

SUSSEX COUNTY OPEN SPACE COMMITTEE

MINUTES

JULY 28, 2011

The meeting opened at 7:32 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
Lisa Chammings
Wolfgang Gstattenbauer
Ailish Hambel
Lori Intoccia

MEMBERS EXCUSED: Glenn Schweizer, Vice Chairman
Keith Utter

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

ALSO PRESENT: Daniel Flynn, Town of Newton
Peter Pearson, Andover Borough Council
John Morgan, Andover Borough Mayor
Kathy Haake, Trust for Public Land
Marge Barrett, Paulinskill Valley Trail Committee
Joe Burgiel, Paulinskill Valley Trail Committee
Marie Springer, Wallkill River National Wildlife Refuge

MINUTES CORRECTION/APPROVAL:

A motion was made by Wolfgang Gstattenbauer to approve the minutes of April 28, 2011 as presented. The motion was seconded by Ailish Hambel and carried unanimously.

A motion was made by Lisa Chammings to approve the minutes of June 23, 2011 as presented. The motion was seconded by Cliff Lundin. All were in favor with abstentions from Wolfgang Gstattenbauer, Ailish Hambel and Lori Intoccia. Motion carried.

CORRESPONDENCE:

A. DELIVERABLES FOR LAKE ILIFF PROJECT, E. MATASET, GREEN ACRES AND SANDY URGO, LAND CONSERVANCY OF NJ:

An e-mail was received from Elizabeth Mataset requesting documents needed to complete the Lake Iliff project. They are: Title Insurance Policy with the Green Acres language included; Recorded Deed with the Green Acres language; Executed Assignment Agreement between Andover Township and Sussex County and a copy of canceled check to the former property owner.

B. DELIVERABLES FOR MARX PROJECT, HOPATCONG, E. MATASET, GREEN ACRES, 7/19/11:

An e-mail was received from Elizabeth Mataset requesting documents needed to complete the Marx project. They are: Recorded Deed with Green Acres language included; Executed Assignment Agreement with Hopatong Borough and Title Insurance Policy with the Green Acres language included

C. DELIVERABLES FOR GOLDMAN PROJECT, FRANKFORD, E. MATASET, GREEN ACRES, 7/22/11:

An e-mail was received from Elizabeth Mataset requesting documents needed to complete the Goldman project. They are: Title Policy with Green Acres language included and the Recorded Deed with Green Acres language included.

D. ACTION ALERT FOR LWCF FUNDING:

An Action Alert was received from Wilma Frey, NJ Conservation Foundation regarding a proposed Bill before the House of Representatives. This Bill has dozens of anti-environmental provisions and included unprecedented cuts to conservation and environmental protection programs. If passed, this Bill would slash funding for the Land and Water Conservation Fund by more than 80%, its lowest level in 45 years. The notice urges people to contact their Congressman immediately. Donna said she forwarded this notice to the SCOS Committee via e-mail.

Donna reported that she sent out a Press Release regarding a program called "10 for 10." The program is trying to get consumers to pledge 10% of their weekly grocery bill

to buying fresh and buying local. When the coupon is presented at any Sussex County farm stands and Farmers Markets, it will be noted with the farm name and amount spent. At the end of the ten weeks, the consumer can drop off the coupon at participating farm stands (listed on the sussexfarmvisits.com website) or at the Sussex County Farmers Market at the Fairgrounds. They will then be eligible to win a basket of Jersey Fresh products. The baskets will be given out at the Harvest Festival on October 15 at the Fairgrounds.

The program highlights that eating fresh is nutritious and helps preserve the quality of life in Sussex County with its farms, ecotourism and agritourism. Donna distributed coupons to the Committee.

OLD BUSINESS:

A. SUSSEX COUNTY RAIL TRAIL PROJECT (UPDATE):

Donna said this Committee saw the effort put forward by the Sussex County Chamber of Commerce with their brochure. The Planning Division had an intern this year who is doing GPS work on the trails. Both the intern and a Planner have been out working on the Paulinskill Valley Trail and the Sussex Branch Trail.

