

Garden State Preservation Trust
April 6, 2011 Meeting Minutes

Chairman Kenneth Atkinson called the meeting to order at 11:11 a.m. Executive Director Ralph Siegel read a statement certifying compliance with the Open Public Meetings Act and then called the roll. Public members present were: Chairman Atkinson, Michael Murphy, Andrew Buzby and Jan Rosenfeld. Ex-officio members present were Susan Payne (for Agriculture Secretary Douglas Fisher), Amy Cradic (for Environmental Protection Commissioner Bob Martin), James Requa (for Community Affairs Commissioner Lori Grifa) and James Petrino (for Treasurer Sidamon-Eristoff.) Absent was public member Bob Hughey.

OPENING REMARKS

Chairman Atkinson welcomed members to the meeting. He noted it has been some time since the members of the Garden State Preservation Trust were together (the previous four meetings having been conducted by conference call) and he said it was nice to see everyone again

The chairman then offered the following statement:

"I would like to touch briefly on a matter that seems to have generated some comment among some of our preservation partners and probably among some members of the board here also.

"As most of you on this board know, I am the administrator of Gloucester County's land preservation program, and I have in my career been involved in basically every aspect of the preservation program. I know farmers and land owners. I have worked with them through every step of the preservation process. My background has given me a very ground-floor type perspective on conservation and preservation activities, and this was the example I took from my mentors. It is methodology I utilize in pretty much all aspects of my professional career.

"When I was elected to serve as chairman of the Trust this year, I made no secret that I was going to approach the business of the Trust with that same ground-floor perspective. It's my opinion that we have to be pragmatic and we have to be methodical, just as when we do a land deal. I have seen this current State Administration demand, and justly so, fiscal accountability from its departments and agencies. This is evidenced by the fact that the Governor has vetoed the minutes of the various agencies under his control a total of 21 times as of March 30 of this year.

"As we all know, this did include (the veto of) a GSPT vote last year, and I want to do everything in our power to make sure that that doesn't happen again.

"Over the past couple of years, I have also seen a large increase when it comes to public participation in our County Freeholder meetings, particularly from residents who are demanding fiscal accountability, again, justly so, from the public sector. And as such, I have to make sure that every single project that I put forth has the fiscal means to be able to see it through to the end.

"What that basically means is this: I need to hear my County Treasurer say "Yep, you have the money to be able to do this project."

"So, in my opinion, I feel the GSPT needs to be just as practical in our activities.

"Based on this, I was actually reluctant to call a meeting to consider any new

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projects until we had the assurance, not just from our preservation partners but from the Treasury Department, that we had the fiscal means to bring these projects to a successful conclusion.

“It was my call and I take responsibility for it.

“Thankfully, we have recently been assured by the Treasury Department that we can now proceed in appropriating the funds from the 2009 Bond Referendum for Green Acres and for all of our partner programs, and I believe Ralph will expand upon this in his fiscal report.

“However, I did want to reinforce the fact that at no time was there any intention to hold back the progress of our common goal of preserving farmland, open space and historic places.

“In the simplest of terms, I just didn’t want us to move until I was sure we had the money necessary to make our projects successful.”

APPROVAL OF MINUTES OF JANUARY 4, 2011, BOARD CONFERENCE CALL MEETING

Mr. Siegel asked if there were any corrections or clarifications to the draft minutes from the January 4 conference call meeting. There were none. (Substantive Minutes were approved Jan. 4 and proceeded through the Governor’s Veto Period at that time.)

Approved 8-0.

EXECUTIVE DIRECTOR’S FISCAL REPORT

Mr. Siegel referred to the initial proposal for funding the \$157 million in Green Acres recommendations, as explained in his March 31 Executive Director’s memo. He said the first plan had been to use balances from old bond funds in order to push back the date when new bonds would need to be issued, in order to delay any debt service impact on the State Budget.

Mr. Siegel explained this plan was scrapped and the new plan, outlined in his revised memo of April 1, was to fund the Green Acres and Blue Acres recommendations with \$121 million entirely from the 2009 Referendum Bond Fund, plus a reallocation of another \$36.2 million from cancelled grants from the Garden State Green Acres Preservation Trust Fund. He said no other fund sources could be used and the resolutions needed to be specific in this regard.

