

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

May 27, 2021

Held remotely via WebEx:

<https://morriscountynj.webex.com/morriscountynj/j.php?MTID=m30ffbd9dc7708b4b489dd3edc999ec1d>

Phone In: 1-408-418-9388

Access Code: 173 704 6248

The meeting was called to order at 7:02 PM by Chairman Jay Thomson.

Members present:

Jacqueline (Jaki) Albrecht, Region III – Roxbury
Patrick Antonetti, Region VI – Lincoln Park
Astri Baillie, Region VIII – Madison
Betty Cass-Schmidt, Morris County Park Commission (arrived 7:12 PM)
Jennifer Cooper, Region I – Chester Borough
Nita Galate, Morris County Planning Board and Trail Program Advisory Committee
David Kaplan, Region V – Parsippany-Troy Hills (left meeting at 8:13 PM)
Suzanne McCluskey, At-Large
Mohamed Seyam, At-Large
Laura Szwak, Morris County Municipal Utilities Authority
Jay Thomson, Morris County Agriculture Development Board

Members with excused absence:

David Bloom, Region II – Mine Hill
Thomas “Ace” Gallagher, Region VII – Hanover
Robert Norton, Region IV - Wharton

Also attending:

William Johnson, Esq., Special Counsel, Morris County Preservation Trust Fund
Joe Barilla, Director, Morris County Office of Planning & Preservation
Barbara Murray, Open Space Program Coordinator, Morris County Office of Planning & Preservation
Robert Schwarz, MAI, Review Appraiser, Morris County Preservation Trust Fund (left meeting at 8:18 PM)

Members of the Public:

Tim Jones, Mayor, Harding Township (left meeting at 8:13 PM)
Rita Chipperson, Committeewoman, Harding Township (left meeting at 8:13 PM)
Dev Modi, Harding Township (left meeting at 8:13 PM)
Robert Falzarano, Harding Township Administrator (left meeting at 8:13 PM)
John Hague, Esq., Attorney for Harding Township diversion (left meeting at 8:13 PM)
David Scott, Esq., Attorney for Harding Township diversion (left meeting at 8:13 PM)

Ben Spinelli, consultant for Harding Township diversion (left meeting at 8:13 PM)
Diane Hickey, Esq., Attorney for Parsippany diversion
Karen Benson, P.G., H2M Associates, consultant for Parsippany diversion
John Wieworka, Water Superintendent, Parsippany-Troy Hills Township

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.

Chairman Thomson read the virtual meetings statement.

PUBLIC COMMENT

There was no public comment.

NEW BUSINESS – Diversion Requests

Prior to the presentations, Special Trust Fund Counsel William Johnson stated per the Trust Fund rules, a determination of jurisdiction was made for both matters before the committee. It was determined Green Acres has primary jurisdiction on both diversion matters. (Jay Thomson was moved to the lobby. Vice Chairperson Szwak assumed the role of Chair.)

1. Harding Township – presentation on a Major Diversion located on a portion of Glen Alpin (Block 34 – Lot 1) in Harding Township

Prior to the presentation, Vice Chairperson Szwak asked Special Counsel Johnson the action sought from the committee tonight. Mr. Johnson stated the committee would need to make an official recommendation on the diversion request, to be submitted to the Board of County Commissioners. Mayor Tim Jones introduced the individuals attending on behalf of Harding. Ben Spinelli provided a PowerPoint presentation on the proposal to remove the open space encumbrances held by Morris County on the property. Mr. Spinelli provided the history to the project. The 9.57 acre Glen Alpin property, including the historic home, was purchased for \$1.4 M in 2004 utilizing a combination of Green Acres and County Open Space funds. Morris County provided a \$500,000 open space grant, and \$75,000 was specifically from the Morris County Park Commission for trail access. The County also provided four separate historic grants; the easement restrictions associated with these grants were previously discussed and addressed by the Morris County Historic Preservation Review Board at a recent special meeting. Morris County holds a conservation easement on the entire parcel.

