

**MINUTES
MORRIS COUNTY
OPEN SPACE PRESERVATION TRUST FUND COMMITTEE
30 Schuyler Place, 4th Floor, Morristown, New Jersey
March 22, 2012**

The meeting was called to order at 7:35 P.M. by Deena Cybulski.

Members present:

Julie Baron, Morris County Park Commission
Paula Danchuk, Region III – Mount Arlington
Louise Davis, Morris County Agriculture Development Board
Ted Eppel, Morris County Planning Board (arrived at 8:22 P.M.)
Leon Moreau, At-Large
Kathy Murphy, Region I – Mount Olive
Diana Orban Brown, Region II – Mendham Township
Greg Poff, Region IV – Rockaway Township
Robert Purnell, Region VI - Montville
Stephen Shaw, Region V – Mountain Lakes
Mark Taylor, Region VIII – Florham Park (arrived at 7:49 P.M.)
Rick Watson, Region VII – Morris Township

Members with excused absence:

Janet Foster, Morris County Historic Preservation Trust Fund Review Board
Deborah Nielson, At-Large
Laura Szwak, Morris County Municipal Utilities Authority

Also attending:

Freeholder Ann F. Grossi, Liaison to Preservation Trust Division
Deena Cybulski, Director, Morris County Department of Planning & Development
Ray Chang, Director, Morris County Preservation Trust
Barbara Murray, Open Space Program Coordinator, Morris County Preservation Trust
Jennifer McCulloch, Flood Mitigation Program Coordinator, Morris County Preservation Trust
John Napolitano, Esq., Special Counsel, Morris County Open Space Trust Fund

Members of the public:

None

WELCOME

Freeholder Ann Grossi welcomed the new and returning members to the 2012 committee. She 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. Ms. Deena Cybulski advised she would chair tonight's meeting since last year's Chairperson was no longer on the committee. Elections for officers for 2012 would occur at the next meeting.

OPEN PUBLIC MEETING STATEMENT

Protem Chairperson Cybulski 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.

APPROVAL OF MINUTES

On a motion by Julie Baron, seconded by Kathy Murphy, the committee approved the minutes of the December 12, 2011 meeting. A roll call vote was taken.

Aye: Baron, Moreau, Murphy

Nay: None

Abstain: Danchuk, Davis, Orban Brown, Poff, Purnell, Shaw, Watson

STAFF REPORT

1. Ms. Barbara Murray discussed P.L. 1997, Chapter 24, the state enabling legislation which permits the creation of municipal and county open space trust funds and outlines permitted uses of the tax. Chapter 24 provides the basis for the Rules and Regulations which govern Morris County's Open Space Trust Fund.
2. Ms. Murray reviewed the Trust Fund Rules and Regulations with the Committee. She stated the Rules are a comprehensive document covering all Trust Fund programs, including the recently adopted Flood Mitigation Program to be discussed later in the meeting.
3. Ms. Murray described the role of regional representatives and provided a background on the composition of the committee for new members. She noted the primary role of members is to review and make annual recommendations to the Board of Chosen Freeholders on open space applications. Ms. Murray outlined membership responsibilities. She 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.
4. Mr. John Napolitano, Esq. reviewed the County's policies governing Conflict of Interest and Attendance at Meetings with the committee.

NEW BUSINESS

1. Project Status Report – Ms. Murray reviewed the list of recent and projected closings with the committee.
2. Ms. Murray reviewed the grant timeline and process for the committee. Like last year, all applicants will complete their application and mapping via a secure website utilizing the MCPRIMA Land Management Theme. Ms. Murray stated the application due date will be June 22; appraisals will be due July 24. The county will have a licensed review appraiser review each appraisal submitted and resolve any discrepancies prior to the committee's review in September. The review appraiser was utilized last year and the committee believed it was beneficial in the review of the applications. 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.

funding round. Members discussed the proposed changes. Ms. Murray provided comments by Laura Szwak. Ms. Szwak clarified the fully-executed contract requirement should also include option agreements. Ms. Szwak did not believe an updated appraisal should be required. This requires a greater expenditure on behalf of the applicant and additional time. Mr. Poff agreed and did not feel an updated appraisal should be required. Ms. Danchuk stated as written an updated appraisal may be required but was not mandatory. On a motion by Louise Davis, seconded by Rick Watson, the committee approved the amendment to the Rules and Regulations as written to require a fully executed contract to be eligible for a second grant extension, and possible requirement of an updated appraisal as a condition of a second grant extension. A roll call vote was taken. Aye: Baron, Danchuk, Davis, Eppel, Moreau, Murphy, Urban Brown, Purnell, Shaw, Taylor, Watson
Abstain: None Nay: Poff

5. Open Space Element to County Master Plan – Ms. Murray provided a background for new members. A subcommittee was formed last year to discuss indicators to permit a qualitative analysis of the trust fund goals and objectives, beyond just acres preserved. Three indicators were selected and were subsequently mapped by the GIS Division. The full Open Space Committee reviewed the preliminary maps at their December meeting, at which time it was felt this type of analysis should continue within the framework of an Open Space Plan. Since the plan is an element of the County Master Plan, it was suggested the County Planning Board investigate updating the document dating back to 1988. Ms. Murray stated she attended the February meeting of the County Planning Board to discuss the committee’s request. It was decided to have the Long Range Subcommittee of the Planning Board meet with the subcommittee of the Open Space Committee to discuss a plan for an update to the document including: content, manpower, and timeline.

Ms. Murray also asked for 2 additional volunteers to serve on this subcommittee, since Laura Szwak is the only member remaining.

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 Julie Baron, seconded by Louise Davis, the committee entered into executive session at 8:48 P.M.

RETURN TO MEETING

The meeting reopened to the public at 9:33 P.M.

ACTIONS AS A RESULT OF CLOSED SESSION

Township of Jefferson/“Hunter’s Glenn” - On a motion by Greg Poff, seconded by

