



**County of Hunterdon, State of New Jersey
Policy Manual**

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OPEN SPACE, FARMAND PRESERVATION AND HISTORIC PRESERVATION POLICY

1. This Policy generally outlines the practices and guiding principles of the Board of Chosen Freeholders when selecting, evaluating and acquiring interests in real property for Open Space, Farmland Preservation and Historic Preservation purposes.
2. **ACQUISITIONS** include the acquisition of fee title or other interests in real property for, or in support of:
 - 2.1 General County Open Space
 - 2.2 Parkland
 - 2.3 Farmland Preservation
 - 2.4 Conservation of Natural Resources and the Environment
 - 2.5 Historic Preservation
 - 2.6 Municipal and Non-Profit Acquisitions through County Grants
 - 2.7 Cooperative Acquisitions with Municipalities, Non-profit and other entities (including Extraordinary Preservation Initiatives).
3. **ACQUISITIONS ARE FUNDED** through the use of:
 - 3.1 The use of the Open Space Tax authorized as a result of referendum adopted November 2, 1999 November 2, 2004 and November 3, 2009 pursuant to N.J.S.A. 40:12-15.1 et seq.
 - 3.2 County issued bonds and capital financing.
 - 3.3 Direct funding through the County Budget.
 - 3.4 The use of cooperative programs and funding assistance from other public and private entities such as Green Acres, the State Farmland Preservation Program

and cooperative purchases with Hunterdon County municipalities or private non-profit entities.

3.5 The utilization of dedicated gifts or bequests.

4. **MASTER PLANS.** The County has developed master plans which broadly identify some of the County's objectives in connection with Open Space Acquisition:

4.1 The Open Space, Farmland and Historic Preservation Trust Fund Plan, dated June, 2000.

4.2 The Hunterdon County Comprehensive Farmland Plan adopted December 4, 2008.

4.3 The Hunterdon County Master Plan – Sites of Historic Interest component, dated November 1979.

4.4 The Hunterdon County Growth Management Plan adopted December 2007.

Note: The Hunterdon County Park and Recreation Master Plan 2000 was prepared for the former Board of Recreation Commissioners. While it suggests potential strategies for Park acquisitions it has not been formally adopted by the Board of Chosen Freeholders.

5. **THE OBJECTIVES OF ACQUISITIONS** are to preserve, to the extent possible, Hunterdon County's natural resources and the ability for the land to be used and enjoyed by the public, when appropriate, as unobtrusively and modestly as possible. In some instances, this objective is accomplished with title ownership remaining in private hands, such as the continued use of property for farming (Farmland Preservation), the continued private use of historic buildings (Historic Preservation) and those instances where the County acquires easements on privately owned land to conserve or preserve important resources or natural features (Natural Resources and the Environment).

6. **COUNTY STAFF**

6.1 **The County Open Space Coordinator** is the individual employed by the Freeholders to facilitate the acquisition of lands for parks, open space and historic purposes and interests by municipalities and nonprofit entities through coordination with the Departments of Parks and Recreation, the Planning Department and the Cultural & Heritage Commission.

6.2 **The CADB Administrator** is the individual employed by the Freeholders within the Planning Staff to facilitate the acquisition of Development Easements under the New Jersey State Farmland Acquisition program. The application and closing process is facilitated by the County Agricultural Development Board (CADB) and its staff.

7. The **COUNTY PROGRAMS FOR ACQUISITIONS** include:

- 7.1 Direct County Acquisitions for Parkland, Open Space or Conservation of Natural Resources and the Environment.
- 7.2 Cooperative Acquisitions with Municipalities, Non-profits and other entities (including Extraordinary Preservation Initiatives).
- 7.3 Providing grant funds to municipalities and non-profit organizations to assist in their acquisitions.
- 7.4 Farmland Preservation
- 7.5 Historic Preservation

8. **ANNUAL REPORTS**

8.1 **Annual Report of Open Space Coordinator and County Director of Parks and Recreation.**

Objective: The objective of General Open Space and Parkland Acquisition is to purchase land in connection with the County Park System to be used for active or passive recreation.

