

SPECIAL MEETING

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

Main Street County Complex, Second Floor
Flemington, New Jersey 08822

June 05, 2007

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 4:05 p.m. in accordance with the provisions of the Open Public Meetings Act.

PRESENT: MR. MULLER, MR. PETERSON, MR. HOLT, MR. SWOREN.

ABSENT: MR. MELICK.

Also Present: Cynthia J. Yard, County Administrator, Gaetano M. DeSapio, County Counsel and Denise B. Doolan, Clerk of the Board.

OPEN PUBLIC MEETINGS ACT

Director Muller announced: "This meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been given by posting throughout the year a copy of the notice on Bulletin Boards on the First and Second Floor of the Main Street County Complex, Building #1, Flemington, New Jersey, a public place reserved for such announcements. A copy was mailed on or before May 24, 2007, to the Hunterdon County Democrat, The Lambertville Beacon, The Express, Courier News, Trenton Times, Hunterdon Review and The Star Ledger, newspapers designated to receive such notices and by filing a copy with the Hunterdon County Clerk."

PLEDGE ALLEGIANCE

Director Muller informed those present that today's special meeting is to allow the Board of Chosen Freeholders to discuss two issues concerning the County's Farmland and Open Space Preservation programs.

FOR DISCUSSION

Urbach property, Block 7, Lot 13, Raritan Township

John Kendzulak, Raritan Township Mayor, informed the Board that at Raritan Township's last Committee meeting on May 31, 2007, the Township Committee further discussed the County's proposal with regard to the acquisition of the Urbach property. The Committee is prepared and willing to commit, not only \$444,150 in Green Acres funds but also to match that amount for the purchase. Mayor Kendzulak feels this is a substantial contribution and Raritan Township has adopted a resolution to that affect and confirmed with Director Muller that the Board of Freeholders have received a copy of that resolution. Mayor Kendzulak asked the Freeholders to endorse the purchase of the Urbach property.

Mr. Sworen appreciates Raritan Township again taking the time to discuss the purchase of the Urbach property. A number of Raritan's residents were anxious for the purchase of this property. He confirmed the Township's action helps the Board in its process to make a decision and for him this makes it more plausible for the County to step up and join in this purchase.

Mr. Holt asked that Kevin Richardson, Open Space Trust Fund Coordinator be provided a copy of Raritan Township's resolution in order to run the numbers for the Board.

Mr. Holt said according to his calculations, the County is looking at \$1.9 million, and Raritan Township is offering \$888,000 (\$444,000 in Green Acres funding and \$444,000 in Township funding). He confirmed with Mr. Richardson that the County would get from the state a 50% reimbursement from the County's out of pocket funding from Green Acres. Mr. Holt feels this is a good partnership.

Mr. Peterson asked John Trontis, Parks and Recreation Director if anyone other than himself, has contacted on him on whether this would be an appropriate park or not. Mr. Trontis did receive emails from Mr. Richardson and he did visit the site, but it has not been discussed in detail. Mr. Peterson questioned if the site can be used for active recreation. Mr. Trontis stated there are some fields that easily lend themselves to active recreation; the question is whether or not it is appropriate there. If any type of fields are done then the County would have to grade. The front fields could be graded for ball fields.

Director Muller expressed a need for soccer fields. He has been trying to get two soccer fields, or recreation fields built at the South County Park. He has met with John Bell, who is head of the soccer organization, which is made up mainly of Raritan Township youngsters, and they occupy every school field they are allowed to. There are 1,800 children involved in the soccer programs. Mr. Trontis stated regionally there is a problem because there isn't enough room for soccer anywhere.

Director Muller questioned is fields can be placed at the Urbach property. Mr. Trontis feels it is feasible. John Bell of Kinsey Associates feels a whole size soccer field with drainage and irrigation, the costs could be around \$200,000 to \$250,000 to develop a field there. Mr. Trontis

added there is room for more than one field on that site. While the region may need soccer fields, he questions if it an appropriate location, which would need to be determined by the Board. He noted that soccer fields feasibly could be done. Mr. Trontis informed the Board that up Route 617 before getting to this site, the road and the fields are almost at the same grade, which could be used as an access point for parking. There is plenty of room in the field but you have to understand it would be an expensive item. Mr. Sworen and Mr. Holt confirmed the expense would be there for any park, where a soccer field would be developed.