Mr. Siegel explained the need for so many seemingly redundant resolutions.

First, Mr. Siegel said it has been traditional practice at the GSPT since 2004 to consider a different resolution for each Green Acres program: State Acquisitions, Local Grants, Nonprofit Grants and now Blue Acres.

Second, Mr. Siegel said the GSPT determined in 2008 that it was best to consider separate resolutions for each different source of funds. In this case, those are the 2009 Green Acres Bond Fund and the Garden State Green Acres Preservation Trust Fund. He said this was deemed necessary because the GSPT’s authority on these funding sources comes from different statutes.

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Lastly, Mr. Siegel said separate resolutions had been prepared for Green Acres Local Grants for Gloucester County and for a Green Acres Nonprofit Grant to the Schiff Natural Lands Trust in Morris County so Chairman Atkinson and Ms. Rosenfeld respectively could recuse on those items. Mr. Siegel explained separate resolutions were done to accommodate these members and to ensure that sufficient votes existed to approve the main resolutions.

PRESENTATION OF OFFICE OF GREEN ACRES RECOMMENDATIONS FOR LOCAL, NONPROFIT, STATE ACQUISITION AND BLUE ACRES GRANTS FOR FY2011

Chairman Atkinson welcomed Green Acres administrator Richard Boornazian and his staff to the meeting and invited them to make a presentation to the board to explain their recommendations.

Mr. Boornazian introduced Martha Sapp, bureau chief of the Green Acres Local Grants and Nonprofit Grants program, and Fawn McGee, bureau chief for the State Acquisitions program, which also administers the Blue Acres funds.

Ms. Sapp began. She explained the Local and Nonprofit grants were to be funded from the 2009 Green Acres Bond Fund and from reallocation of old grants that had been cancelled. She said Green Acres is committed to having projects completed, but if progress does not occur in a timely manner she said her office regularly cancels grants so those funds can be re-directed to grant recipients who are ready to proceed.

Ms. Sapp said applications and requests far exceeded the awards being recommended. She said municipalities and nonprofits applied for \$410 million in grants for land acquisition and park development projects. She said the recommendation today for \$100 million is a substantial number, but she said it represents “a drop in the bucket” against the demand for funds that exists statewide.

Ms. Sapp outlined the different categories of grants, with some cash grants blended with loans, and with awards covering between 25 percent and 75 percent of the project costs. She said the various categories apply to various towns according to urban aid status, population density and their status as approved “planning incentive” municipalities, which have their own local-tax source to provide matching funds.

Ms. Sapp said applications went out in July 2010. She said the applications were ranked according to various criteria. One criteria concerns the natural resource value of proposed projects. Other criteria determine how a project might address the recreational needs of a community.

Ms. Sapp said the Local Grants will include a \$2 million matching grant program to enable municipalities with flood-prone properties to apply for matching State grants that make them eligible for Federal Emergency Management Agency (FEMA) flood grants. While this is nicknamed a “Blue Acres” program, it is strictly coming through the Green Acres Local Grants and is not actually coming from the 2009 Blue Acres Bond Fund.

Ms. Sapp noted this was the 50th year of the Green Acres program marking the signing of the first legislation in June, 1961, to place the first Green Acres bond referendum on the statewide ballot. She said a new map and other publicity efforts were

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underway to show the public what their funding for Green Acres referenda has accomplished.

Ms. Sapp concluded her presentation.

Ms. Payne asked if planning incentive municipalities were limited to a single grant. Ms. Sapp said they could apply for a land acquisition grant but could also submit a park development project.

Ms. Payne asked if the Local Blue Acres grants would be limited to municipalities that are eligible for FEMA grants, which can cover 75 percent of the cost. Ms. Sapp said no, if a municipality is willing to put up 75 percent of the cost themselves, they could qualify for the Local Blue Acres Grant. But she said the intention was for the State's 25-percent cost share to be used to leverage the much larger federal grant. She said the goal was to have local governments tap into the federal funds just as the State has been doing.

Ms. McGee began her presentation. She explained the State Acquisition grants are based on recommendations from the DEP's divisions of Parks & Forestry and Fish & Wildlife. She said her office also administers the flood land acquisitions program under Blue Acres. She said the program using 2007 Bond Funds targeted eligible properties in the Passaic, Raritan and Delaware river basins. She said today's proposal was to broaden the applicable area to "any floodway."