On or before September 1st of each year, the Open Space Coordinator, in consultation with the Director of Parks and Recreation, shall present an Annual Report to the Freeholders. The report shall include, as a minimum, the following:

8.1.1 An **Inventory** of all Parks properties or interests owned by the County as of July 1st of that year. The list shall contain such information as the Open Space Coordinator, Parks Director or the Freeholders determine is important or appropriate. At a minimum the inventory shall include:

- a. Date the property was acquired.
- b. Municipality, Block and Lot of the property
- c. Size of the parcel (acreage).
- d. The acquisition price.
- e. Whether there are any buildings on the parcel, and for what purpose the improvements are currently being utilized.
- f. The present use of the property and whether it is used for passive or active recreation.

8.1.2 A **list of any pending acquisitions**, that is, parcels or interests under contract of purchase. The list shall include such information as the Open Space Coordinator, Parks Director or the Freeholders determine is important or appropriate. At a minimum the list shall include:

- a. Date of the Contract
- b. Name of the Grantors.
- c. Municipality, Block and Lot number and acreage of the parcel.
- d. Contract purchase price
- e. Estimated closing date.
- f. Whether there are any buildings on the property and how they will be used after closing.

- g. The purpose of the acquisition or how the property will be used after closing.
- h. Funding sources and percentage of any funding partners.

8.1.3 **A Plan outlining the Acquisition Objectives** which the Director of Parks wishes to pursue during the next calendar year. The list shall include all of the information contained in Section 8.1.2 above. In addition, for each parcel the Parks Director shall indicate the projected budget for acquisition. An additional list shall be prepared for public information, from which shall be redacted identifying information which would compromise the county's ability to negotiate.

8.1.4 A **confidential component** describing all then active negotiations for the acquisition of any parcel and the status of those negotiations.

8.1.5 The Open Space Coordinator and the Parks Director shall present a **Requested Budget for Parks Acquisition** purposes for the following budget year.

8.1.6 The Open Space Coordinator shall be primarily responsible for drafting the report. The Parks Director shall review and jointly present the report.

8.2 **Annual Report of Farmland Preservation (CADB) Administrator.**

Objective: The objective of Farmland Preservation Acquisition is the long-term preservation of significant masses of reasonably contiguous agricultural land for the maintenance and support of increased agricultural production as the first priority use of that land.

On or before September 1st of each year, the CADB Administrator shall present an Annual Report to the Freeholders. The report shall include, as a minimum, the following:

8.2.1 An **inventory** of all Farmland Preserved properties for which the County holds a Deed of Easement as of July 1st of that year. The list shall contain such information as the CADB Administrator or the Freeholders determine is important or appropriate. At a minimum the inventory shall include:

- a. Date the Development Easement was acquired.
- b. Municipality, Block and Lot of the property.
- c. Acreage of the parcel.
- d. The acquisition price.

8.2.2 **A list of any pending acquisitions**, that is, farms for which development rights are under contract of purchase. The list shall include such information as the CADB Administrator or the Freeholders determine is important or appropriate. At a minimum the list shall include:

- a. Date of the Contract
- b. Name of the Grantors.
- c. Municipality, Block and Lot number and acreage of the property
- d. Contract purchase price and estimated cost share breakdown
- e. Estimated closing date.
- f. Funding sources and percentage contribution of funding partners.

8.2.3 **A Plan outlining the Acquisition Objectives** which the CADB wishes to pursue during the next calendar year. The list shall include all of the information contained in Section 8.2.2 above. In addition, for each parcel the CADB shall indicate the projected budget for acquisition. An additional list shall be prepared for public information, from which shall be redacted identifying information which would compromise the county's ability to negotiate

8.2.4 The CADB Administrator shall prepare a **Requested Budget for Farmland Acquisition** purposes for the following budget year.

8.3 **Annual Report of the Open Space Coordinator and County Cultural and Heritage Commission**

Objective: The objective of Cultural and Heritage Commission is to promote interest in and understanding of local history and preservation of our historic resources.

On or before September 1st of each year, the Cultural and Heritage Commission shall present an Annual Report to the Open Space Coordinator. The Open Space Coordinator shall review the report and make a recommendation to the Freeholders. The report shall include, as a minimum, the following:

8.3.1 An **Inventory** of all County-owned historic interests owned by the County as of July 1st of that year. The list shall contain such information as the Open Space Coordinator, Cultural and Heritage Commission or the Freeholders determine is important or appropriate. At a minimum the inventory shall include:

- a. Date the property was acquired
- b. Municipality, Block and Lot of the property
- c. Size of the parcel (acreage)
- d. The acquisition price (as appropriate)
- e. Whether there are any buildings on the parcel, and for what purpose the improvements are currently being utilized
- f. The present use of the property and whether it is used for passive or active recreation

8.3.2 **A list of any pending Historic Preservation Projects.** The list shall include such information as the Open Space Coordinator, Cultural and Heritage Commission or the Freeholders determine is important or appropriate. At a minimum the list shall include the information in 8.3.1 as appropriate and the following:

- a. Name of the Grantors.
- b. Municipality, Block and Lot number and acreage of the parcel.
- c. Estimated preservation cost
- d. The purpose of the preservation request, including how the property or buildings will be used.
- e. Funding sources and percentage of any funding partners.

