

**MINUTES
MORRIS COUNTY
OPEN SPACE PRESERVATION TRUST FUND COMMITTEE
30 Schuyler Place, 2nd Floor, Morristown, New Jersey
December 4, 2019**

The meeting was called to order at 7:30 P.M. by Chairperson Jay Thomson.

Members present:

Marcia Asdal, Region I – Chester Township
George Coogan, Region VII – Morris Plains
Kathy Haake, Region IV – Rockaway Borough
Robin Jones, Region VI – Pequannock
Joseph Nametko, Region III – Netcong
Don Richardson, Region VIII – Long Hill
Elliott Ruga, Region V – Boonton Town
Mohamed Seyam, At-Large (arrived 7:33 P.M.)
David Sprandel, Region II – Mendham Borough
Laura Szwak, Morris County Municipal Utilities Authority
Jay Thomson, Morris County Agriculture Development Board

Members with excused absence:

Nita Galate, Morris County Historic Preservation Trust Fund Review Board and Planning Board
Casey Parikh, At-Large
Matthew Tal, Morris County Park Commission

Also attending:

Freeholder Stephen Shaw, Liaison, Morris County Office of Planning & Preservation
John Napolitano, Esq., Morris County Counsel
Christine Marion, Director, Morris County Office of Planning & Preservation
Joe Barilla, Assistant Planning Director, Morris County Office of Planning & Preservation
Barbara Murray, Open Space Program Coordinator, Morris County Office of Planning & Preservation

Members of the Public:

None

OPEN PUBLIC MEETING STATEMENT

Chairperson Thomson stated that, in accordance with the Open Public Meetings Act, 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.

PUBLIC COMMENT

There was no public comment.

APPROVAL OF MINUTES

On a motion by George Coogan, seconded by Don Richardson, the committee approved the regular and closed session minutes of the September 4, 2019 meeting, with corrections as noted. A roll call vote was taken. Aye: Asdal, Coogan, Jones, Richardson, Seyam, Sprandel, Szwak, Thomson
Nay: None
Abstain: Haake, Nametko, Ruga

On a motion by Laura Szwak, seconded by David Sprandel, the committee approved the regular and closed session minutes of the September 14, 2019 site visits. A roll call vote was taken. Aye: Coogan, Jones, Nametko, Ruga, Seyam, Sprandel, Szwak, Thomson
Nay: None
Abstain: Asdal, Haake, Richardson

On a motion by Laura Szwak, seconded by George Coogan, the committee approved the regular and closed session minutes of October 22, 2019 final presentations. A roll call vote was taken. Aye: Coogan, Haake, Jones, Richardson, Seyam, Sprandel, Szwak, Thomson
Nay: None
Abstain: Asdal, Nametko, Ruga

Freeholder Stephen Shaw thanked the committee for their service this past funding round and elaborated on the Treadwell application approved for funding this year. Discussion ensued regarding tax lien sales and possible ways to monitor them when they are suitable open space acquisitions. Tax lien sales are tracked at the municipal level and there was discussion about possible ways municipalities can become more aware of these properties when they become available for sale. Freeholder Shaw emphasized the vigorous review process undertaken by the committee and review appraiser, as well as the documentation required as part of an application, underscored the diligent review of all applications by the committee before they submit recommendations to the Freeholder board. Staff will further research the tax lien process and ways to address in the program.

NEW BUSINESS

1. Discussion of funding round - Ms. Murray stated the last meeting of the year is used to solicit feedback from the committee on suggested improvements and/or changes to the application review process. Chairman Thomson suggested changes to the deliberation chart used to discuss grant allocations that would better capture member discussions on the project and recommended funding amounts. There was discussion of handouts at site visits. Ms. Murray stated the rules presently permit only a map to be handed out at site visits. It was agreed to remind applicants of the rules, and not to repeat information already handed out.

Ms. Murray suggested revising the policy of site visit attendance to be eligible to vote at deliberations. Mr. John Napolitano, Esq. advised that the current policy be maintained where each member is required to visit at least 50% of the sites in order to be eligible to vote. In addition, if a member did not visit a site he/she would then be ineligible to vote on it.

The summary book was discussed. Members stated the summary book was extremely useful for the field and secure website information was as well. It should not be replaced solely by web reports and maps for the committee in the field. It was suggested to add tabs for the individual projects.

The conflict of interest policy and recusal for various members for projects in their own town of representation was discussed. Mr. Napolitano described the evolution of the policy that was adopted by the Board of Chosen Freeholders, and stated that the committee was an advisory body. The projects provide a countywide benefit and are used by the general public.

- 2) Proposed Rule Changes- Ms. Murray reviewed suggested rule changes for the committee's discussion:
- a) Section 3.3.3. Eligible Acquisitions – This would allow reimbursement of funds for open space properties acquired by eligible applicants within the past funding round. She explained the county's historic preservation program permits reimbursement within one year of the application deadline. She reviewed items to consider, including appraisal review, consideration of a percent match, and required closing documentation.

Members discussed various factors that would need to be considered, including the price the applicant paid and prioritization of the project in the present funding round. Green Acres also does permit reimbursement and issues an at risk letter. Members were polled and provided comment. The majority of membership was not in favor of the rule change.

- b) 3.3.4. Ineligible Acquisitions – Ms. Murray reviewed a list of public entities that may own land suitable for open space. The committee discussed the matter and the majority of the membership did not support expanding the list of ineligible acquisitions in the rules and thought it best to address the matter on a case-by-case basis.
- c) 3.3.5. Open Space Trust Fund Committee – Ms. Murray stated at the present time, a representative of the county's Historic Preservation Trust Fund Review Board (HPTFRB) sits on the committee. The County's Trail Construction Grant Program is concluding its fourth funding round and to date has issued 26 grants, 38% of which have occurred on the open space preserved through this program. The number of trail applications are anticipated to increase. She explained presently a subcommittee of the HPTFRB visits any open space properties that contain historic resources and provides comments to the Open Space Committee, which are included in the summary book. Currently, few open space applications are submitted which contain historic resources.

After further discussion, on a motion by Joe Nametko, and seconded by Don Richardson, the Committee voted to further the proposed rule change to the Board

of Chosen Freeholders for their consideration and adoption. A roll call vote was taken. Aye: Asdal, Coogan, Haake, Jones, Nametko, Richardson, Ruga, Seyam, Sprandel, Szwak, Thomson Nay: None Abstain: None
Motion passed.

ADJOURNMENT

On a motion by George Coogan, seconded by Don Richardson, the meeting was unanimously adjourned at 9:32 P.M.

Respectfully submitted,

Barbara J. Murray