

SUSSEX COUNTY OPEN SPACE COMMITTEE

MINUTES

MAY 28, 2015

The meeting opened at 7:30 p.m. by Chairman Lundin 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: Cliff Lundin, Chairman
 Glenn Schweizer, Vice Chairman
 Louis Caruso
 Lisa Chammings (7:36 p.m.)
 Wolfgang Gstattenbauer
 Donald Ploetner
 Wes Powers

STAFF PRESENT: Autumn Sylvester, Program Coordinator
 Antoinette Wasiewicz, Recording Secretary

ALSO PRESENT: Robert Muir, III, Esq., Town of Newton

MINUTES CORRECTION/APPROVAL:

A motion was made by Glenn Schweizer to approve the Minutes of April 23, 2015, as presented. The motion was seconded by Wes Powers. All were in favor, with an abstention from Donald Ploetner. Motion carried.

CORRESPONDENCE:

Autumn discussed an article in yesterday's NJ Herald which said that three candidates in Andover all cited that the rural quality of the Township was the one thing about the township that they would not change. She also discussed an April editorial in the NJ Herald regarding the value of the national parks. The Chamber of Commerce has identified that the County's communities and businesses benefit even more from the park. They would like to see some targeted changes and greater collaboration.

OLD BUSINESS:

None

NEW BUSINESS:

A. **OPEN SPACE TRUST FUND REFERENDUM DISCUSSION:**

Cliff Lundin said since the last meeting, he has had discussions with individual members of the Freeholder Board and with several individuals. As a result, a couple of the towns that attended the last meeting adopted Resolutions in support of continuing the referendum.

The Open Space Committee has been invited to the Freeholder meeting on June 10, beginning at 5:00 p.m. Mr. Lundin said he has been allocated 10 minutes to request action on the referendum.

Review of 2005 Ballot Question – Cliff said he spoke with Tom Gilbert, Trust for Public Lands and he had some suggestions on the language of the draft referendum. He thought, in the first paragraph, that “open space programs” be changed to “open space purposes” including protection of drinking water, supplies and water qualities in rivers, lakes and streams. He thought that might appeal to the public more if water quality is emphasized. At the end of that sentence, he suggested that “equalized real property value” be followed by “with an independent audit of all expenditures.” Mr. Gilbert also suggested that in paragraph two that a sentence be added saying that, “A no vote would let the current authorized levy of up to one and a half cents expire at the end of 2015.” Wolfgang said he read an article in today's paper about EPA's regulating stormwater. He thought the reference to protection of water may not go over well in Sussex County. Mr. Lundin gave a brief explanation of the EPA's Clean Water Act. He said he did not have a problem with not adding the sentence about protection of water but felt the comments about the independent audit and the explanation of the no vote are good suggestions. Donald Ploetner felt the explanation of the no vote should include language to make it clear that with the expiration of the existing tax, there will no longer be an open space program. Glenn Schweizer thought the references to water quality; drinking water and working farms should be added as well as “preserve open

space in natural areas.” There was some discussion regarding the last sentence in Item 2 which talked about the tax discontinuing once the objective of the program has been achieved or on January 1, 2026. Cliff said he included that language because it was in the referendum from 10 years ago and 15 years ago. He was trying to keep as close as possible to the language that passed both times. Discussion followed regarding the changes to be made to the Ballot Question.

The Committee agreed to the following changes:

- Add a comma to “2,552 acres” in the fourth “WHEREAS.”
- Correct the typo in the word “Preservation” in the title on Page 2.
- Correct the typo in the word “Board” and “Freeholder” on the “NOW, THEREFORE, BE IT RESOLVED...” on the first page.
- The first sentence of the second paragraph under Item 2, will read, “This referendum, if passed by the voters, will require the elected officials of the County of Sussex to continue the current “Farmland Preservation, Recreation and Open Space Trust fund” for the purposes of acquisition of working farmland for farmland preservation purposes and acquisition of lands for recreation and open space programs and protecting drinking water sources, lakes and streams.”
- The following sentence will be added to Item 2. “A NO vote will let the current tax expire, discontinuing the Farmland Preservation, Recreation and Open Space Trust Fund.”
- The language regarding an annual independent audit will be added.