8.3.3 **A Plan outlining the Historic Preservation Objectives** which the Cultural & Heritage Commission wishes to pursue during the next calendar year based on established criteria and prioritized according to their need for rehabilitation. The list shall include all of the information contained in Section 8.3.2 above. An additional list shall be prepared for public

information, from which shall be redacted identifying information which would compromise the county's ability to negotiate

8.3.4 A **confidential component** describing all active negotiations for the acquisition of any parcel and the status of those negotiations.

8.3.5 The Cultural & Heritage Commission shall prepare a **Requested Budget for Historic Preservation** purposes for the following budget year. The budget request shall be forwarded to the Open Space Coordinator who shall review it and make a recommendation to the Freeholders.

9. **ANNUAL MEETING** The Open Space Coordinator shall coordinate an annual meeting with the County Administrator, County Treasurer and one representative from each of the following:

- Hunterdon County Planning Board.
- Hunterdon County Department of Parks and Recreation.
- Hunterdon County Agriculture Development Board.
- Hunterdon County Cultural and Heritage Commission.
- Hunterdon County Department of Roads, Bridges and Engineering.
- Open Space Acquisition Advisory Committee.

For the purpose of preparing an annual summary-report to the Freeholder Board which includes accomplishments, issues and anticipated needs governing Open Space, County Parks, the Municipal and Nonprofit Organization, Grants Programs, Farmland Preservation and Historic Preservation, and the Cooperative Open Space program.

10. **MAPPING AND RECORD KEEPING**

10.1 The Open Space Coordinator and the CADB Administrator shall work with the **GIS** staff and **Planning Department** to prepare a comprehensive GIS Database and map showing all parcels acquired, including General Open Space, Parkland, Farmland Preservation, Easements or other Acquisitions for Conservation of Natural Resources and the Environment, and Historic Preservation. The GIS Database and map shall identify the direct County Acquisition as well as Cooperative Acquisitions. The GIS Database and map shall identify the properties as of the date of preparation and be submitted to the Freeholders on, or before, September 1st of each year.

10.2 By September 15th of each year the Open Space Coordinator and the CADB Administrator shall meet with the **Freeholder Clerk** and verify that all of the property interests listed in the inventories described in 8.1.1 (page 3), 8.2.1 (page 5), and 8.3.1 (page 6) are logged and entered in the **Real Property Registry** which the Freeholder Clerk maintains under N.J.S.A. 40:12-22.

11. **FINANCIAL REPORT.** On or before September 1st of each year, the County Finance Department will prepare a written report for the Board of Chosen Freeholders including at a minimum the following:

11.1. The remaining amount then available and uncommitted in the Open Space Trust Fund as of the previous July 1.

11.2 The remaining amount then available and uncommitted on Open Space bond issues and a list of the amounts committed for acquisitions, but unspent, from those bond issues.

11.3 Other funds available and unexpended for Open Space purposes.

12. **ANNUAL FUNDING APPLICATION AND ALLOCATION**

12.1 **Finance Department Analysis.** Copies of the funding requests as set forth in paragraphs 9, 10 and 11 of this Policy shall be simultaneously furnished to the Finance Department. By October 15th the Finance Department shall provide the Freeholders with an analysis of the requests and the projected impact of such spending requests on the County Budget and tax rate. The Finance Department may make a recommendation as to the amount that could reasonable be appropriated, given other competitive demands, to accomplish the objectives set forth and the sources for payment. The Finance Department shall provide copies of the analysis and recommendations to the Open Space Coordinator, the Parks Director and the CADB Administrator.