Mr. Trontis confirmed for Director Muller than the County contracted to have the fields put in at Deer Path Park years ago when it was acceptable to do that. It is no longer acceptable. Today if a private entity puts their money into a field for their use, they would want exclusive use. Director Muller feels if there was a cost share, they would be able to reserve the field for so many days use. Mr. Trontis explained that would be frowned upon as it would fall out of public use. Mr. Peterson questioned if the County could rent the space. Mr. Trontis said the County can book the fields but normally a private entity, if they put their money into a field for their use, they would want exclusive use of the field.

Director Muller feels there would be an advantage to having two or three municipalities' partner with the County on such an endeavor. The investment is being made on behalf of the taxpayers and there is an advantage to active recreation. Director Muller feels cost sharing makes this more cost effective.

Mayor Kendzulak pointed out that Raritan Township has been working with the Flemington-Raritan Soccer Club and they are at a point, if they can't find field space they are going to have to turn kids away. At this time, the Flemington-Raritan Soccer Club is looking for space outside of Raritan Township. Mr. Peterson confirmed the Township is having the same problem with its football teams.

Mr. Holt said if these 108 acres were developed into soccer fields, what percentage of acreage could be that type of recreation and what percentage would be passive recreation. Mr. Bell feels between 40 to 50 acres could be utilized for action recreation. Mr. Trontis advised there are fields that are in succession growth that are currently serving a bird habitat. There is more area on that land that could be cleared and utilized.

Mr. Holt asked if there is a balance on the 108 acres for passive recreation use and active recreation use. If 40% of the property could be developed to create to fit one need, there is still space for 60% of the property to remain in its natural state. Mr. Trontis said yes.

Mr. Peterson said Raritan Township Committee passed a resolution and it is a good gesture, but is the resolution so the \$444,000 in Green Acres funds would not be lost, because if so, the County has found out by contacting Green Acres that there are other properties in Raritan Township that would qualify and the County could bank the \$444,000 in Green Acres funds for the Township to be used towards a property to be identified. He noted that Mayor Kendzulak had stated that the Urbach property is not a top priority property for the Township.

Mayor Kendzulak explained there is a deadline which Raritan Township has to identify a parcel and the closing has to be done by the end of this year. Mr. Peterson stated Green Acres was contacted yesterday, and the County can make this happen. Mayor Kendzulak advised the Township has had no other dialog for any other property but there has been substantial dialog with regards to the Urbach tract. It has been looked at from a regional standpoint within Raritan Township, as far as the connectivity with other parcels. If you start at the Dvoor Farm and head north along the Mine Brook. Mr. Peterson said he is talking about other parcels that have a similar value. He mentioned this on May 22, 2007 when Mayor Kendzulak came before the Board because it was mentioned that this is not a high priority property for Raritan Township. Mayor Kendzulak feels someone made a statement or comment at the Township's Committee meeting; that it was invited to the beauty pageant while it may not have won it was still invited. When you look at 108 acres within Raritan Township, a tract of that size, there is a lot to be said for this particular property when looking at the character or preserving the view shed or landscape; then there is a lot to be said for this particular piece of property. He has a resolution which has been discussed in public where Raritan Township Committee, as a body, moved to apply funds toward the Urbach tract. He is not familiar with any other piece of property. The decision made on May 31, 2007 was to transfer the Township's Green Acres funds, as well as match that amount for this particular tract of land.