Ms. McGee said the Blues Acres program currently has an application before FEMA to acquire 77 properties in the Passaic River basin for about \$20 million. She said there are about 6,000 properties that could be eligible just in that river basin. She said other programs and methods would have to be used to provide incentives for towns to get involved, which is why the Local Grant component was proposed.

Ms. McGee explained the State Acquisition program involved willing sellers, and that the State has outreach efforts for the owners of important, targeted properties. She said the State Acquisition program never uses condemnation. She said they currently have sales offers from 433 landowners. She said projects are selected in consultation with the two divisions to prioritize available lands according to the significance of the natural resources or the ability of these lands to augment existing parks or refuges.

To put today's \$45 million recommendation in context, Ms. McGee said all of the legitimate offers made to her office would require an investment of \$180 million.

Ms. McGee said the State Acquisitions were organized into 17 separate regions, which they call "project categories." She said today's recommendations were to provide funds for 10 categories. She said the broad funding allocation to each "category" provided flexibility to pursue the best property acquisition within each category without the need for new appropriations legislation. To cite an example, she said her office was working on 32 property acquisitions in the Highlands Project Area that would total \$17 million.

Chairman Atkinson asked if board members had questions. There were none.

Mr. Siegel offered an observation concerning the Blue Acres program. He said he was involved in the original "due diligence" meetings following the 2007 Bond Referendum during which officials from Green Acres, the NJ State Police Office of Emergency Management and FEMA met to review the rules and procedures for securing federal matching funds. Mr. Siegel said it became evident the federal program involved a hyper-complicated system of plan approvals and certifications. He said the staff at the Office of Green Acres should be given "tremendous credit" for making the choice to deal

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with the complex federal program because it means they are leveraging GSPT funds 25-75 against federal funding. He said this is the best leverage ratio of any program that receives GSPT funding.

Ms. Payne asked how much FEMA grant funding was available. Ms. McGee said about \$250 million was available nationally. Ms. Payne asked about the disposal of the acquired properties. Ms. McGee said the land owner is bought out, the State funding is used to pay for demolition, and then the DEP signs a memorandum of understanding with the municipality to maintain the property or to incorporate it into their local park system.

Ms. Cradic said the acquisitions involve significant coordination between federal, State, municipal and county officials. She said there is a high degree of "local buy-in" for the process by which properties are selected for acquisition.

RESOLUTION #11-004 APPROVING GREEN ACRES STATE ACQUISITION GRANTS FROM THE 2009 GREEN ACRES BOND FUND FOR FY2011

Following the Green Acres staff presentation, Chairman Atkinson directed Mr. Siegel to conduct the votes on the myriad resolutions.

Mr. Siegel asked for motions to approve Resolution #11-004.

Moved by Ms. Rosenfeld
 Seconded by Ms. Payne
 Approved 8-0.

RESOLUTION #11-005 APPROVING GREEN ACRES LOCAL ACQUISITION & DEVELOPMENT PROJECT GRANTS IN ATLANTIC, BERGEN, BURLINGTON, CAMDEN, CAPE MAY, CUMBERLAND, ESSEX, HUDSON, HUNTERDON, MERCER, MIDDLESEX, MONMOUTH, MORRIS, OCEAN, PASSAIC, SALEM, SOMERSET, SUSSEX, UNION AND WARREN COUNTIES FROM THE 2009 GREEN ACRES BOND FOR FY2011.

Mr. Siegel explained where the Local Grants package was located in the members' meeting books. He asked for motions to approve the resolution.

Moved by Mr. Requa
 Seconded by Ms. Payne
 Approved 8-0.

RESOLUTION #11-006 APPROVING GREEN ACRES LOCAL ACQUISITION & DEVELOPMENT PROJECT GRANTS IN GLOUCESTER COUNTY FROM THE 2009 GREEN ACRES BOND FOR FY2011.

Mr. Siegel asked for motions to approve the resolution.

Moved by Ms. Rosenfeld
 Seconded by Mr. Murphy
 Approved 7-0.

Chairman Atkinson recused himself from this vote.