12.2 **Freeholder Review** The Freeholders will review the requests of the Open Space Coordinator, Director of Parks and Recreations, CADB Administrator and the recommendation of the County Finance Department and will endeavor to make a tentative decision on or before December 31st to be effective in the next calendar year as to the following:

- a. what amounts will be spent from the Open Space Trust Fund and for what purposes.
- b. what additional amounts, if any, will be raised through financing or the annual budget.
- c. what amounts will be allocated from the Open Space Trust Fund for municipal and non-profit grants.
- d. what amounts will be allocated for cooperative acquisitions with municipalities or non-profits and the source of funds for that commitment.

The final funding decision will be made after the public hearing on the County Budget in the ensuing year.

12.3 **Open Space Trust Fund.** Currently the Freeholders have determined that the revenues generated under the Open Space Tax are allocated:

12.3.1 Ten percent (10%) of the annual funds collected from the Open Space Trust Fund shall be annually allocated for the use by **Municipalities** in connection with the Municipal Grant Program.

12.3.2 Fifteen percent (15%) of the annual funds collected from the Open Space Trust Fund shall be annually allocated for the use by **Non-Profit** organization in connection with the Nonprofit Grant Program.

12.3.3 Five percent (5%) of the annual funds collected from the Open Space Trust Fund shall be annually allocated for the use in connection with **Historic** Preservation by the County, Municipalities or Charitable Conservatives.

- 12.3.4 Thirty percent (30%) of the annual funds collected from the Open Space Trust Fund shall be annually allocated for **Farmland** Preservation by the County as allocated by the Freeholders in their discretion annually.
- 12.3.5 Twenty-five percent (25%) of the annual funds collected from the Open Space Trust Fund shall be annually allocated for the use of Municipalities and Non-Profit organizations for use in connection with the **Cooperative** Acquisition Grant Program (including **Extraordinary** Grant Applications).
- 12.3.6 Fifteen percent (15%) of the annual funds collected from the Open Space Trust fund shall be annually allocated for **Open Space and Parkland** acquisitions by the County as authorized by the Freeholders in their discretion.
- 12.3.7 The Freeholders shall establish the allocation of Open Space Tax revenues on an annual basis as a part of the annual budgetary process.

12.4 **Reservation of County Open Space Trust Funds**

- 11.2.1 Requests **to bank and reserve** Municipal Grant Program funds must be accompanied by an enabling municipal Governing Body resolution.
- 11.2.2 The resolution must include a statement indicating the future intent and purpose for County Open Space Trust Funds and anticipated timeframe for utilizing Program funds. The municipality must annually renew and reserve all allocated funds.
- 11.2.3 An updated Open Space Inventory that identifies all Preserved Lands located in the municipality must, also, be submitted.

12.5 **Re-Allocation of Unused Funding by the Freeholder Board**

- 12.5.1 If County Open Space Trust Funds are not used within one (1) year from final approval, the Freeholder Board may re-allocate the unused funds for Cooperative Open Space Acquisition Assistance by Hunterdon County or use the funds for any specified County purposes according to the County Questions; the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan; this policy and any subsequent revisions and amendments therewith, after notifying the applicant of its intentions.
- 12.5.2 If funding is not used within one (1) year from approval announcement yet the applicant has proceeded in good faith and/or encountered unforeseen difficulties in the completion of the project, the municipality may request a six-month project extension. Extensions are subject to OSAC recommendation and Board of Chosen Freeholder approval. Requests for project extensions must be submitted to the OSAC no less than 90 days before the project's expiration date.

13. **ACQUISITION DETERMINATION.** The Freeholders have the sole and ultimate authority for entering into Contracts for purchase of real estate or interests in real estate. Subject to the final approval of the Freeholders, acquisition decisions are made as follows:

13.1 **General County Open Space Acquisitions, Conservation of Natural Resources and the Environment and Historic Preservation.** The Open Space Coordinator will periodically consult with the Freeholders. The Freeholders will make determinations as to which acquisitions shall be pursued and at what price.

13.2 **Parkland Acquisitions.** The County Open Space Coordinator and the Parks Director will periodically consult with the Freeholders. When requests are made to pursue potential acquisitions, the Parks Director shall report as to how the acquisition is a part of a comprehensive plan for the development for Parkland throughout the County. The Parks Director shall also indicate how the acquisition is consistent with the annual plan submitted by the Parks Director the previous September 1st. The Freeholders will make determinations as to which parcels shall be pursued, and at what price.

