

**MINUTES
MORRIS COUNTY
OPEN SPACE PRESERVATION TRUST FUND COMMITTEE**

July 30, 2020

Held remotely via WebEx:

<https://morriscountynj.webex.com/morriscountynj/j.php?MTID=m6ab51f4223a6dae3e90cf556c4ea4a8e>

Phone In: 1-408-418-9388

Access Code: 129 901 8092

The meeting was called to order at 7:32 PM by Chairman Jay Thomson.

Members present:

Jacqueline (Jaki) Albrecht, Region III – Roxbury
Jennifer Cooper, Region I – Chester Borough
Nita Galate, Morris County Planning Board and Trail Program Advisory Committee
Suzanne McCluskey, Region VII – Morris Plains
Robert Norton, Region IV - Wharton
Kaushik (Casey) Parikh, At-Large
Elliott Ruga, Region V – Town of Boonton
Mohamed Seyam, At-Large
Laura Szwak, Morris County Municipal Utilities Authority
Jay Thomson, Morris County Agriculture Development Board

Members with excused absence:

Robin Jones, Region VI - Pequannock
Don Richardson, Region VIII – Long Hill
David Sprandel, Region II – Mendham Borough
Matthew Tal, Morris County Park Commission

Also attending:

Deputy Freeholder Director Stephen Shaw, Liaison, Morris County Office of Planning & Preservation
John Napolitano, Esq., Morris County Counsel
Joe Barilla, 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

Chairman 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.

WELCOME/INTRODUCTIONS

Freeholder Shaw introduced himself as liaison to the committee. He welcomed the

membership and thanked them for their volunteer service on the committee. All members and staff introduced themselves.

ELECTION OF OFFICERS

Ms. Barbara Murray served as temporary Chairperson and took nominations for the position of Chairperson for 2020.

On a motion by Laura Szwak, seconded by Nita Galate, Jay Thomson was nominated for the position of Chairperson. There being no other nominations, a roll call vote was taken. Aye: Albrecht, Cooper, Galate, McCluskey, Norton, Parikh, Ruga, Seyam, Szwak, Thomson Nay: None Abstain: None

Jay Thomson was elected Chairperson and chaired the meeting from this point forward.

On a motion by Elliott Ruga, seconded by Jaki Albrecht, Laura Szwak was nominated for the position of Vice-Chairperson. There being no other nominations, a roll call vote was taken. Aye: Albrecht, Cooper, Galate, McCluskey, Norton, Parikh, Ruga, Seyam, Szwak, Thomson Nay: None Abstain: None

Laura Szwak was elected Vice-Chairperson.

On a motion by Jay Thomson, seconded by Nita Galate, Casey Parikh was nominated for the position of Secretary. There being no other nominations, a roll call vote was taken. Aye: Albrecht, Cooper, Galate, McCluskey, Norton, Parikh, Ruga, Seyam, Szwak, Thomson Nay: None Abstain: None

Casey Parikh was elected Secretary.

APPROVAL OF MINUTES

On a motion by Elliott Ruga, second by Laura Szwak, the committee approved the minutes of the December 4, 2019 meeting. A roll call vote was taken. Aye: Ruga, Seyam, Szwak, Thomson Nay: None Abstain: Albrecht, Cooper, Galate, McCluskey, Norton, Parikh

NEW BUSINESS

Amended Timeline for Grant Round and Policies and Procedures - Ms. Murray reviewed the amended grant timeline and process with the Committee. Ms. Murray explained applications were released in early March; however, about a month of application review was lost when COVID hit. The application deadline was also moved back a month to July 10 to help accommodate applicants in light of COVID. She explained there is above average demand this year, with nine applications received covering 200.63 acres requesting \$2,991,825. There is approximately \$1,500,000 available to allocate. The last time there was such strong demand was 2014. Applications are still being reviewed by staff. A licensed appraiser will review each appraisal submitted and resolve any discrepancies with the applicants prior to the Committee's review at the September meeting. Ms. Murray said application summary books would be mailed to members in advance of the September 29 meeting. She said in light of COVID, the review of all applications would occur remotely via WebEx this year. Site visits will also occur remotely, utilizing a video submitted by applicants. Applicants will have a WebEx "site visit" conference with the committee on October 3 during which members can ask questions on the video or any application materials. Final presentations by the applicants will occur on October 20 and 21, with the

