

Garden Preservation Trust
Sept. 18, 2012 Meeting Minutes

Chairman Michael Murphy called the meeting to order at 11:09 a.m. Executive Director Ralph Siegel read a statement certifying compliance with the Open Public Meetings Act and then did the roll. Public members present were: Chairman Murphy, Kenneth Atkinson, Andrew Buzby and Gregory Romano. Ex-officio members present were Richard Boornazian (for DEP Commissioner Bob Martin), James Requa (for Department of Community Affairs Commissioner Richard Constable III) and Anthony Longo (for Treasurer Sidamon-Eristoff).

Absent was public member Bob Hughey and ex-officio representative Susan Payne for Agriculture Secretary Douglas Fisher.

OPENING REMARKS -- CHAIRMAN

Chairman Murphy said he hoped everyone had a good summer and he expressed his thanks to the board members for taking the time to attend the meeting. He thanked Mr. Siegel for his diligent service in preparing for the meeting. He said the meeting preparations and documents were very thorough.

APPROVAL OF MINUTES OF JULY 31, 2012, CONFERENCE CALL MEETING

Mr. Siegel noted the consideration of these official minutes was a formality because a substantive version of the minutes had been submitted on July 31 and had completed the Governor's Veto review period on Aug. 15.

Mr. Siegel asked if there were any corrections or clarifications to the draft minutes from the July 31 conference call meeting. There were none.

Moved by Mr. Romano.
Seconded by Mr. Requa.
Approved 6-0.

Mr. Atkinson abstained from the vote because he did not participate in the July 31st meeting.

**PRESENTATION BY THE OFFICE OF GREEN ACRES ON GRANT
RECOMMENDATIONS FOR FY2013**

Acting Green Acres Administrator Martha Sapp introduced herself and colleagues Fawn McGee, Liz Mataset and Kathi Croes.

Ms. Sapp said the Green Acres program in its 51st year as preserved about 660,000 acres and has developed or improved hundreds of parks in cities and towns throughout the state.

Ms. Sapp proceeded to discuss the Local and Nonprofit Grants.

Ms. Sapp said the program has matured into handling the most difficult and detailed acquisitions and park restoration projects. "All of the easy projects are done," she said. She said remaining projects are crucial and that many rely on partnerships with local government and nonprofit land trusts.

Ms. Sapp said the proposed \$64 million in Local and Nonprofit grants would provide funding to communities in all 21 counties of the state "and in every corner of New Jersey." She said residents across the state contribute as taxpayers to the funds available for conservation and recreational development, and so "everyone should benefit." She said \$64 million was less than was doled out in grants in the past, but still more than most states were able to fund.

Ms. Sapp said \$46 million in these grants would go to land acquisitions. She said the requests and the applications totaled \$325 million, showing the demand for the Green Acres local grant program remains very strong and that State funding remains short of the evident need.

Ms. Sapp explaining the Planning Incentive system in which cities and towns with a local source of matching funds, most typically a dedicated component of their property tax, and which also have a resource plan for preservation, can receive block grants to continue the preservation work they have already begun. She said the majority of the Local Grant funds go to Planning Incentive municipalities. She said these counties, cities and towns are able to raise \$290 million in matching funds, and that Planning Incentive communities select their own priorities for the use of these grants.

Ms. Sapp said nonprofit land trusts once concentrated their efforts in the preservation of rural natural areas but have shifted many of their efforts towards suburbs and cities to acquire critical recreation sites and to rehabilitate existing parks. She said they have become crucial partners to the Green Acres program because they provide local municipalities with expert staff assistance in the execution of their projects.

Ms. Sapp said everyone can be proud to acknowledge that 1.4 million acres are preserved in New Jersey through various programs, but she said the work is not finished.

Ms. Sapp turned the presentation over to Ms. McGee.

Ms. McGee proceeded to discuss State Acquisitions and the Blue Acres program and grant recommendations.

Ms. McGee explained the block grant system given to various regions of the state through the State Acquisition program, noting that this method is preferred in place of specific grants for the acquisition of specific parcels. She said the block-grant method "gives us the freedom to compete with the market" to pursue the best opportunities for preservation at a discount. She said about 800 landowners have applied for or indicated a willingness to discuss a sale of their land to Green Acres.