13.3 **Farmland Preservation Acquisitions.** The CADB Administrator will periodically consult with the Freeholders and provide information as to the applications which the CADB has received and make recommendations for approval. The Freeholders will make determinations as to which parcels shall be pursued.

13.3.1 The CADB Administrator will report the extent to which the proposed acquisition is consistent with the County Comprehensive Farmland Preservation plan.

13.3.2 The CADB Administrator will indicate the extent to which State and local municipal funds are available to assist with the acquisition.

13.3.3 Each application will be evaluated by the CADB in accordance with criteria established by it and pursuant to criteria established by the State Agricultural Development Committee.

13.4 **Municipal and Non-Profit Grant Program.** The County has established a separate program enabling municipalities and non-profit entities to utilize a portion of the Open Space Tax Trust fund for acquisitions. The procedure for obtaining such grants is contained within the Section 14 and further defined within the Procedures Manual referenced below.

13.5 **Cooperative Purchases with Municipalities and Non-Profits.** The County has established a separate program for making decisions concerning pursuing cooperative purchases with Hunterdon County municipalities and non-profits. That procedure for obtaining such grants is contained within Section 14 and further defined within the Procedures Manual referenced below.

13.6 **Historic Preservation Program.** The Open Space Coordinator will periodically consult with the Freeholders and provide information as to the applications which the Cultural and Heritage Commission have received and make recommendations for approval. The Freeholders will make determinations as to which projects shall be pursued.

- 13.6.1 The Open Space Coordinator will report the extent to which the proposed project is consistent with objectives of this policy and will indicate to which State and local municipal funds are available to assist with the acquisition.
- 13.6.2 Each application submitted between January 1 and April 1 of each year will be forwarded to the Cultural and Heritage Commission for review and recommendation in accordance with criteria established by it and pursuant to criteria established by the State Historic Preservation Office in accordance with the procedures outlined in the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Program Procedures Manual.

13.7 Rendering of Decisions

- 13.7.1 The OSAC shall review and evaluate all applications and shall prepare and submit a written recommendation to the Board of Chosen Freeholders for approval of all County Open Space Trust Funds and grants. The OSAC shall evaluate, score and rank all Nonprofit and Cooperative grant applications using the priority Evaluation System. The Cultural and Heritage Commission shall review and evaluate all Historic Preservation grant applications using the criteria developed by the Commission and shall forward its recommendations to the OSAC. The OSAC shall submit its funding recommendations to the Freeholder Board following its completed review and evaluation for approval of all funds.
- 13.7.2 The Board of Chosen Freeholders will not consider any application or request for County Open Space Trust Funds for a project which has not been reviewed pursuant to this policy.
- 13.7.3 Once the Freeholder Board has made the final decision to approve County Open Space Trust Funds, the OSAC shall send a copy of the Resolution to the applicant or its designated liaison including any procedural requirements or conditions for payment authorization.
- 13.7.4 The approved applicant shall have one (1) year to complete all project submission requirements and expend its authorized allocation of funds.

14. **MUNICIPAL AND NON-PROFIT GRANT PROGRAM, COOPERATIVE OPEN SPACE ACQUISITIONS AND HISTORIC PRESERVATION GRANT PROGRAM**

14.1 Purpose

- 14.1.1 The goals, objectives and procedures for the **Municipal and Nonprofit Grant Programs, Cooperative Open Space Acquisitions and Historic Preservation Grant Program** are described in the *Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan – Procedures Manual (5th Edition - September 2010)*

14.1.2 **Cooperative Open Space Acquisitions** are those acquisitions made together with Hunterdon County municipalities or other non-profit organizations which share a common vision to maximize preservation.

14.1.3 **Extraordinary Preservation Initiative** means a municipally initiated application request submitted for preservation assistance for the purchase of land that is under intensive development pressure and which is designed by a municipality to specifically prevent a property's imminent change in use in order to achieve a stated public policy objective and regional benefit.

14.2 **Review, Approval and Future Changes to the Procedures Manual**

The County Open Space Advisory Committee (OSAC) shall review the Procedures Manual not less than once a year, seeking input from the Hunterdon County Board of Chosen Freeholders, County Planning Board, County Agriculture Development Board, Department of parks and Recreation, Hunterdon County Cultural and heritage Commission, the municipalities of Hunterdon County, nonprofit organizations with primary land preservation interest in Hunterdon County, and public stakeholders. Any amendments to this Manual shall be subject to Freeholder Board approval.