Mr. Peterson is concerned but said it looks like this purchase will move forward. He isn't sure this decision won't be regretted later on because it maybe found there are other properties of greater value that could have been purchased but the money is going to be spent here and it's being done because there was \$444,000 in Green Acres that we are eager to spend. Mr. Peterson stated he found an alternative which could work and save those dollars. It is unfortunate this information was not available before yesterday but that's an issue that needs to be addressed on the County's side. He also has deep concerns because the Parks and Recreation Department wasn't brought in until now to review this and there was no assessment by the Parks Department how this will be a park or whether it can be a park. This might not work out to be a park because it hasn't been vetted and that is also an issue. This has come together in a way he isn't very comfortable with because it seems like this is being rushed through and at the last minute we are trying to justify the purchase. He is also concerned that this is the first time the Parks and Recreation Director actually saw the property. If he had not called Mr. Trontis today, he would not have known about the Urbach property. The County departments need to communicate better. There are a lot of issues with this. He feels the County needs to look at how the systems are set up, and what the protocol is. The person who is going to be responsible for the park needs to be contacted to provide input before the Freeholders makes a decision.

Mr. Peterson is concerned that this will move forward today with these plans for the property, but it could fall apart tomorrow and become Multiflora Rosa. He understands it is no one's fault on this Board because the Freeholders did not find out about the property until two months ago, when it was brought before the Board. The Freeholder Board needs to review how to get a better grasp on how properties are getting selected.

Mr. Peterson feels there is a need for ball fields, especially in Raritan Township, but it isn't known if that is a possibility at this point, other than Mr. Trontis thinks it is feasible. He would hate to spend \$2 million and be wrong. Mr. Peterson said the \$500,000 in matching money from Green Acres is \$500,000 that won't be there for another property.

Mr. Peterson again stated he is uncomfortable with this process and with the way this has come together. He feels there are too many loose ends and not enough solid answers.

Mr. Peterson advised Milligan Farm can house 300 houses and the Township went out to solicit the \$10 million needed and the County's policy says the Freeholders can only contribute \$1 million to them. Milligan Farm was 300 houses on an environmentally sensitive property and in an area that would have had a regional impact on the entire County. He believes giving money towards that purchase is the right thing to do, because it's the right for Hunterdon County. He is not sure the Urbach property has the same impact.

Mr. Peterson stated he does feel that active recreation is important, it adds to the value of the community but it isn't known if that can be done.

Mr. Peterson feels the Freeholders have been put in a situation because of late information, information that wasn't accurate at first until the County looked into it and came up with the accurate information. He is uncomfortable with being put in this position. He can't make good decisions on partial information. This is a lot of money.

Mr. Holt advised with respect to the Milligan property and something that Mr. Peterson is not aware of because he, Mr. Melick and Mr. DeSapio were directed by Director Muller to meet with Union Township to look at the actual net costs. He believes in the near future when the opportunity affords itself, the numbers will make sense with respect to the Milligan property.

Mr. Holt feels Hunterdon County needs to look at open space and how property will become available. The preservation of properties, say 10 years from now, is going to be more paramount at that moment, than determining what is going to happen to them. He feels the opportunities to acquisition will begin to decrease.

Mr. Holt feels when the County asks for partners to acquire property and partners step up, then the County needs to acknowledge that. While there may not be a plan for the property, we have to acknowledge the opportunity is here and the County needs to seize it.

Mr. Holt explained he has given much thought to the Open Space Tax on the County level. It has been done with two referendums, both of which had timelines on them. In discussions with the County's municipalities, many of them who have done open space tax referendums did not include timelines and the advantage they have in not doing that, is that the County spends finite dollars and they leverage their dollars. Mr. Holt feels a timeline was placed in the first referendum because no one was sure how the public would react and overwhelmingly the public voted to preserve lands. He isn't sure there should have been a timeline in the second referendum and suggested that in the future the County would consider having a permanent open space tax that would allow the County to purchase and create the funding level to actually utilize it. It is cheaper to preserve property than to build schools.

Mr. Holt stated at the last meeting the Freeholders asked for a partnership and Raritan Township has provided that.

Mr. Holt said he respects Mr. Peterson's opinion because a balance of opinions makes a good Board and those opinions need to be spoken. Mr. Holt said he would support the acquisition of this property, based on Raritan Township agreeing to be a partner.