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RESOLUTION #11-007 APPROVING GREEN ACRES LOCAL ACQUISITION & DEVELOPMENT PROJECT GRANTS IN ATLANTIC, BERGEN, BURLINGTON, CAMDEN, CAPE MAY, CUMBERLAND, ESSEX, HUDSON, HUNTERDON, MERCER, MIDDLESEX, MONMOUTH, MORRIS, OCEAN, PASSAIC, SALEM, SOMERSET, SUSSEX, UNION AND WARREN COUNTIES FROM THE REALLOCATION OF CANCELLED GRANTS FROM THE GARDEN STATE GREEN ACRES PRESERVATION TRUST FUND FOR FY2011

Mr. Siegel asked for motions to approve the resolution.

Moved by Mr. Requa
Seconded by Ms. Rosenfeld
Approved 8-0.

RESOLUTION #11-008 APPROVING GREEN ACRES LOCAL ACQUISITION & DEVELOPMENT PROJECT GRANTS IN GLOUCESTER COUNTY FROM THE REALLOCATION OF CANCELLED GRANTS FROM THE GARDEN STATE GREEN ACRES PRESERVATION TRUST FUND FOR FY2011

Mr. Siegel asked for motions to approve the resolution.

Moved by Ms. Payne
Seconded by Mr. Petrino
Approved 7-0.

Chairman Atkinson recused himself from this vote.

RESOLUTION #11-009 TO APPROVE GREEN ACRES NONPROFIT ACQUISITION & DEVELOPMENT GRANTS IN 20 COUNTIES PLUS GRANTS IN MORRIS COUNTY TO THE HARDING LAND TRUST, LAMINGTON CONSERVANCY, LAND CONSERVANCY OF NJ, PASSAIC RIVER COALITION, TRUST FOR PUBLIC LAND, UPPER RARITAN WATERSHED ASSOCIATION, WASHINGTON TOWNSHIP LAND TRUST, AND NEW JERSEY CONSERVATION FOUNDATION FROM THE 2009 GREEN ACRES BOND FUND FOR FY2011

Mr. Siegel asked for motions to approve the resolution.

Moved by Mr. Murphy
Seconded by Mr. Requa
Approved 8-0.

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RESOLUTION #11-010 TO APPROVE GREEN ACRES NONPROFIT ACQUISITION GRANT FOR THE SCHIFF NATURAL LANDS TRUST FROM THE 2009 GREEN ACRES BOND FUND FOR FY2011

Mr. Siegel asked for motions to approve the resolution.

Moved by Ms. Payne
Seconded by Mr. Murphy
Approved 7-0.

Ms. Rosenfeld recused herself from this vote.

RESOLUTION #11-011 TO APPROVE GREEN ACRES NONPROFIT ACQUISITION & DEVELOPMENT GRANTS IN 20 COUNTIES PLUS GRANTS IN MORRIS COUNTY TO THE HARDING LAND TRUST, LAMINGTON CONSERVANCY, LAND CONSERVANCY OF NJ, PASSAIC RIVER COALITION, TRUST FOR PUBLIC LAND, UPPER RARITAN WATERSHED ASSOCIATION, WASHINGTON TOWNSHIP LAND TRUST, AND NEW JERSEY CONSERVATION FOUNDATION FROM THE REALLOCATION OF CANCELLED GRANTS FROM THE GARDEN STATE GREEN ACRES PRESERVATION TRUST FUND FOR FY2011

Mr. Siegel asked for motions to approve the resolution.

Moved by Ms. Payne
Seconded by Mr. Requa
Approved 8-0.

RESOLUTION #11-012 TO APPROVE GREEN ACRES NONPROFIT ACQUISITION GRANT FOR THE SCHIFF NATURAL LANDS TRUST FROM THE REALLOCATION OF CANCELLED GRANTS FROM THE GARDEN STATE GREEN ACRES PRESERVATION TRUST FUND FOR FY2011

Mr. Siegel asked for motions to approve the resolution.

Moved by Ms. Payne
Seconded by Mr. Murphy
Approved 7-0.

Ms. Rosenfeld recused herself from this vote.