committee's final deliberations on grant recommendations reserved for a portion of the last night. Ms. Murray stated the recommendations of the Committee would be presented to the Board of Chosen Freeholders at their work session on November 9th. Action on the awards will occur at the second Freeholder meeting that month on November 23rd. If needed, the committee's last meeting of the year will be December 16th.

STAFF REPORT

- 1) Morris County Policies and Procedures - John Napolitano, Esq. reviewed the Conflict of Interest policy for members. Members residing in or representing the municipality in which an application is located should recuse themselves.

- 2) Diversions – Ms. Murray stated that when county open space program funds have been used on a project, the land is deed restricted and may only be used for open space and recreation purposes. Any other uses are diversions and need county approval in accordance with Trust Fund Rules Section 3.3.8. – Diversions. The rules were modeled after the more detailed NJ Green Acres program rules on diversions. She provided the committee an update on the three diversions applications involving the county.
 - a) Madison Recreation Center, Madison Borough – (John Napolitano, Esq., Jay Thomson, and Mohammed Seyam left the meeting room).

She stated it was initially anticipated that the county would be the primary review agency for this diversion, based on correspondence received from Green Acres. The State reissued guidance in January of this year stating they would be the primary review agency since the property was unfunded parkland, and thus encumbered by Green Acres. In late January, a meeting was held between State, County and Madison representatives to discuss coordination. Morris County will be copied on all submissions to the State. Ms. Murray stated since this meeting, there has been regular active coordination with the Green Acres' reviewer. There has been no action since the January meeting of all representatives. Ms. Laura Szwak stated she had reviewed the county's rules and had suggested changes to the rules which were provided to Ms. Murray. There was discussion about when would be the most appropriate time to address these revisions. Ms. Murray stated she would reach out to Special Counsel.
(John Napolitano, Esq., Jay Thomson and Mohammed Seyam returned to the meeting room).
 - b) Central Park, Long Hill Township– Ms. Murray stated the Central Park diversion in Long Hill Township dates back to 2015. The property is again classified as unfunded parkland, so Green Acres also is the lead agency regarding the review, with the County copied on submissions. A revised pre-application package was submitted to the State in late 2019. In February, a meeting was held between Green Acres, County and Long Hill representatives to discuss the coordination process. Long Hill must address the pre-application comments.
 - c) Glen Alpin, Harding Township – (Jay Thomson left the meeting room). Ms. Murray stated the Glen Alpin diversion dates back to 2008. It involves the historic Glen Alpin mansion and property, which was funded by both the county's Open Space and Historic Preservation programs, in addition to Green Acres funds to the Township of Harding and Harding Land Trust. It is now at final application stage after multiple revisions to the proposal. It is the closest to State House

Commission review of the three involving the county. Ms. Murray explained the next step would be the final application hearings and also review by the County's Open Space Committee once these are concluded. She said she would advise the committee with any updates at our next meeting. Mr. Elliott Ruga inquired how the County's review would occur with the Green Acres review. John Napolitano advised the county open space would make a recommendation to the Board of Chosen Freeholders who would take the action.

NEXT MEETING DATE

The next regular meeting is scheduled for Tuesday, September 29, 2020 at 7:00 PM via WebEx for the committee's review of the 2020 applications.

ADJOURNMENT

On a motion by Nita Galate, seconded by Mohamed Seyam, the meeting was unanimously adjourned at 8:13 P.M.

Respectfully submitted,

Barbara J. Murray