MOTION:

A motion was made by Wolfgang Gstattenbauer to approve the Ballot Question with the above noted changes. The motion was seconded by Donald Ploetner and carried unanimously.

Cliff asked if the Agriculture Development Board has been notified of the Freeholder Meeting Date. Autumn said that she talked about the meeting at the May Ag. Development Board meeting and they were waiting to hear the date. Autumn said they were all sent an email advising them of the June 10 meeting date.

Review of Trust for Public Lands materials – Cliff said the Open Space Committee is an advisory committee to the Freeholder. He said the Committee cannot officially lobby for this Referendum. However, individually they can all say that it’s a great idea. He said they Committee should be looking for someone to be the spokesperson. Cliff said that the Open Space Committee can use Trust for Public Lands materials to put together a Facts Sheet and with authorization, it can be put on the County website. It can also be sent to the towns, asking them to put it on their websites, etc. Donald asked if the Facts Sheet could be sent to the newspapers. Cliff said it could. Autumn said there was

an article in Sunday's paper regarding open space in the County. Cliff suggested that a one page Facts Sheet be finalized by August or September. Autumn said she has prepared Facts Sheets for other municipalities. Cliff suggested that a draft Facts Sheet be available for the next meeting.

Cliff asked Autumn if Open Space applications have been sent out to the towns. Autumn said she has not sent anything out yet because last year they were sent out in August. Cliff said that typically the Committee has an informal session in August and a formal presentation in September. He suggested sending out the applications in mid-June. Autumn said The Land Conservancy is working on a project in Vernon and that she received quite a few inquiries about the Open Space program from a few realtors. Cliff said it would be nice to go into November saying we have a number of applications already.

Cliff said in the end, the restrictions and limits on the Open Space Program need to be re-discussed with the Freeholders, assuming the Referendum passes. As it stands, the funds are split 90%/10% and if the 10% isn't used, it goes to Farmland Preservation. The Open Space program should have the ability to roll over the funds just like the Farmland Preservation Program. Glenn said it would be very telling if applications came in and they exceeded the funds. Cliff said the Committee has to be clear that it is interested in targeted acquisitions and are not looking to buy property that would never be developed anyway.

PUBLIC COMMENT:

Robert Muir, III said he is an attorney in Newton. As a result of the editorial, there was a report that was prepared by the Delaware Water Gap. He said he has had discussions with Autumn about the results. The issue of water quality and bonds can be dealt with in that report because there is a lot of information in it about how to properly educate the public. There is a lot of misinformation as to how and what the benefits (of open space) are. One of the things the report talked about was how the Water Gap received \$66 million, as part of the power lines project; and of that, \$20 million has been set aside for conservation. He said perhaps the County can open up negotiations with the Delaware Gap. He said probably the best way to address the 90%/10% split is to update the Open Space Plan.

Mr. Muir talked about the importance of educating the public. He said his son took a Business class at Sussex County Community College and part of it was to contact the voters to deal with questions. Perhaps the students can contact voters regarding the issue of conservation and how it saves tax revenues. He said he is very interested in this issue and offered his assistance in any way. Cliff said the Committee can use any bit of help they can possibly get. Mr. Muir said he is a Trust and Estate attorney and that he is familiar with grant writing. He also talked about a report that said the

student population of Sussex County has decreased by 20%. What would that affect if that continues? What effect would that have on the tax?

Mr. Muir said the Senate just passed a bill to talk about creating a research division in the Office of Tourism. This would benefit Sussex County greatly. Autumn said the County wanted to do an app with funding through the Highlands Council, but the Council did not approve it. The County's agri-tourism budget is miniscule. Mr. Muir suggested having an engineering school put out a competition to come up with a tourism app. The Committee thanked Mr. Muir for his input and welcomed him to attend the June 10 Freeholder meeting.

The meeting was closed to the public.

Autumn is working on a fiscal impact analysis of a recent development application in Sparta. She originally started out with the entire County but there were too many numbers. She will provide the report to the Committee at the next meeting.

ADJOURNMENT:

All business having been completed, a motion to adjourn the meeting was made by Donald Ploetner. The motion was seconded by Wolfgang Gstattenbauer and carried unanimously. The meeting adjourned at 8:20 p.m.