

**MINUTES
MORRIS COUNTY
OPEN SPACE PRESERVATION TRUST FUND COMMITTEE
30 East Hanover Avenue, Whippany, New Jersey
October 23, 2014**

The meeting was called to order at 6:01 P.M. by Chairperson Watson.

Members present:

Ted Eppel, Morris County Planning Board
Janet Foster, Morris County Historic Preservation Trust Fund Review Board
Larry Gindoff, Morris County Municipal Utilities Authority
Greg Keller, Morris County Agriculture Development Board
Deborah Nielson, At-Large
Diana Orban Brown, Region II – Mendham Township
Robert Purnell, Region VI – Montville
Bill Roehrich, Region I – Washington Twp.
Stephen Shaw, Region V – Mountain Lakes (attended via phone 9:49 P.M.)
Mark Taylor, Region VIII – Florham Park
Kathy Valva, Region III - Jefferson
Rick Watson, Region VII – Morris Twp.
Kim Wentworth, Morris County Park Commission

Members with excused absence:

Donald Kuser, Region IV - Denville
Leon Moreau, At-Large

Also attending:

Deena Leary, Director, Morris County Department of Planning & Public Works
Christine Marion, Director, Morris County Department of Planning & Preservation
Barbara Murray, Open Space Program Coordinator, Morris County Dept. of Planning & Preservation
John Napolitano, Esq., Special Counsel, Morris County Open Space Trust Fund
Robert G. Schwarz, MAI, Review Appraiser, Morris County Preservation Trust (arrived 8:13 P.M.)

Members of the Public

Barbara Eames
Margaret Gossett
Pat Petaccia
Jonathan Nelson
Jackie Bay

OPEN PUBLIC MEETING STATEMENT

Chairperson Watson 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, Township of Hanover, the Morris County Clerk, the Daily Record and the Star Ledger.

PUBLIC COMMENT

Barbara Eames, Hanover resident, presented information related to open space. She stated 31% of Morris County is preserved by some level of government. The County's trust fund will collect approximately \$9.0 million this year. The State of NJ is in a fiscal crisis. She encouraged members of the Open Space Trust Fund Committee to carefully consider their recommendations since once land is preserved it is removed from the tax roles.

Margaret Gossett, Parsippany resident, spoke about the Waterview project. She stated the land is zoned POD (Planned Office Development) which legally requires buffers. She believed the application was a gift to settle a frivolous lawsuit with the developer. Per the zoning, 55% of the tract is required to remain as open space.

Pat Petaccia, Parsippany resident, opposed the use of any open space funds on the Waterview project and stated it is being used as a settlement with the developer. She did not believe the application would be presented to the Open Space Trust Fund Committee per Parsippany Council action the previous week. She stated it was a waste of taxpayer's money to fund it.

Jonathan Nelson, Parsippany resident, stated he read the entire Waterview application for open space and does not believe walking trails could be implemented. He believes it is grossly overpriced. He stated Parsippany was the first municipality to have a municipal trust fund and there is a sacred trust regarding purchases which utilize trust fund dollars. He believes there are many more worthy projects to consider and encouraged the Open Space Trust Fund Committee to consider these factors.

Jackie Bay, Mountain Lakes resident, spoke regarding the Waterview project and questioned why county open space funds should be used to purchase land already protected by zoning. She stated the subject property is basically landlocked. She believed the entire property should be protected as open space and that there were better uses of trust fund dollars.

EXECUTIVE SESSION

WHEREAS, pursuant to P.L. 1975 Ch. 231, the Open Public Meetings Act, the Open Space Trust Fund Committee may exclude the public to discuss matters as are provided under the Act; and

WHEREAS, said Act provided that this Committee may exclude the public from the discussion of such matters,

NOW, THEREFORE, BE IT RESOLVED, that the Open Space Trust Fund Committee hereby excludes the public in order to discuss such matters. The general nature of the subject to be discussed is as follows: Purchase, lease or acquisition of real property. On a motion by Diana Orban Brown, seconded by Deborah Nielson, the committee closed the open portion of the meeting and voted to conduct a closed session

at 6:25 P.M.

RETURN TO MEETING

The meeting reopened to the public at 10:15 P.M.

ADJOURNMENT

On a motion by Mark Taylor, seconded by Larry Gindoff, the meeting was adjourned at 10:16 P.M. All in favor.

Respectfully submitted,

Barbara J. Murray