

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

December 30, 2020

Held remotely via WebEx:

<https://morriscountynj.webex.com/morriscountynj/j.php?MTID=me32499d46bb7b33b5e75b77fb9984784>

Phone In: 1-408-418-9388

Access Code: 179 500 1541

The meeting was called to order at 7:00 PM by Chairman Jay Thomson.

Members present:

Jacqueline (Jaki) Albrecht, Region III – Roxbury
Jennifer Cooper, Region I – Chester Borough
Robin Jones, Region VI - Pequannock
Suzanne McCluskey, Region VII – Morris Plains
Robert Norton, Region IV - Wharton
Kaushik (Casey) Parikh, At-Large
Don Richardson, Region VIII – Long Hill
Elliott Ruga, Region V – Town of Boonton
Mohamed Seyam, At-Large
Laura Szwak, Morris County Municipal Utilities Authority
Matthew Tal, Morris County Park Commission
Jay Thomson, Morris County Agriculture Development Board

Members with Excused Absence:

Nita Galate, Morris County Planning Board and Trail Program Advisory Committee
David Sprandel, Region II – Mendham Borough

Also attending:

Deputy Freeholder Director Stephen Shaw, Liaison, Morris County Office of Planning & Preservation
John Napolitano, Esq., Morris County Counsel
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

Members of the Public:

Frank Pinto, Pinto Consulting, LLC

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.

PUBLIC COMMENT

There was no public comment.

APPROVAL OF MINUTES

On a motion by Jaki Albrecht, second by Matt Tal, the committee approved the regular and closed session minutes of the September 29, 2020 meeting. A roll call vote was taken.

Aye: Albrecht, Cooper, McCluskey, Norton, Parikh, Richardson, Ruga, Seyam, Szwak, Tal, Thomson Abstain: None Nay: None

On a motion by Suzanne McCluskey, second by Laura Szwak, the committee approved the regular and closed session minutes of the October 3, 2020 site visit meeting. A roll call vote was taken.

Aye: Cooper, Jones, McCluskey, Norton, Parikh, Seyam, Szwak, Thomson Abstain: Albrecht, Richardson, Ruga, Tal Nay: None

On a motion by Jaki Albrecht, second by Don Richardson, the committee approved the regular and closed session minutes of the October 20, 2020 final presentations and deliberations meeting. A roll call vote was taken.

Aye: Albrecht, Cooper, Jones, McCluskey, Norton, Parikh, Richardson, Seyam, Szwak, Thomson
Abstain: Ruga, Tal Nay: None

RECOGNITION OF DEPARTING MEMBERS

Ms. Murray stated that this was the final meeting for six members. Deputy Freeholder Director Shaw recognized the service and accomplishments of the departing committee members, as well as their other public service in their respective municipalities.

NEW BUSINESS

1. Amendments to Rules and Regulations – Section 3.3.8 Diversions of Preserved Lands-

Ms. Murray stated a copy of revised rules was previously forwarded to all members. The comments were provided by Laura Szwak and incorporated into the present rules by Special Counsel William Johnson. She stated no action is sought on the rules but instead wanted to start discussion on the revisions and any other changes members thought should be added to this section. The amendments seek to tighten the rules and bring them more in line to mirror Green Acres rules.

Ms. Murray invited comments from the committee. Elliott Ruga stated he was in support of creating more affordable housing, but not necessarily at the expense of preserved lands purchased with County tax dollars. There should be a demonstration that there is no other land available for that purpose. Special Counsel Johnson stated the wording was taken directly from the Green Acres rules. He also clarified that any diversion currently under review by the committee would be grandfathered with the old rules. Mr. Ruga also believed regardless of a major or minor diversion, the ecological value of the lands being diverted should be considered in evaluating the compensation land.

Discussion ensued about compensation when no replacement land was available, other than monetary compensation, including lands located outside of the municipality. Mr. Ruga suggested replacement land could address the regional open space values, since this is a county funding source. There was a suggestion to form a subcommittee to

discuss replacement land options. Don Richardson suggested a land bank, dedicated to open space, be a source of replacement land for the future. Members agreed that finding replacement land should remain the first option. Laura volunteered to be on the subcommittee when the matter is addressed again with the new membership.

2. Application Review Process

Ms. Murray stated the last meeting of the year is used to solicit feedback on the review process and thoughts for improvement. Members thought the video site visits and virtual presentations worked despite the challenging circumstances. A hybrid format that incorporated the option for meeting attendance virtually should be considered once the pandemic limitations are lifted. Members agreed that actual site visits to view the property and meet the applicant are preferred and videos cannot capture everything.

Ms. Murray demonstrated the new web application to be used in 2021. Applicants will submit online and receive feedback through the same. They will have the ability to upload documents and communicate with the program manager entirely through the web application. The web application will also take the place of the secure website, and Ms. Murray demonstrated its use for the committee, including the new format of the reports used by the committee to evaluate the applications.

INFORMATION

1. Glen Alpin Diversion - Ms. Murray stated Green Acres authorized Harding Township to progress to Part 2 of the Final Application, which involves the public hearings. A total of eight hearings would be required based on various statutes. Five of the hearings are being combined into one, which will be held January 28, 2021 at Harding Township (and virtually) according to the public hearing notice received this week. The County Open Space Trust Fund Committee hearing will be last, since all transcripts from the hearing need to be submitted for their review. It is anticipated the committee would hear the matter in early 2021 and will be advertised as a special meeting. The County Historic Preservation Trust Fund Review Board will have a separate hearing for their rules.
2. Morris County Park Commission – Ms. Murray stated a public scoping hearing notice, addressed to the committee, was also received for the diversion of 6.5 undeveloped acres of parkland that was to be used for a spur of Patriot’s Path in Hanover Township. Information will be posted on the Park Commission website. The scoping hearing will occur virtually on January 25, 2021.

ADJOURNMENT

On a motion by Jennifer Cooper, seconded by Laura Szwak, the meeting was unanimously adjourned at 8:22 P.M.

Respectfully submitted,

Barbara J. Murray