The County is trying to gather information on the trails and potentially put a page on the sussexbiringandnature.com website in the near future. If funding is available, the County may be able to do a brochure to build on other brochures that are already out.

NEW BUSINESS:

A. PRESENTATION: PAULINSKILL VALLEY TRAIL COMMITTEE, MARGE BARRETT:

Marge Barrett said in the early 1980's the DEP held a hearing in Blirstown because they wanted to purchase the NY Susquehanna and Western Right of Way. There was fierce opposition at that hearing and a subsequent second hearing. The Paulinskill Valley Trail Committee decided to assist the State in purchasing the property from the city of Newark and in 1992 the State successfully purchased this rail trail. The State combined the 26 miles of the trail with the Sussex Branch Trail (which is 20 miles) and formed a brand new State Park, the Kittatinny Valley State Park. It was placed under the supervision of the Swartswood State Park.

Ms. Barrett said for the last 15 years she has walked the rail trail and for several years has been photographing wildflowers. She did a Slide Show presentation of some of the highlights of the trail as well as the wildlife and flowers she has photographed.

B. PRESENTATION: WALLKILL RIVER NWR, MARIE SPRINGER:

Marie Springer said she is a volunteer with the Wallkill River National Wildlife Refuge. She explained that National Wildlife Refuges are specifically there for the protection of habitat of endangered and threatened wildlife, specifically for migratory bird habitat. National Parks are there for the recreation of people. However, National Wildlife

Refuges do allow recreational activities. They allow birding, hunting on some refuges, interpretive programs, canoeing, kayaking and fishing in very specific areas. The Wallkill National Wildlife Refuge has been in existence since 1990. Currently, it runs from Frankford into New York State and is about 6,500-7,000 acres.

They are under the Department of Interior and the majority of funding for land acquisition comes from the Land and Water Conservation Fund. The funding for that comes from off shore drilling. Because there is a moratorium on off shore drilling, there are no funds for the Land and Water Conservation Fund. The Land and Water Conservation Fund is annually enacted by Congress and it is supposed to get about \$900 million per year for land acquisition. National Wildlife Refuges only buy from willing sellers, they do not do any eminent domain and they only buy at fair market value.

The primary purpose of the Wallkill National Wildlife Refuge is habitat for bog turtles and Indiana bats. The Fish and Wildlife Services decided there are certain species that are becoming more endangered. In this area they are currently placing a priority on preserving habitat of the Eastern Cottontail, which is being lost to development.

Ms. Springer said she also works with bees and bats. She said there are over 400 types of native bees in our area. She had a display board with a few specimens of native bees. She also talked briefly about other pollinators, such as other insects and birds. When asked, Ms. Springer talked about white nose disease in bats, which has a 97% mortality rate. There is a woman in Hunterdon County who has figured out how to keep the white nose bats from dying. They have to be taken out of caves and mines and kept in an artificial hibernation. It is a cold loving fungus that is killing the bats. There are barracks in Vermont where the bats started living. Whatever the chemical composition is of the barracks, it does not foster the white nose syndrome. Artificial hibernation is being used to repopulate the bats. The disease is now in 19 states and four provinces in Canada. The disease is believed to have originated in Europe.

C. PRESENTATION ON CONCEPTUAL APPLICATION – TPL, KATHY HAAKE:

Kathy Haake said the Trust for Public Lands works with partners to buy land to use for parks and natural spaces. She is here this evening to talk about an Andover Borough project. The Andover Borough Mayor and a Council member were present this evening.

The Trust for Public Land is a national non-profit land conservation organization. They are headquartered in San Francisco, CA with 38 offices and about 300 employees. The New Jersey office is in Morristown. Their mission is to conserve land for people to enjoy as parks, gardens and other natural places ensuring livable communities for generations to come. Their focus is on lands that people can enjoy, whether it is inner city parks or wilderness areas. Since 1972, TPL has completed over 4,000 transactions protecting 2.8 million acres of land at a Fair Market Value of \$6.6 billion.