Harding is unable to properly steward the building and despite attempts has not found a productive use for the building. The property continues to deteriorate and is not safe for public visitation. Harding has worked for over three years with the NJDEP Green Acres Program and State Historic Preservation Office (SHPO) to reach a viable solution. Harding proposes to dispose 3.52 acres on the Glen Alpin home and adjacent property, and divert 0.63 acres for access and utility easements. Some of the final proposed actions include Green Acres' encumbrances will remain on approx. 6 acres not subject to disposal and a permanent historic easement, stewarded by the SHPO, will be placed on the home. In addition, Harding will protect an additional 18 acres of public

open space without the use of open space funds as compensation. After disposal, the building and approx. three acres will be conveyed to a private owner which is yet to be determined. Green Acres has recommended approval of all proposed actions.

After Mr. Spinelli concluded his presentation, committee members asked questions. Members inquired about potential purchasers. Mr. Spinelli said there was a high expectation a buyer would be found. Mayor Jones clarified the Green Acres process.

Closed Session:

At the conclusion of all committee questions, all members of the public were moved to the lobby. On a motion by Jaki Albrecht, seconded by David Kaplan, the committee entered into closed session at 8:03 PM to discuss the Glen Alpin diversion request.

Return to Open Session and Action as a Result of Closed Session:

The committee returned from closed session at 8:09 PM. All members of the public and Jay Thomson were returned to the meeting from the lobby. On a motion by Jaki Albrecht, seconded by Astri Baillie, the committee recommended the approval of the disposal of 3.52 acres on the Glen Alpin home including adjacent property, the diversion of 0.63 acres of access and utility easements, and acceptance of the replacement parcels totaling 18.003 acres of public open space. A roll call vote was taken. Aye: Albrecht, Antonetti, Baillie, Cass-Schmidt, Cooper, Galate, Kaplan, McCluskey, Seyam, Szwak Nay: None Abstain: Thomson

(At this point, David Kaplan left the meeting).

2. Parsippany-Troy Hills Township – request for a Minor Diversion located on a portion of the Smith Road Sheep Farm property (Block 736 – Lot 9.01) – Ms. Karen Benson provided a PowerPoint presentation on the proposal by the Parsippany Water Dept. to divert a 0.164-acre portion of Block 736 – Lot 9.01 to construct a replacement well, pump house and access drive to support the Township’s drinking water system. Lot 9.01 is part of the Smith Road Sheep Farm project (Block 736 – Lots 9.01 and 9.02) comprising a total of 4.98 acres, funded in part with an open space grant of \$350,000 in 2005. Ms. Benson stated the replacement is for well 20 which has both water quality and capacity issues; it is also a primary water supply source for the water department. She reviewed the alternatives analysis required by Green Acres and the specific requirements for siting a suitable replacement well. They reviewed at least 14 public and privately owned locations for the replacement well before settling on the proposed location. Parsippany proposes separate monetary compensation instead of acquisition of replacement parkland to both Green Acres and Morris County. May 27 is the final day for public comments as a result of the May 13 Green Acres public hearing. Mr. Wieworka confirmed no comments had been received to date.

After the presentation, committee members asked questions. Ms. Laura Szwak inquired about other alternative sites considered, an overall infrastructure plan for the township, and the proposed building and fence. Ms. Jennifer Cooper inquired about the compensation proposal.

Closed Session:

At the conclusion of all committee questions, all members of the public were moved to the lobby. On a motion by Betty Cass-Schmidt, seconded by Astri Baillie, the committee entered into closed session at 8:42 PM to discuss the minor diversion request from Parsippany-Troy Hills Township.

Return to Open Session and Action as a Result of Closed Session:

The committee returned from closed session at 9:09 PM. All members of the public were returned to the meeting from the lobby. On a motion by Suzanne McCluskey, seconded by Jaki Albrecht, the committee directed staff to convey their concerns and items to be addressed as discussed in closed session to the applicant. Once the items have been addressed in writing and provided to the committee in advance, a future meeting will be scheduled for further discussion. A roll call vote was taken. Aye: Albrecht, Antonetti, Baillie, Cass-Schmidt, Cooper, Galate, McCluskey, Seyam, Szwak, Thomson Nay: None Abstain: None

NEXT MEETING DATE

The next regular meeting is scheduled for Tuesday, September 14, 2021 at 7:00 PM via WebEx for the committee's review of the 2021 applications.

ADJOURNMENT

On a motion by Jaki Albrecht, seconded by Nita Galate, the meeting was unanimously adjourned at 9:11 PM.

Respectfully submitted,

Barbara J. Murray