The Open Space Coordinator will distribute revised/updated copies of the Procedures Manual to all Municipalities and charitable conservancies in Hunterdon County.

14.3 The **Municipal and Nonprofit Grant Programs and the Cooperative Open Space Acquisition** program is administered by the Hunterdon County Open Space Coordinator in collaboration with the Open Space Advisory Committee. All funding allocations are subject to review and approval by the Board of Chosen Freeholders

15. **THE OPEN SPACE ADVISOYR COMMITTEE (OSAC)** is charged with: 1) implementing the Municipal and Nonprofit Grants Program; 2) with reviewing, rating and making recommendations for Cooperative Open Space Acquisitions partnerships with Hunterdon County municipalities and non-profit entities; and 3) reviewing Extraordinary Preservation Initiative applications.

15.1 **Membership.** The OSAC shall consist of nine (9) voting members and two (2) alternate members appointed by the Freeholders, and four (4) ex-officio members. The Open Space Coordinator will act as its Chairperson. The appointed members and alternates are:

- 1 One representative from the County Planning Board, to serve a one-year term;
- 1 One representative from the Hunterdon County Agriculture Development Board, to serve a one year term;
- 1 One representative from the Hunterdon County Parks and Recreation Advisory Board, to serve a one-year term;
- 1 One representative from a non-profit organization which is engaged in land preservation in Hunterdon County, i.e. land trust/conservancy, to serve a two-year term;
- 5 Five members of the public: one (1) from each of the three (3) identified geographical regions of the County of Hunterdon (shown on Appendix A) and two (2) representatives from either a borough, city and/or town. Each will

each serve a three-year term. (The initial appointments shall be made: 1 for a 1-year term, 2 for 2-year terms – and 2 for 3-year terms).

- 2** - Two alternate members appointed from the public, to each serve a two-year term. (The initial appointments shall be made: 1 for a 1 year term and 1 for a two year term).

No two (2) members shall be appointed from the same municipality. All appointees must be County residents. Elected municipal officials, appointed municipal planning board/board of adjustment members or staff employees, or County employees, shall not be appointed to the Committee.

Each member shall continue to serve until their successor is appointed.

The ex-officio, non-voting members of the Committee are:

- The Planning Director or their designee
- The CADB Administrator or their designee
- The Parks Director or their designee
- The Freeholder Open Space Liaison

- 15.2 Meeting Schedule** The OSAC shall meet at least bi-monthly. Applications for the Grant Program shall be received on a rolling basis and the Committee shall schedule regular meetings to evaluate them. Historic Preservation applications will be received and evaluated once per year. Cooperative Open Space Acquisitions (COSA) will be received and evaluated once per year. The COSA evaluation meeting schedule will be determined at the conclusion of the application round (June 30). Between July and September the Committee will meet to:

- Review COSA application requests.
- Tour all proposed acquisitions.
- Rank, rate, and recommend Cooperative Open Space Acquisitions to the Board of Chosen Freeholders for final approval

Appointees to the Committee must be able to make a commitment to be available for the three (3) evaluation round meetings. If a member misses two consecutive meetings (not including site visit tours) or three (3) of all annual meetings, they will be removed from the Committee.

- 15.3 Responsibilities of the Committee** The responsibilities of the OSAC are:

15.3.1 To develop policies and procedures governing the Hunterdon County Open Space Trust Fund - Municipal and Nonprofit Grants Programs and forward them to the Freeholder Board for approval.

15.3.2 To review the Policies and Procedures Manual not less than once a year and submit any recommended changes to the Freeholder Board for its approval.

15.3.3 To keep municipalities, nonprofit organizations, county agencies, and the public informed as to program progress, issues, and needs and seek general public input as appropriate. The Committee shall have a clearly definitive application process, application forms and instructions for both programs. The Committee will remind municipalities of the application deadlines for the COSA program at least twice a year.

- 15.3.4 To review, evaluate and make recommendations to the Freeholder Board regarding the approval of Municipal and Nonprofit Grants Program applications for Open Space Trust Fund approval. Projects shall be evaluated based upon the Evaluation criteria attached as Appendix A. All evaluations by the OSAC are recommendations and subject to Freeholder Board authorization and approval.
- 15.3.5 To evaluate Cooperative Open Space Acquisitions applications submitted during established funding rounds, to tour all proposed acquisitions and to rank, rate and recommend County participation in an acquisition to the Board of Chosen Freeholders within established time. Projects shall be evaluated based upon the Evaluation criteria attached as Appendix A.
- 15.3.6 To review, evaluate and make recommendations to the Freeholder Board regarding participation in an Extraordinary Preservation Initiatives, whether those initiatives are submitted for a grant or for a cooperative acquisition with the County. The projects shall be evaluated based upon the evaluation criteria attached as Appendix A.
- 15.3.7 To participate in the preparation of an annual summary-report to the Freeholder Board regarding the Municipal Grants Program and Nonprofit Grants Program.