Discussing the Blue Acres program to acquire flood-prone homes and properties, Ms. McGee said it has been a major priority of the DEP but involves extensive planning. She said the state has limited acquisitions to counties and municipalities with federally approved Hazard Mitigation Plans that are intended to reduce flood risks. Counties and municipalities with such plans qualify for federal acquisition grants, which in turn means the Office of Green Acres is able to leverage state funds with federal funds. "It allows us to reach into that federal bucket and bring money into New Jersey," Ms. McGee said.

Ms. McGee said 148 acquisitions are in the works, 118 of them just in the Passaic River basin. She said these could cost upwards of \$40 million, of which \$32 million will be funded with federal dollars. She said these acquisitions were selected from about 600 applications from homeowners and landowners with repetitive flood losses who cannot sell their homes.

Ms. McGee said when her office executes a Blue Acres acquisition, the title to the property comes to the state, but the municipality demolishes the structures, improves the site and manages it as a park, recreational asset or natural site.

Chairman Murphy said he was impressed with the concentration in the Passaic River basin, where flood relief and property acquisitions were critical. He said many administrations have struggled with this issue and he was pleased to see the Christie Administration making such progress on this matter.

Chairman Murphy said the Green Acres program has developed an excellent reputation by word-of-mouth among local and state officials.

Mr. Romano asked if the recommendations adhered to the requirement in prior statutes that 50 percent of the funds go to Local Grants and 10 percent go to Nonprofit Grants. Ms. Sapp said the grant recommendations for FY2013 did adhere to these ratios.

RESOLUTION #12-005 APPROVING GREEN ACRES STATE ACQUISITION GRANTS FOR FY2013 FROM THE 2009 GREEN ACRES BOND FUND PL 2009 c.117

Chairman Murphy called for action on the resolutions and directed Mr. Siegel to conduct the votes.

Moved by Mr. Atkinson.

Seconded by Mr. Romano.

Approved 7-0.

RESOLUTION #12-006 APPROVING GREEN ACRES LOCAL & NONPROFIT GRANTS FOR FY2013 FROM THE 2009 REFERENDUM GREEN ACRES BOND FUND PL 2009 c.117 EXCLUDING A \$650,000 LOCAL GRANT FOR GLOUCESTER COUNTY, A \$325,000 LOCAL GRANT FOR BEDMINSTER IN SOMERSET COUNTY, AND A \$250,000 NONPROFIT GRANT FOR THE NEW JERSEY CONSERVATION FOUNDATION.

Mr. Siegel explained this resolution was specifically prepared to accommodate the need for recusals by two board members, Mr. Atkinson and Mr. Romano.

The grants which would have prompted their recusal were subtracted. As a result, those two members could join the rest of the board in taking action on this resolution to fund the bulk of the Local and Nonprofit grants recommendation for FY2013.

Mr. Siegel said this has been a practice of the GSPT since 2004. He said it was important to make this accommodation in the event that member attendance was low. He said that under the GSPT Act, any GSPT resolution requires five votes to be approved regardless of the number of members who attend the meeting. If attendance at a particular meeting was low, recusals by members in attendance could cause measures to fall short of the required votes.

Moved by Mr. Romano.
Seconded by Mr. Requa.
Approved 7-0.

RESOLUTION #12-007 APPROVING A \$650,000 GREEN ACRES LOCAL ACQUISITION GRANT FOR GLOUCESTER COUNTY FOR FY2013 FROM THE 2009 REFERENDUM GREEN ACRES BOND FUND PL 2009 c.117.

Mr. Siegel explained this and the next resolution were specifically prepared to accommodate the need for recusals by board members Mr. Atkinson and Mr. Romano.

Mr. Siegel said the goal was to ensure adequate votes were in place to support the majority of the recommended projects. He said it was possible that the separated projects might fail to pass because of the recusals, but at least the bulk of the recommendations had a chance to advance

Mr. Siegel said the recusal accommodation was made for any board member who requested it or who indicated a recusal would be necessary.

As per Mr. Siegel's explanation, Mr. Atkinson recused himself from the proceedings.

At the direction of Deputy Attorney General Cliff Rones, Mr. Atkinson stepped away from the board table and took a seat in the audience.

Moved by Chairman Murphy.
Seconded by Mr. Boornazian.
Approved 6-0.