The Francisco Farm is about 280 acres in three different municipalities. The majority of the acreage is in Andover Borough. It is currently leased to the Fairfax Farm, however this is not going to be a farmland program. They hope to acquire the property for open space. The majority will end up with Kittatinny Valley State Park.

In the late 1980's there was a General Development Plan (GDP) designed for the Borough property that included 590 residential units and 285,000 sq. ft. of commercial and retail space. It would have tripled the size of the Borough. As part of the plan, the developer was to provide the Borough with a number of improvements, specifically a couple of fire trucks, ambulance, a new municipal building and a variety of other things. In the past, a developer would help out a town, but this is not allowed anymore. The Borough realized that without the developer providing these services, it was going to have a huge impact on their finances. With the financial concerns, the impact to the environment and the traffic, the Borough decided that the General Development Plan was not going to benefit the area. This led to several years of legal challenges and public meetings. In 2010, the judge did uphold the GDP, so the plan can move forward.

The Trust for Public Land was brought in by a local advocacy group. They got the property under option to buy for open space. TPL feels this property is a very worthy preservation project. It is an eligible historic district and an area of significant groundwater recharge. There are two Category One streams, one running through the property, and one is nearby. The streams run to the Pequest River which has bog turtle habitat. Development would increase traffic along Route 206 and would severely impact the rural character of the area. They have been working closing with Andover Borough who provided a Resolution in support of the Sussex County Open Space application. They have also met with Andover Township and with Byram Township and both support the project. Ms. Haake expects to get Resolutions of Support from both Andover Township and Green Township at their council meetings on the 8th. Although none of the acreage is in Byram, they have provided a letter of support.

Ms. Haake did a Power Point Presentation of the property. The project borders the Sussex Branch Trail which connects to the Paulinskill Trail. There is another potential trail which could be added. The property provides a link between Kittatinny Valley and Allamuchy and could provide a greenway between the two parks.

The purchase price is confidential but it is on the application. The State will fund a large portion of the purchase price. The property is technically outside of the Highlands, so they will not receive 100% of the funding from the State. TPL has committed Green Acres Funds and Andover Borough is also contributing a substantial amount for the acquisition. The details of the ownership have not yet been decided; that will be based on where the funding comes from. They do expect the State to take a large ownership. Because it is not a farmland project, they are still looking for someone to take the farm buildings. If they cannot find a buyer for the farm buildings, they will have to demolish them. There has been discussion about putting ball fields on the lower portion of the property. TPL has the property under option until March 2012 but the landowner does not want to see projects. The State has commissioned appraisals and Andover Borough is asking taxpayers to approve an Open Space Tax. This will bring local funds from the town and will make them more eligible for Green Acres Grant. Another non-profit is working with them and helping the town with their Open Space Plan. TPL is still looking for partners and hopes that Sussex County will support them.

Donna said the final application for Open Space is due in about two and a half weeks. She asked if they will have more funding information by that time. She explained that the County has Planning Incentive Grant monies that it needs to expend by November 2012. The focus of the Open Space Committee this year is mainly to utilize that money. How TPL's other partners come into play will affect the ability of this Committee to determine whether they can provide funding for this project. Ms. Haake said TPL will not have that information by August 16. She did say that once they have some of the public funding together, they will be looking for non State match.

The meeting was opened to the public.

No comments or questions were offered.

The meeting was closed to the public.

Donna suggested that the Committee set a date to visit the property. The Committee agreed to visit the property on Wednesday, August 3. They will meet at 9:30 a.m. behind the Andover Borough municipal building.

After a brief discussion, a motion was made by Lisa Chammings to cancel the August meeting. The motion was seconded by Wolfgang Gstattenbauer and carried unanimously.

The members who were absent this evening will be advised of the August 3 visit. Donna advised the Committee that the formal presentations will be made at the September meeting on September 29.

PUBLIC COMMENT:

None

ADJOURNMENT:

All business having been completed, a motion to adjourn the meeting was made by Ailish Hambel. The motion was seconded by Wolfgang Gstattenbauer and carried unanimously. The meeting adjourned at 8:55 p.m.