

SUSSEX COUNTY OPEN SPACE COMMITTEE

MINUTES

SEPTEMBER 23, 2010

The meeting opened at 7:35 p.m. by Chairman Vohden 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: Richard Vohden, Chairman
Ailish Hambel
Cliff Lundin
Glenn Schweizer
Dennis Snyder

MEMBERS EXCUSED: None

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

ALSO PRESENT: Bob Canace, Land Conservancy of New Jersey
Sandy Urgo, Land Conservancy of New Jersey
Eric Olsen, Nature Conservancy

MINUTES CORRECTION/APPROVAL:

The Minutes of July 22, 2010 were not available.

CORRESPONDENCE:

A. GOLDMAN OPEN SPACE, FRANKFORD TWP., 7/27/10:

A copy of a letter to John Eskilson from Frankford Township was received regarding the Goldman Open Space project. In response to the County's offer to provide additional funds for this project, Frankford Township requested that Sussex County provide an additional \$100,000 in Green Acres Planning Incentive Grant funds. This would result in a cost-share ratio of 30% township funds/70% county funds and will allow Frankford to retain more of its Green Acres funding for future projects.

Donna said instead of \$375,000, the County is funding \$475,000 for this project.

B. SC PIG, GREEN ACRES, 7/28/10:

A letter dated July 28, 2010 was received from Green Acres advising of their intent to cancel and reallocate Sussex County's \$482,652.00 in unused Planning Incentive Grant funds. They acknowledged a meeting between the County and Elizabeth Mataset of the Green Acres Program on July 29, 2010 to discuss an active land acquisition project for which the County has prepared a project reference map, has completed appraisals and intends to close by December 31, 2010.

Donna said on July 29 she attended a meeting with Elizabeth Mataset, John Eskilson, Eric Snyder, Sandy Urgo and David Epstein. John Eskilson was extremely adamant in that the County has been trying very hard to get the closings done and utilize the money. The County has used all of the first two Planning Incentive Grants and the remainder that is being cited is monies that was only received a year and a half ago.

C. YORKSHIRE COUNTRY CLUB CANCELLATION OF PROJECT, LAFAYETTE TWP., 8/3/10:

A letter was received from Lafayette Township advising that the Estate of Gerry Turco rejected the Township's purchase offer for the Yorkshire Country Club Open Space project and that the court has refused to overrule this decision in the interest of settling the Estate. Lafayette Township therefore requests that the open space grant agreement for this project be cancelled effective immediately. They hoped that cancellation of this project would provide sufficient funding for their current "Lawler" application. The cancellation of this project returns \$242,000 back into the Open Space funds.

D. SC PIG REQUEST FOR INFORMATION, GREEN ACRES, 8/16/10:

After the July 29, 2010 meeting, a letter was received from Elizabeth Mataset advising that a requirement of requesting Planning Incentive Grant monies is that the entity must prove that they are collecting and spending Open Space Tax for Open Space Preservation, at least one half a cent in order to qualify for 50% matching grant. They requested that the County confirm, in writing, that Sussex County is collecting the tax. John Eskilson forwarded paperwork from the County Treasurer to Elizabeth Mataset and certified that the County Open Space rates from 2001 through present have been at least or greater than half a cent and that it continues to be such.

E. SC REQUEST FOR ADDITIONAL FUNDING, J. ESKILSON, 8/24/10:

A copy of a letter from John Eskilson to NJDEP, Green Acres Program has been received. The letter was an addendum to his request for an additional \$2 million in Planning Incentive Grant funds for the 2010 round. Mr. Eskilson described the Hudson Farm West project which the County hopes to preserve as open space. The property is owned by a willing seller who has committed to a significant bargain sale. The County hopes to complete appraisals on this property as soon as Green Acres funding approval is received, to enter into a contract of sale and close on the acquisition in the first half of 2011. The acquisition would require the County to use all of the requested \$2,000,000.

Mr. Eskilson said that funding needs for several other open space acquisitions around the County have been identified but they have not progressed enough to provide details at this time.

OLD BUSINESS:

A. UPDATES ON CLOSINGS;

Donna reported that the Goldman project is very close to closing. The County has signed off on all the vouchers and is processing the County's funding end of it.

The meeting was opened to the public.

Bob Canace said Frankford Township applied for County funding and they are waiting for the Green Acres Voucher before scheduling a closing date.

Sandy Uργο said that the Marx Project in Hopatcong is being delayed by the seller's attorney. They are waiting for draft deeds. Ms. Uργο said she spoke with the attorney who explained he had been away for two weeks and promised her the package would be sent out this Tuesday, but she has not received it as of today. She will let him know that their funding is at risk and that the closing must happen immediately. After receipt of the draft deeds, the County will receive the State's voucher and after it is signed, they will be ready for a check and closing.

Donna said that so far, all of the 2002, 2003, 2004, 2005 and 2006 are complete. The Marx project is the last one from 2007 and the Dry Brook Greenway is from 2008. Donna asked Ms. Uργο if she knew the status of the Trout Brook Extension in Stillwater. Ms. Uργο said she will discuss it with them but she believed that funding will be returned. The Armstrong Bog project is progressing.

The meeting was closed to the public.