RESOLUTION #12-008 APPROVING A \$325,000 GREEN ACRES LOCAL ACQUISITION GRANT FOR BEDMINSTER IN SOMERSET COUNTY FOR FY2013 AND A \$250,000 NONPROFIT ACQUISITION GRANT FOR THE NEW JERSEY CONSERVATION FOUNDATION FOR FY2013 FROM THE 2009 REFERENDUM GREEN ACRES BOND FUND PL 2009 c.117.

Mr. Atkinson returned to his seat on the board as Mr. Romano recused himself from the proceedings, stepped away from the board table and took a seat in the audience.

Moved by Mr. Requa.
Seconded by Chairman Murphy.
Approved 6-0.

RESOLUTION #12-009 APPROVING BLUE ACRES STATE ACQUISITION FROM THE 2009 BLUE ACRES BOND FUND FOR FY2011

Mr. Romano rejoined the board.

Mr. Siegel asked for motions to approve the resolution.

Moved by Mr. Romano.
Seconded by Mr. Atkinson.
Approved 7-0.

RESOLUTION #12-010 APPROVING BLUE ACRES LOCAL ACQUISITION GRANTS FOR FY2013 FROM THE 1995 REFERENDUM COASTAL BLUE ACRES BOND FUND PL 1995 c.204.

Mr. Siegel explained the Treasury Department had authorized the use of dormant bond funds left over from the 1995 voter referendum. He said the leftover funds were adequate to cover the proposed grants and that the subsequent appropriation would in effect close off this old bond fund.

Mr. Siegel asked for motions to approve the resolution.

Moved by Mr. Boornazian.
Seconded by Chairman Murphy.
Approved 7-0.

RESOLUTION #12-011 TO ESTABLISH A POLICY REQUIRING IDENTIFICATION OF SPECIFIC CANCELLED GRANTS BEFORE CONSIDERING REALLOCATION OF THESE FUNDS FOR NEW APPROPRIATIONS

Mr. Siegel explained the matter of reallocations and cancelled grants was the subject of extensive discussion at the March 7 meeting, and that he had been directed at that time to produce a policy recommendation and a resolution. He said this is the resolution being proposed as directed.

Mr. Siegel said annual appropriations usually include some reallocation of funds from old appropriations because those older projects have been cancelled, withdrawn or came in at lower cost.

Mr. Siegel said the GSPT's trust fund balances will be drawn down over the next 12 to 18 months, so the board needed to be extra careful about any reallocations. Plus, he said the Legislature has given the GSPT board the responsibility of monitoring the bond funds from the 2007 and 2009 voter referendums.

Moved by Mr. Romano.
Seconded by Mr. Requa.
Approved 7-0.

BOARD COMMENTS

Chairman Murphy announced his appointment of Mr. Romano as the GSPT representative to the Highlands Development Credit Bank Board. Mr. Siegel had been serving as representative in lieu of a public board member who was able and willing to accept the appointment.

PUBLIC COMMENT

Tom Gilbert of the Trust for Public Land and the Keep-It-Green Coalition rose and introduced himself. He said the KIG coalition now represents 170 groups and continues to advocate for funding for conservation programs.

Mr. Gilbert congratulated the Green Acres staff for another successful grant application round, and for securing GSPT approval.

Mr. Gilbert noted today's approval will commit the last of the available Green Acres funds from the 2009 Referendum, thereby exhausting available resources for new appropriations for Green Acres conservation projects. He said this approval therefore "creates some urgency" about renewal of funding and about finding a "sustainable source of funds." He said he looked forward to working with board members and the Green Acres staff in discussing and developing proposals for renewed funding.

ADJOURNMENT

Chairman Murphy asked for motions to adjourn the meeting.

Moved by Mr. Romano.

Seconded by Chairman Murphy.

Approved by unanimous voice vote.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'R. Siegel', written in a cursive style.

Ralph Siegel
executive director/board secretary
Nov. 21, 2012

Others in attendance representing agencies:

GSPT DAG Cliff Rones; OLS staff members Carrie Anne Calvo-Hahn and Lucinda Tiajolloff; Assembly staff member Thea Sheridan; Thomas Gilbert of the Keep-It-Green Campaign; Assistant Treasurer Steve Petrecca, various legislative and Green Acres staff.