

SUSSEX COUNTY OPEN SPACE COMMITTEE

MINUTES

APRIL 26, 2012

The meeting opened at 7:38 p.m. by Vice Chairman Schweizer in the Freeholder Meeting Room at the Sussex County Administrative Center, One Spring Street, Newton, New Jersey. The meeting was held in compliance with the Open Public Meetings Act, N.J.S.A. 10:4-1 of 1975, as amended. Notice has been forwarded to the newspapers and posted on the bulletin board maintained at the Sussex County Administrative Center for public announcement.

**ROLL CALL:**

MEMBERS PRESENT: Glenn Schweizer, Vice Chairman  
Louis Caruso  
Lisa Chammings  
Wolfgang Gstattenbauer  
Ailish Hambel

MEMBERS EXCUSED: Cliff Lundin, Chairman  
Keith Utter

STAFF PRESENT: Donna Traylor, CADB Coordinator  
Antoinette Wasiewicz, Recording Secretary

ALSO PRESENT: None

**MINUTES CORRECTION/APPROVAL:**

A motion was made by Wolfgang Gstattenbauer to approve the Minutes of March 27, 2012 as presented. The motion was seconded by Lisa Chammings. All were in favor, with abstentions from Glenn Schweizer and Ailish Hambel. Motion carried.

**CORRESPONDENCE:**

A. STANHILL CONSERVATION WITHDRAWAL, VERNON, 3/27/12:

A letter from Susan Nelson, the Municipal Clerk in Vernon Township based on a phone conversation she had with Donna regarding the 2011 Grant cycle application for the Stanhill Conservation Project. The letter advised that Vernon had a change in form of government in 2011. The new Council has not acted on this grant project to date and has not made provisions for funding it in the 2012 budget cycle. The Council President indicated he has no plans to move forward with this project. The Township of Vernon withdrew the application for this project.

Donna said there were three applications in that round. One of them was complete, the Schuler property in Stillwater. With the Stanhill application withdrawn, it leaves the Lawler project in Lafayette Township remaining. Lafayette Township did provide Donna with an update about two months ago. They are working with potential contamination issues. Donna said she will reach out to them before the next meeting for another update.

Glenn Schweizer asked Donna if she had the member appointment letters from the Clerk of the Board. Donna said she now has all of the appointment letters.

**OLD BUSINESS:**

A. STATUS ON PLANNING INCENTIVE GRANT FUNDING:

Donna reported that she went through all the old files to see where we are with the Planning Incentive Grant funding. Over the years, the County received three different Planning Incentive Grants from Green acres. The total sum of the three grants was \$1.7 million. She provided the Committee with a summary sheet showing that the Culvermere, Lake Iliff, First Time Fen, Hopatcong Trails Greenway and Dry Brook Greenway and Francomacaro in Hopatcong adds up to just over \$1.3 million. She said she was able to find vouchers from the State for all but one. This leaves \$382,652 from the initial three Planning Incentive Grant requests. There are some outstanding requests to the State because on the Hopatcong and Lake Iliff parcels from 2007 and 2008 applications, they came in at a bargain sale compared to what was originally agreed to put into the property. Sandy Uργο reviewed the paperwork and prepared vouchers to the State to try to recoup the \$11,500 for Lake Iliff and \$17,500 for the Hopatcong property. That's \$29,000 that will come off the Planning Incentive Grant funds. Donna said according to the County Treasurer we have not received the funds. If the money does come back, it means we have expended all \$353,000. This money will expire November 9, 2012. Donna feels it would be extremely difficult between now and then to spend the money down. This money had been allocated many times over to various projects over the years that had withdrawn their applications. As much as could be drawn down from the Planning Incentive Grant money has been allocated for Andover Borough which has not been approved by the Freeholder Board.