16. **ROLE OF THE OPEN SPACE COORDINATOR.** The Open Space Coordinator shall serve as the chairperson of the Open Space Acquisition Advisory Committee. The Open Space Coordinator's responsibilities shall include the following:

- 16.1 Prepare all administrative documents including applications forms, Policy Manual language, informational brochures and related material, and reports, etc. for review and approval, as needed, of the OSAC.
- 16.2 Process Municipal and Nonprofit Grants Program applications, process municipal and nonprofit Cooperative Open Space Acquisition applications and present completed applications to the OSAC for review. This includes all Extraordinary Preservation Initiatives.
- 16.3 Chair all OSAC meetings and meetings of any subcommittees.
- 16.4 Prepare minutes of all OSAC meetings and meetings of any subcommittees.
- 16.5 Prepare all needed correspondence to OSAC members, other county departments, the Freeholder Board, municipalities, and nonprofit organizations.
- 16.6 Respond to questions, provide assistance and guidance to local officials and the public, and nonprofit organizations regarding open space preservation issues.
- 16.7 Maintain an inventory of all open space lands preserved in Hunterdon County, as well as areas of preservation interest identified by public and private entities engaged in land preservation in the County.
- 16.8 Prepare the annual summary-report for presentation to the Freeholder Board.

- 16.9 Perform all other tasks related to the Municipal Grants Program and the Cooperative Acquisition Program.

17. **PROCEDURE**

- 17.1 **Applicant Initiation of Process.** All applications or requests for County funding must be submitted through the Open Space Coordinator. The Freeholders will not review or consider any request for County funding for a project which has not been reviewed pursuant to this procedure. The Open Space Coordinator will promptly make application forms and instructions available to municipalities and nonprofit agencies when requested. All applications must be completed and supporting information must be provided by the applicant before County funding and support will be considered for the project. The application must be considered and reviewed by the Open Space Acquisition Advisory Committee (OSAC) or the Cultural and Heritage Commission, as appropriate, and the Committee must make a recommendation before the Freeholders will consider the project.
- 17.2 **Grants.** The County will receive applications for the **Municipal and Nonprofit Grant Program** and a request to fund a grant for an **Extraordinary Preservation Initiative** at any time. Requests for **Historic Preservation** funding will be accepted between January 1 and March 31. The Open Space Coordinator and the OSAC will endeavor to review, evaluate and recommend applications within three months of a completed application being submitted. In the event of an Extraordinary Preservation Initiative the Open Space Coordinator and the OSAC will endeavor to review the application as promptly as necessary to deal with the specific situation.
- 17.3 **Cooperating Open Space Acquisitions.** The County will receive applications for Cooperative Open Space Acquisitions and all requests for County participation in Extraordinary Preservation Initiative for one annual funding round ending June 30 of each year. Eligible applicants include all 26 municipalities, and all non-profit agencies who are primarily involved with land preservation in Hunterdon County. Applicants can submit one application annually.
- 17.4 **Review for Completeness.** All applications will be submitted to the Open Space Coordinator and will be preliminarily reviewed for accuracy and completeness.
- 17.5 **Applications will include one appraisal** that includes an engineering analysis of site consultants such as steep slopes, fresh water wetlands, Category One waters, soil suitability, and highest and best use based on development potential. If the applicant is utilizing other state funding sources which require 2 appraisals, both should be submitted as part of the application. In all cases, the County reserves the right to hire an independent appraiser to corroborate the value.
- 17.6 **Applications will include a proposed management and use statement** that clearly defines the proposed role/responsibility of each partner and the intended public use.

18. **CONSIDERATION BY OSAC** Completed applications will be considered by the OSAC using an established, weighted ranking protocol including but not limited to:

- 18.1 The degree the acquisition fits into county-identified goals and objectives for land preservation;
- 18.2 Documented development pressure;
- 18.3 Regional initiatives by two or more municipalities/agencies;
- 18.4 The financial commitment of the applicant and number of partners and any other considerations included on the rating protocol; and
- 18.5 The evaluation criteria effective October 7, 2008 are set forth in Appendix A.