RESOLUTION #11-013 APPROVING BLUE ACRES STATE ACQUISITION FROM THE 2009 BLUE ACRES BOND FUND FOR FY2011

Mr. Siegel asked for motions to approve the resolution.

Moved by Ms. Rosenfeld
Seconded by Mr. Requa
Approved 8-0.

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EXECUTIVE DIRECTOR'S REPORT

Mr. Siegel reported on the letter of thanks the board had approved for former financial adviser Pat O'Connell. He noted the press clippings and news clippings included in the members' meeting books. He directed the members to a set of news clips about certain counties diverting open space funds into their general budgets, and he suggested the GSPT may wish to address this matter at some time.

Chairman Atkinson led a discussion on scheduling another meeting to consider Farmland Preservation Program recommendations. Ms. Payne said the State Agriculture Development Committee would meet April 28 to finalize the nonprofit grants component of their recommendations. Mr. Siegel urged quick action: "When the light is green, you cross the street." He said a goal was to get appropriations bills through the Legislature before the summer break.

Board members agreed to meet Wednesday, May 4, at 11 a.m.

BOARD MEMBER COMMENT

Chairman Atkinson noted a special discussion on the agenda to hear from other board members concerning their opinion on the role of the Garden State Preservation Trust in conservation or financial affairs. He made reference to his opening remarks concerning his ambition to be pragmatic and to ensure funding is in place before approving projects.

Ms. Payne said in her view, if the GSPT approves funding, "it is a meaningful occurrence." She said GSPT action stands as a reliable statement that funds are in place for any recommended grants the GSPT has approved. She said this has been the position of the Department of Agriculture for many years.

Chairman Atkinson opened the agenda to general comment.

Ms. Payne, who directs the Farmland Preservation Program, made note of an event scheduled for Friday in Salem County commemorating the preservation of the 2000th farm.

PUBLIC COMMENT

Chairman Atkinson asked if there was public comment.

Thomas Gilbert of the Trust for Public Land, who chairs the Keep-It-Green advocacy coalition, thanked the Green Acres program for submitting an excellent set of projects, and he congratulated them on their 50th anniversary. He thanked the GSPT for their due diligence on funding these projects and for their approval of them. He was pleased that SADC and Historic Trust projects would be coming in soon. He said, "We are just thrilled to see the funding moving forward for these critical programs across the board, and honoring the will of the voters."

Mr. Gilbert said his coalition would continue to advocate for funding and for the establishment of a long-term, stable funding source.

Amy Hansen of the New Jersey Conservation Foundation said she agreed with Mr. Gilbert's remarks in upholding the will of the voters. She said she was grateful the

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GSPT met and voted to move these projects forward. She said the NJCF preserved or helped to preserve 26 properties last year, and without State funding the number would have been much less.

Linda Mead of the D&R Greenway Land Trust in Princeton applauded the Green Acres staff and GSPT for moving these projects forward. She said conservation was urgent because New Jersey was still projected to be the first state to reach full “build-out” of available land. She said, “We are at a place right now where we can make a difference.”

Ms. Mead said today’s approval means D&R Greenway can advance many projects they have been working on for some time. She said she was delighted to hear a meeting was scheduled for May 4 to address farmland preservation recommendations because her agency is also involved in that program.

GSPT board member Murphy noted that his step-father, the late former Gov. Richard Hughes, played a formative role when the Green Acres program was beginning. He said it was an honor to serve on the GSPT to carry on the work of conservation.

Chairman Atkinson echoed Mr. Murphy’s sentiments, noting his own father was a former county freeholder who helped assemble the first farmland preservation efforts in his county. He said he also felt honored to serve on the GSPT.

ADJOURNMENT

Chairman Atkinson asked for motions to adjourn the meeting.

Moved by Ms. Payne
Seconded by Mr. Petrino
Approved 8-0.

Respectfully submitted



Ralph Siegel
executive director/board secretary
May 4, 2011

Others in attendance representing agencies:

GSPT DAG Cliff Rones; Maura Tully, Governor’s Counsel, Authorities Unit; OLS staff counsel Carrie Anne Calvo-Hahn; Kelly Mooij of New Jersey Audubon/Keep-It-Green Campaign; John S. Watson Jr. of D&R Greenway Land Trust; Tom Wells of The Nature Conservancy; and various legislative staff members.