

**MINUTES
MORRIS COUNTY
OPEN SPACE PRESERVATION TRUST FUND COMMITTEE
30 Schuyler Place, 4th Floor, Morristown, New Jersey
December 8, 2014**

The meeting was called to order at 7:34 P.M. by Chairperson Watson.

Members present:

Ted Eppel, Morris County Planning Board
Larry Gindoff, Morris County Municipal Utilities Authority
Don Kuser, Region IV – Denville
Leon Moreau, At-Large
Deborah Nielson, At-Large
William Roehrich, Region I – Washington Twp.
Stephen Shaw, Region V – Mountain Lakes
Mark Taylor, Region VIII – Florham Park
Kathy Valva, Region III - Jefferson
Rick Watson, Region VII – Morris Township
Kim Wentworth, Morris County Park Commission

Members with excused absence:

Janet Foster, Morris County Historic Preservation Trust Fund Review Board
Greg Keller, Morris County Agriculture Development Board
Diana Orban Brown, Region II – Mendham Township
Robert Purnell, Region VI - Montville

Also attending:

Deena Leary, Director, Morris County Department of Planning & Public Works
Christine Marion, Director, Morris County Division of Planning & Preservation
Barbara Murray, Open Space Program Coordinator, Morris County Division of Planning & Preservation
John Napolitano, Esq., Special Counsel, Morris County Open Space Trust Fund

Members of the Public:

Guy Piserchia, Mayor, Long Hill Township
Neil Henry, Administrator, Long Hill Township
Jonathan Preziosi, Esq., Special Counsel, Long Hill Township

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, the Morris County Clerk, the Daily Record and the Star Ledger.

APPROVAL OF MINUTES

On a motion by Stephen Shaw, seconded by Ted Eppel, the committee approved the minutes of the September 8, 2014 meeting. A roll call vote was taken.

Aye: Eppel, Gindoff, Kuser, Moreau, Nielson, Roehrich, Shaw, Taylor, Valva, Watson,

Wentworth Nay: None Abstain: None

On a motion by Stephen Shaw, seconded by Ted Eppel, the committee approved the site visit minutes of September 13, 2014. A roll call vote was taken.

Aye: Eppel, Kuser, Nielson, Roehrich, Shaw, Valva, Watson, Wentworth
Nay: None Abstain: Gindoff, Moreau, Taylor

On a motion by Stephen Shaw, seconded by Larry Gindoff, the committee approved the site visit minutes of September 17, 2014. A roll call vote was taken.

Aye: Eppel, Gindoff, Kuser, Nielson, Valva, Watson, Wentworth
Nay: None Abstain: Moreau, Roehrich, Shaw, Taylor

On a motion by Larry Gindoff, seconded by Stephen Shaw, the committee approved the final presentation minutes of October 21, 2014. A roll call vote was taken.

Aye: Gindoff, Moreau, Nielson, Roehrich, Shaw, Taylor, Valva, Watson, Wentworth
Nay: None Abstain: Eppel, Kuser

On a motion by Ted Eppel, seconded by Stephen Shaw, the committee approved the final presentation minutes of October 23, 2014. A roll call vote was taken.

Aye: Eppel, Gindoff, Nielson, Roehrich, Shaw, Taylor, Valva, Watson, Wentworth
Nay: None Abstain: Kuser, Moreau

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 Mark Taylor, seconded by Ted Eppel, the committee entered into executive session at 7:38 P.M.

RETURN TO MEETING

The meeting reopened to the public at 8:29 P.M.

ACTION AS A RESULT OF CLOSED SESSION

Township of Long Hill/“Central Park” – On a motion by Deborah Nielson, seconded by Mark Taylor, the committee voted to approve the use of the remaining grant funds for the duration of the appeals process, not to exceed December 31, 2016. If the appeals process was not concluded by this date, the remaining funds would be returned to the trust fund. A roll call vote was taken.

Aye: Eppel, Gindoff, Kuser, Nielson, Roehrich, Taylor, Valva, Watson, Wentworth
Nay: Moreau, Shaw Abstain: None

NEW BUSINESS

1. Proposed Amendment to Rules and Regulations – County grant award percent cost

share on actual acquisition cost.

Ms. Murray explained the proposed amendment has always been in the grant agreement, but not memorialized in the Rules and Regulations. At the time of application and award approval, the cost of acquisition of a project is based on the appraised value, contract value or verbal offer. Upon approval of the applicant's appraisal report, the appraised value becomes Morris County's Accepted Market Value (AMV). If an award amount is based in either the appraised value or verbal offer, it may differ from the actual acquisition cost (i.e., contract amount). The final County grant award is the dollar amount approved by the Board of Chosen Freeholders or the dollar amount calculated by multiplying the actual acquisition cost by the original grant award percentage of the application acquisition cost, whichever is less. The maximum County cost share shall not exceed the AMV. The final grant award is based on the AMV when the actual acquisition cost exceeds the AMV.

Ms. Murray stated a percent cost share has always been identified in the grant agreement, based on the information from the application. When the actual acquisition cost differs from this value, the grant award is adjusted so it does not exceed the percent cost share. She reviewed the chart which demonstrates the rule and stated the chart will also be provided in the Rules and Regulations.

On a motion by Stephen Shaw, seconded by Mark Taylor, the committee voted to add the information related to County grant award percent cost share on actual acquisition cost to the Rules and Regulations of the Trust Fund. A roll call vote was taken.
Aye: Eppel, Gindoff, Kuser, Moreau, Nielson, Roehrich, Shaw, Taylor, Valva, Watson, Wentworth Nay: None Abstain: None

2. Application Review Process – Ms. Murray stated the last meeting of the year is used to solicit feedback from members on the application review process and obtain comments and suggestions for improvement. Members had no suggestions and stated all information was delivered in a timely fashion for their review. The secure website aided in this process.

ADJOURNMENT

On a motion by Kathy Valva, seconded by Leon Moreau, the meeting was adjourned at 8:47 P.M. All in favor.

Respectfully submitted,

Barbara J. Murray