NEW BUSINESS:

A. FINAL PRESENTATION – LAFAYETTE TOWNSHIP:

Bob Canace said the Lawler property is a natural open space because it is surrounded on three sides by State land, with the Paulinskill Valley Trail on one side, along with the Wildlife Management Area; the Sussex Branch Trail on the southeastern side; and

the Paulinskill Wildlife Management Area in the northwest. The State said they are very interested in partnering on this project. They originally turned down the project because of the high asking price. If the Township can get the property at the price that is on the application, about \$800,000.00, the State will participate. The State is interested in the forested areas; Lafayette wants to retain the fields. When they get into a contract, they will revise the request of funds from the County.

Mr. Canace said that Lafayette Township is amenable to putting parking facilities in for the Paulinskill Valley Trail. Lafayette Township is going through their COAH analysis at the present time. Once the plan is complete, they will know about the housing issues. The township is requesting \$280,000.00 from the County and they are putting in a significant portion of their Open Space Trust balance.

Rich Vohden asked if Lafayette would put their COAH units at that location or would they subdivide those out of this application. Mr. Canace said they would have to because they would have to be sold. Mr. Vohden also asked how negotiations with the seller were going. Mr. Canace said they have not gone back to them yet because they are waiting for the certified market value and they need approval from the County because the town does not have the funds to purchase it on their own.

Cliff Lundin said he had some concerns about paying more than the appraised price for the property. Mr. Canace said that the County would not be asked for those funds.

B. FINAL PRESENTATION – THE NATURE CONSERVANCY/STILLWATER TWP:

Eric Olsen said his project is a beautiful patch of 88 acres of forest with two little streams that disappear as they enter the limestone valley and there are nice associated wetlands. He said this is an isolated parcel, but as part of a project area, it will create a linkage with other protected open space in the northern portion of Warren County. If the County funds this project, it will be making an investment in conservation planning. He said this is an area that they've designated as important for core forest blocks and this parcel is located on the edge of one of those core forest blocks.

A member questioned why Stillwater was not allowed to use their PIG money. Sandy Urgo said today she talked to someone from the State who said that Stillwater's ROSI was supposed to be on the way. She added that she has not heard that the money was not available to the project. It looks like the State will continue to protect that funding. Donna said that the County can not use Planning Incentive Grant money on this project nor the project in Lafayette.

C. FINAL PRESENTATION – VERNON TOWNSHIP:

Donna said there were some questions that went to Vernon that need to be addressed. Sandy Urgo said the parcel is 114 acres and is accessed off of Route 94 to Black Creek Road. The property is vacant meadow, forest and wetlands. The intended future use is viewshed protection, greenway building and passive recreation. It is part of the Four Seasons Greenway. The Four Seasons Greenway is a concept in their Open Space Plan. She said one of the goals of the Greenway is to connect the downtown to other places in Vernon.

Ms. Urgo provided a map showing the power easement. The power easement is 125' wide and 3,826' long and is contained within the property. When asked, Ms. Urgo said that structures cannot be built in the easement. There was a request for information on the placement of the sewer line. Ms. Urgo said the sewer line is not on the tax maps because the township does not own it yet and it is a dry line. She said it is extremely likely if the Township is awarded the funding and they move forward with the project, that the town will subdivide the pump house and there will be an access easement along the driveway, across the property and up Black Creek Drive for access to and from the pump station.

Ms. Urgo also provided a project reference map that outlined the wetlands. The Committee requested a conceptual bike route on a map. There was a Green Acres hearing in Vernon on this application and Ms. Urgo heard the public's feeling on this. This is not a bike path property. A bike path does exist through the Greenway but it is on the other side of the valley. There has been talk in the town about extending the bike path and this project parcel may be a key piece in the extension.

Donna pointed out a change in the project cost on the final paperwork from what was on the conceptual paperwork and noted that it still reads the appraisal is still in process. Mr. Urgo said the appraisal came in between the conceptual and final application at approximately \$75,000.00 higher than the estimate. Megan submitted the revised application and she should have checked off that one appraisal was completed. She added that they've also increased the request to Green Acres. They are asking the County to fund 25% of the purchase price, for the State to fund 25% of purchase price plus 25% of the due diligence and Vernon will fund the balance.

Ms. Urgo explained that Vernon Township lost their Green Acres PIG money because they no longer have an open space tax. The only way they could receive a Green Acres contribution was to write a Site-Specific Application which limits them to 25%. She does not believe it would be wise to try to use the County's PIG money with the Site Specific grant. There was some discussion on available County funds. It was noted that the money encumbered for the Stillwater project would make it possible to fund all three projects at their requested amounts. Ms. Urgo said she will try to get some movement on the Stillwater project withdrawal but it will take a meeting at the town. There was a lengthy discussion on use of PIG money.

Donna talked about the Sussex County Harvest Festival on October 23 at the Sussex County Fairgrounds. The event is free and will highlight the County Agri, Eco and Heritage tourism. She handed out some posters and asked for participation.

PUBLIC COMMENT:

None

ADJOURNMENT:

All business having been completed, a motion to adjourn the meeting was made by Glenn Schweizer. The motion was seconded by Cliff Lundin and carried unanimously. The meeting adjourned at 9:10 p.m.

