: On a motion by Jim Rilee, seconded by Louise Davis, the committee voted to approve a) tenancy-in-common acquisition by POWWW and the Township of Denville; b) the assignment and assumption of the grant agreement to the Township of Denville; and c) a six-month grant extension on the project. A roll call vote was taken.  
 Aye: Collins, Coogan, Davis, Donegan, Fariello, Klatzman, Letts, Obremski, Rilee, Szwak, Weisberg                      Nay: None                      Abstain: None

(At this point, Laura Szwak left the meeting room.)

- 2. Trust for Public Land/South Branch Headwaters: On a motion by Jim Rilee, seconded by George Coogan, the committee voted to approve the revised restoration plan scenario and to require funds for the restoration held in an attorney escrow account. A roll call vote was taken.                      Aye: Collins, Coogan, Davis, Donegan, Fariello, Klatzman, Letts, Obremski, Rilee, Weisberg                      Nay: None                      Abstain: None

(At this point, Laura Szwak returned to the meeting room.)

**NEXT MEETING DATE**

The next regular meeting is scheduled for Monday, April 12, 2010 in the 4<sup>th</sup> Floor Conference Room of the Offices of Planning & Development, located at 30 Schuyler Place, Schuyler Annex Building, in Morristown, New Jersey at 7:30 P.M.

**ADJOURNMENT**

On a motion by Louise Davis, seconded by Laura Szwak, the meeting was unanimously adjourned at 9:03 P.M.

Respectfully submitted,

Barbara J. Murray