

**MINUTES OF THE
NATURAL LANDS TRUST MEETING
September 23, 2011
12:00 PM**

Office of Natural Lands Management, Trenton, New Jersey

Chairman Catania called the meeting to order at 12:12 PM and roll was taken. A quorum of trustees was present. At least one of the trustees was a state governmental representative. The Open Public Meetings Act notice was read as follows: Notice of the date, time, location and agenda, to the extent known, was forwarded to three newspapers of general circulation, and provided to the Secretary of State in accordance with the Open Public Meetings Act.

In attendance were:

Michael Catania, Chairperson
James Hall, Vice Chairperson via telephone
Theresa Lettman, Trustee/Secretary-
Treasurer via telephone
Adrienne Kreipke for the State Treasurer,
Trustee
Steve Eisenhauer, Trustee arrived via
telephone at 12:25 PM

Ed Mulvan, for Amy Cradic, for the
Commissioner of DEP, Trustee
Judeth Yeany, Trustee
Emile DeVito, Trustee arrived at 12:30 PM
Jean Reilly, DAG, Trust Counsel
Maurice Griffin, DAG, Trust Counsel
Robert J. Cartica, Executive Director
Martin Rapp, Trust Staff
Cari Wild, Trust Staff

Absent were:

Thomas Gilmore, Trustee
State House Commission representative (not appointed)
DEP Trustee (not appointed)

Guests

Mike Drake, New Jersey State Forestry Services
John Klischies, New Jersey State Forestry Services
Rosa Yoo, New Jersey State Forestry Services
Michael Donohue, Esq.
Steven C. Morey, Hatch Mott MacDonald

General Public Comment: None

Unfinished Business:

Mr. Catania provided the Board with a report on the status of activities at **Petty's Island, Pennsauken Township, Camden County**. Ms. Wild presented the two responsive bid proposals that the Trust received from New Jersey Audubon Society (NJAS) and Conserve Wildlife Foundation (CWF) in response to its July 18, 2011 Request for Proposals (RFP) regarding the development and implementation of at least 12 educational/interpretive programs at Petty's Island, including a volunteer management component to assist with trail maintenance and clean-ups. Upon realizing that CWF was one of the bidders, Ms. Lettman recused herself

from this matter because she is on CWF's board, and terminated her phone connection at 12:24 PM. Immediately thereafter, a phone connection was established with Mr. Eisenhauer and Ms. Wild presented the two proposals again. Ms. Wild advised that CWF was the lowest responsive bid but because this is a professional services contract, the Trust has flexibility in how the contract is awarded. Under Treasury regulations and policies, the Trust can bypass the lowest responsive bidder in favor of another bidder if the higher bidder's response better serves the state's interest. Here staff determined that the NJAS proposal better serves the Trust's interest, as well as the public's interest, because it includes more diverse programming to multi-community middle and high school students as well as the general public in Camden and Pennsauken, justifying a bypass of the lowest responsive bidder. Ms. Wild advised that staff took its determinations to the Petty's Island subcommittee (Mr. Catania, Mr. Hall, Mr. DeVito and Ms. Kreipke) for review and discussion, and the subcommittee agreed. During Ms. Wild's presentation, Mr. DeVito had joined the meeting and noted his familiarity with both proposals based on his participation on the Petty's Island subcommittee. Based on the determinations by staff and the subcommittee, it was recommended to the Board that the contract be awarded to NJAS in the amount of \$35,980.00, which includes an optional \$3,600.00 expense for bathrooms, tents and a water station. Mr. Hall motioned to approve the award of the contract to the NJAS as recommended, Mr. DeVito seconded the motion, and by a vote of 6 to 0, the contract award to NJAS was approved.

At 12:38 PM Mr. Hall terminated his phone connection with the meeting, and Ms. Lettman reestablished her phone connection with the meeting.

New Business:

The Board considered **Tolz Beach, Lower Township, Cape May County-Lower Township Memorandum of Understanding** granting access to the township for replacement and long-term maintenance of two stormwater pipes. Ms. Wild explained that, as with the MOU the Trust executed with Lower Township in 2009, the access being granted under the MOU is not considered a conveyance of title because there are existing implied easements for the pipes to which the Township has rights. Mr. Donohue, on behalf of Lower Township, advised the Board that he would recommend that the Township authorize a \$4,000 payment to the Trust in lieu of application fee and reimbursement for staff time and resources. Mr. Mulvan motioned to approve the MOU with the inclusion of the \$4,000 payment. Ms. Lettman seconded the motion and by a vote of 6 to 0, the MOU was approved and the chair authorized to execute it subject to its approval and revision by the AG's Office.