19. **TIME FRAMES.** Applications will be processed and reviewed within the following general time frames.

- 19.1 The Open Space Coordinator and the OSAC will endeavor to review, evaluate and recommend a **Municipal and Nonprofit Grant Program** application within three months of a completed application being submitted.
- 19.2 The Open Space Coordinator and the OSAC will endeavor to review a **Cooperative Open Space Acquisition** by September 30th each year. The Committee (OSAC) will make a recommendation to the Board of Chosen Freeholders by October 15th concerning applications to be cooperatively funded for the respective rounds.
- 19.3 The Open Space Coordinator and the OSAC will endeavor to review an application to fund an **Extraordinary Preservation Initiative** as promptly as necessary to deal with the specific situation.
- 19.4 Requests for **Historic Preservation** funding will be accepted between January 1 and March 31.
- 19.5 The Board of Chosen Freeholders will determine by December 31 what cooperative acquisitions the County will financially support for each round and the level of funding.

20. **FUNDING LIMITATIONS.** Funding of applications will be categorized into the following acquisition designations:

- 20.1 **Municipal and Nonprofit Grant Programs**, means those applications submitted for preservation assistance that are solely identified by the municipality and/or nonprofit organization, and included in its Open Space and Recreation Plan, or a comparable plan-element of a municipal master plan, or a distinguishable preservation plan; and initiated by a municipality's governing body or organizations' Board of Trustees to achieve the entities' specified goals and objectives and individual preservation purposes.
Municipalities may use the third ballot Question allocation of funds, beginning January 1, 2010, to develop, improve and maintain municipal lands acquired for recreation and conservation purposes.
For Municipal/Non-Profit Initiatives the County may consider providing up to a maximum of 20% of the project's determined and/or eligible cost of acquisition not to exceed more than \$500,000 in County cooperative assistance.

- 20.2 **Cooperative Open Space Acquisition Assistance Initiative** means those applications submitted for preservation assistance, which are not only identified by a municipality and/or nonprofit organization but additionally identified as an area of preservation interest by the County; and which comports to the County of Hunterdon Open Space Trust Fund Plan's regional goals and objectives.
For Cooperative Initiatives the County of Hunterdon may consider providing up to a maximum 50% of the project's determined and/or eligible cost of acquisition, which may be capped at and not more than \$1,000,000 in County cooperative assistance.
- 20.3 **Extraordinary Preservation Initiative**, means a municipally initiated application submitted for preservation assistance to purchase of land that is under intensive development pressure, and those which may or may not be identified in either a municipality's preservation plan and/or the County's Open Space Plan; and which is initiated by a municipality to specifically prevent a property's imminent change in use – to achieve a stated public policy objective and regional benefit.
For an Extraordinary Preservation Initiative which has been previously identified in a municipality's Preservation Plan and in the County's Open Space Plan, the County may consider providing up to 50% of the project's determined and/or eligible cost of acquisition not to exceed \$2,000,000.00.
- 20.4 **Historic Preservation Grant Program**, means a municipal or qualifying Charitable Conservancy application submitted for preservation, rehabilitation, restoration or reconstruction of historic sites that are listed on the New Jersey or National Register of Historic Places OR approved for listing in the New Jersey Register of Historic Places OR located within a Historic District AND identified as contributing to the significance of the district. The Charitable Conservancy MUST either be located in Hunterdon County and/or the owner of an historic site situated in Hunterdon County.
The Historic Preservation Grant Program distributes an apportioned seventy (70%) percent of the County's Annual Historic Preservation Trust allocation, which is five (5%) percent of the total revenue collected by the County for Historic Preservation purposes.

21. **CLOSING PROCEDURE.**

- 21.1 Once an application is accepted into the Cooperative Open Space Acquisition Program, the Open Space Coordinator will coordinate with County Counsel to facilitate the closing process.
- 21.2 For either the Grant Program or the Cooperative Acquisition Program, the County will obtain a recordable instrument, in a form suitable to County Counsel, which memorializes the terms and conditions under which County funds are provided for the project. The instrument will place easements, restrictions or conditions of record to ensure that the objectives of the program are memorialized in perpetuity.