Donna said the County requested funding and received a letter last year saying that there will be another \$900,000 contingent upon passage of legislation. However, that can only be spent at a 25% match. Cliff Lundin suggested that we could reach out to the municipalities and non-profits and explain that the only funds we have available are Planning Incentive Grant funds. There will not be funding available this year. The tax was decreased again. Once all the expenses are taken it, it leaves for two programs, \$122,000±. Donna said there may not be any acquisitions for either program. When asked what will happen to the money that was allocated to Stanhill, Donna said if there is an Open Space application or agricultural application it will go to that. It will go to wherever the need is. She added that last year there was only one Open Space application.

**MOTION:**

A motion was made by Glenn Schweizer to direct Donna to contact the municipalities and non-profits asking for Open Space applications with an explanation that the only funds that are available are Planning Incentive Grant funds. The motion was seconded by Lisa Chamings and carried unanimously.

**B. UPDATE ON TRAIL IMPROVEMENT DISCUSSION/RESOLUTION:**

Since the last meeting, Eric Snyder, the County Planning Director and Donna met with Rocky Gott. Rocky had been the superintendent of Kittatinny Valley State Park. Besides handling their own properties, they are responsible for the rail trails in Sussex County. Because of the PSE&G work, there are some dollars in a conservation fund (about \$51 million) and they are looking for suggestions on how to spend the money. Eric and Donna provided Rocky with a number of ideas and then these ideas were presented to Steve Ellis, the North Jersey Regional Superintendent for the State Parks. Donna believe he has brought these forward in a timely fashion to the parties that needed this information.

Some of the projects suggested were to repair bridges that are out, to purchase some holes in the donuts along the trail, resurfacing, playground equipment at Kittatinny Valley, work with Newton to extend the Sussex Branch Trail, and a nature and historic interpretation and education center at a building that already exists at Kittatinny Valley State Park. Donna prepared a Resolution of Support for these recommendations.

There were other suggestions for possible projects to come out of this fund. Donna explained that the deadline for the suggestions was two weeks ago. She explained that they only heard about it right after the last Open Space meeting. They met with Rocky and he had to get the information to Steve Ellis the following week.

**MOTION:**

A motion was made by Louis Caruso to send the Resolution of Support for the Trail Improvement Projects to the Freeholder Board. The motion was seconded by Wolfgang Gstattenbauer. A roll-call vote was taken. The results were as follows: Glenn Schweizer-Yes; Louis Caruso-Yes; Lisa Chammings-No; Wolfgang Gstattenbauer-Yes; and Ailish Hambel-Yes. Motion carried.

C. UPDATES/CHANGES FOR OS APPLICATION PACKAGE:

The Committee looked at the Open Space Application last month for updates and changes. Donna said Cliff Lundin sent her his comments. Donna said on the first page, obvious changes will be made to the dates. Cliff suggested that on Page One there be an area for an e-mail address for the contact person. Under Owner Description, also on Page One, to inquire as to whether or not there is a signed contract or option agreement on the property and the an expiration date of same. Inquire as to State Plan designation, Highlands designation and Sussex County Strategic Growth Plan designation. Cliff also suggested that there be a question as to how will the property be managed. Donna mentioned that stewardship has always been a concern with preserving open space. There were no other changes to the Open Space Application.

D. UPDATES/CHANGES FOR RULES AND REGULATIONS:

Donna said that Cliff Lundin also provided her with his suggestions for updates/changes for the Open Space Rules and Regulations. He felt the Introduction should be rewritten to reflect the current Open Space funding, adding that, "The funding will vary from year to year since the Freeholders have the authority to not fully fund the approved tax rate." At the bottom of that page, redefine "mostly natural or totally undeveloped" to include farmland. A number of applications have proposed to acquire farm fields and make them recreational areas. A strict reading of "natural or undeveloped" would prevent this use.

Cliff asked Donna to check the statute to make sure that TPL and Nature Conservancy meet the statute. Donna said she is reasonably certain they do because she remembers working with County Counsel to make sure that the environmental non-profits were considered that way.

Page 3, Section 4, Cliff suggested adding exclusions for designated centers as "G." The members present did not agree with this recommendation. Cliff also suggested adding an "H" to provide for exceptional circumstances as recommended by the Open Space Committee. There was some discussion about designated centers. Donna said that there is the State Development Plan that designates centers and says it should be used for growth. There is also the County Strategic Growth Plan that also identifies growth areas. The Plan is pretty specific about the difference between growth areas and areas of preservation. Also Page 3, V, needs to be reworded.