Unfinished Business Continued:

At 12:49 PM Ed Mulvan recused himself from the matter of **Amended Proposal by New Jersey Forestry Services for Southern Pine Beetle (SPB) Suppression on Trust Preserves** and left the meeting.

Mr. Cartica and various representatives from the New Jersey State Forestry Services provided an update regarding Southern Pine Beetle (SPB) suppression on Trust preserves. At its June 17, 2011 meeting the Board authorized suppression activities on Trust preserves to address active heads through the Cut-and-Leave method provided that: (1) crews will only use hand equipment, (2) no new roads will be constructed, and (3) Trust staff will be notified before work begins at a Trust preserve. If any proposed suppression activities go beyond these limitations,

such activities must be authorized by the Trust's Executive Director after his consultation with the Chair. Mr. Drake indicated that because the Board has already approved a mechanism to seek approval for suppression methods beyond what the Board approved at its June 17, 2011 meeting, no additional approval was being sought. Mr. Catania sought clarification that the New Jersey State Forestry Services was not seeking any additional approval from the Board at this time. Mr. Drake confirmed that he and the other New Jersey State Forestry Services representatives were only providing a status report to the Board at this point.

Mr. Mulvan returned to the meeting at 1:25 PM

Financial Report: Mr. Cartica outlined the Statements of Financial Position for the quarter ending June 30, 2011. Ms. Kreipke motioned to approve the Statements of Financial Position, Ms. Yeany seconded the motion, and by a vote of 7 to 0, the statements were approved.

The **June 17, 2011 minutes** were reviewed. Ms. Kreipke motioned to approve the minutes. Mr. Mulvan seconded the motion, and by a vote of 7 to 0 the minutes were approved.

Ms. Wild provided an update as to the status of the **Black Meadows, Hanover Township, Morris County-Alcatel/Lucent Memorandum of Understanding** matter.

New Business Continued:

Ms. Yeany recused herself from the **Bear Creek-Presbyterian Camps & Conference Center/GA, Frelinghuysen, Warren County, Management Agreement** matter and left the meeting at 1:30 PM.

The Board considered the **Bear Creek-Presbyterian Camps & Conference Center/GA Frelinghuysen, Warren County, Management Agreement**. The Management Agreement establishes a Wildlife Protection buffer that will be posted no public access in a limited area of the property being acquired from the camp. The Attorney General's Office has reviewed and approved the Management Agreement. Mr. DeVito motioned to authorize Mr. Catania to execute the Management Agreement, Ms. Kreipke seconded the motion and by a vote of 6 to 0 the Management Agreement was approved.

At 1:35 Ms. Yeany returned to the meeting and Mr. DeVito left the meeting.

The Board considered the **Bay Head Preserve-Tyson Land Donation Offer in Bay Head Borough, Ocean County**. Ms. Yeany motioned to accept the Land Donation Offer. Mr. Mulvan seconded the motion, and the offer was accepted by a vote of 6 to 0.

The Board considered the **Game Branch Project Area in Carneys Point and Oldmans Townships, Salem County**. Mr. Mulvan motioned to approve the Game Branch Project Area on the condition that lands within the Project Area that would present management concerns, such as structures, improvements or contamination or that would require the expenditure of Trust funds, would be brought to the Board for specific approval before acquisition. Ms. Lettman seconded the motion and the offer was accepted by a vote of 6 to 0.

The Board considered the **Revision of Management Guidelines - Appendix 1**. Appendix 1 specifies the proposed status of deer hunting on each Trust property. The proposed revision to

authorize hunting (bow only) at First Time Fen makes the Guidelines consistent with the Trust's website. Mr. Eisenhower motioned to accept the Appendix 1 revisions, Mr. Mulvan seconded the motion, and revisions to Appendix 1 were approved by a vote of 6 to 0.

Mr. Mulvan motioned for the meeting to be adjourned. Ms. Kreipke seconded the motion, and by a vote of 6 to 0 the meeting was adjourned at 2:00 PM.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Theresa Lettman". The signature is written in black ink and is positioned above the printed name.

Theresa Lettman
Secretary/Treasurer