Page 4, paragraph 1, change the word “shall” to “may.” Paragraph 3, change to “Open Space Advisory Committee.” Paragraph 4, change “90 days” to “30 days.”

Page 5, delete “alternate member.” A member asked about the financial disclosure statement mentioned in the last paragraph. It is believed that this is only required from the Sussex County Planning Board. Donna said she will talk to County Counsel about this.

Page 6, delete the references to the alternate position. Page 7, Section VII, Cliff suggested adding, “Partners involved in partnerships with multiple entities will be have a higher priority.” Donna suggested “will be looked upon more favorably,” because the selection process does not prioritize. A member suggested the wording, “given consideration to.”

Donna said she will make the changes and review it with County Counsel. She will also ask him what the process will be. If Dennis McConnell has any changes, she will bring it back before the Committee.

**NEW BUSINESS:**

A. DISCUSSION ON MUNICIPAL OUTREACH MEETING: GOALS, AGENDA, DATE:

At previous meetings, the Committee discussed having a municipal outreach meeting. Donna discussed this with Eric Snyder and GIS. In 2006 the County developed a GIS feature that looked at the MOD 4 Database Property Class Code 15, which includes public school property, other school property, public property, church and charitable property, cemeteries and graveyards and other exempt properties. This information is available through 2006. Updates are needed from 2006 to now to find out if other municipal lands have been used for passive or active parkland. It may or may not be possible to identify that with the database.

Thought has been given to allow the municipalities to log onto an open space layer that the County has created and review the County’s data. They will be able to point out new properties that may have been acquired in these categories and identify its use. For Open Space, we would like to identify the lots and blocks, the property name, if applicable, and whether it is active or passive recreation or a greenway. There will be a place to enter in the user’s name, e-mail address and the data entry date.

If the Committee agrees, Donna will send out a letter next week to the municipalities, the Open Space Committee Chair or the Environmental Committee and/or the Municipal Clerk explaining the project and asking them to attend an Open Space Committee meeting. The information will be entered into the County’s database and then maps will be produced which show the new properties. Ultimately, we would like to identify linkages between State Rail Trails, Federal or State hiking trails and municipally owned trails. Lisa Chamblings said the Tax Assessors may be able to identify the use of those properties. She also had concerns on the cost to the

municipalities to do this research. Donna said she would talk to Eric Snyder and the GIS Manager and explain that there is some concern that there could be expenses incurred for someone to do this on GIS because some towns may not have the expertise for such a project. She will also talk to the GIS Manager about the possibility of asking for this information from the Tax Assessors by providing them with a list of what we have.

**B. PRELIMINARY DISCUSSION ON UPDATING OS PLAN:**

Donna said the County Open Space Plan was prepared in September 2003 and is now outdated. In conversations with Eric Snyder, it was felt that the Committees expertise could be helpful in starting to update the Open Space Plan; especially since Open Space acquisitions will be very limited this year due to the lack of funds.

The Executive Summary was distributed to the Committee prior to this evening's meeting. The Committee briefly looked over the document. She asked that the members look over the Executive Summary, the Description of Sussex County Resources and the History so that they can discuss them at the next meeting. Comments can be e-mailed to Donna so that they can be distributed to the rest of the Committee members.

Donna advised the Committee that the Birding and Nature Festival is scheduled for June 9 and 10. The website, [sussexbirdingandnature.com](http://sussexbirdingandnature.com) is up and running. Donna said she will probably do a Press Release to the municipalities. Bill Boyle will be the keynote speaker. He wrote, "Bird Finding in New Jersey."

**PUBLIC COMMENT:**

None

**ADJOURNMENT:**

All business having been completed, a motion to adjourn the meeting was made by Lisa Chamings. The motion was seconded by Wolfgang Gstattenbauer and carried unanimously. The meeting adjourned at 9:25 p.m.