Mr. Sworen said while Hunterdon may have thought the purchase of the Urbach property was probably a good idea without knowing all the details, the Freeholders informed Raritan Township's Mayor that if this is important to the Township, then Raritan had to step up to the plate.

Mr. Sworen feels there may be the lack of a plan for where the County wants to be with different properties and what can be done with the properties. The County needs to determine how it wants to look at land, how it ranks open space and farmland.

Mr. Sworen again stated Raritan Township was asked to partner and they did. Parks and Recreation has to research to determine if a field can be placed on this property. No matter where a field is built, it is going to cost the same amount of money. He said there are a lot of unique opportunities for this property, such as birding and passive recreation.

Mr. Sworen advised the County needs to start discussing how to restructure how property is purchased, looking at partnerships and so on in the future.

Raritan Township's Deputy Mayor, John King stated that Freeholder Peterson has brought up some good points, being there is a certain level of discomfort which he had saying that maybe Raritan Township isn't doing enough to come to the table to work with the County, as far as how

open space is going to be acquired, where is it going to be acquired and what its uses are for. Deputy Mayor King would like to see Raritan enhance those efforts over the next three years. Since 1997, when Raritan Township started preserving open space, Urbach was one of the properties on the Township's Preservation List. The Urbach property was going to be used as a greenway between one portion of Raritan Township to another and he added that he feels this acquisition is going to be valuable to that effect.

Deputy Mayor King feels the Township and the County have a good working relationship on what each is willing to do.

Director Muller advised he and Freeholder George Melick have been around since the preservation of open space started back in 1977. The Freeholder Board embraced open space and farmland preservation in the 1970's and the Freeholders are still supporting preservation. He confirmed no lands were ever taken by eminent domain and there was always cooperation from the local governments. He feels that proves the Freeholder Board had a close feeling with the public and the elected officials.

Director Muller informed those present that to date, 20,000 acres of farmland has been preserved. The public supports preserving land and the public supports the open space and farmland preservation tax. The Freeholders are trying to do the best job it can. He feels Freeholder Peterson is saying the County needs to stop and look at what is going on. This Freeholder Board wants discussions to be held in open and he feels the County needs to become closer to its municipalities and municipalities have to let the County what their plans are. Partnerships are necessary to be cost effective to the taxpayers.

Mr. Sworen confirmed with Mr. Richardson that there is a set price for the Urbach property. Mr. Richardson said the firm per acre value price is \$18,000 per acre, for 108 acres, for a cost of \$1,940,140.

Mr. DeSapio confirmed this is a firm price. He suggested authorizing the negotiations of a contract with the property owner not to be executed until there is an agreement with Raritan Township on the funding. He confirmed there is a bond ordinance in place for the funding. The terms of the contract would be \$18,000 per acre, for 108 acres, with Raritan's contribution to be \$444,150 from Green Acres, and the Township's contribution would be \$444,150 and the balance would be \$1,051,840 for the County's share. Mr. Richardson stated once the County's expenditure is submitted to the Green Acres' program, the County would be eligible to receive 50% of the County's net expense.

Mr. Sworen moved and Mr. Holt seconded a motion to authorize the negotiations of a contract with the property owner for the acquisition of the Urbach property, in the amount of \$18,000 per acres, for 108 acres, for a total cost of approximately \$1,940,140. It is estimated the purchase price would be paid of \$888,300 by Raritan Township, (\$444,150 of that being Green Acres money), the County's estimated contribution would be the balance (\$1,151,840) and of that half will be eligible for reimbursement by Green Acres.

Mr. Peterson said while he appreciates that Raritan Township came back to the Board with funds to partner on the Urbach property and he feels that was a good will gesture. Mr. Peterson said he feels this money could be used more strategically somewhere else in Raritan Township, on a property that would be more beneficial to the Township and the entire County. He doesn't feel there are any plans set up for this property and although he hopes and prays this all works out, and he will support the final decision of the Board. He wants to preserve land in Raritan Township but he wants it to be the right land for Raritan Township and the County. He wants to make sure smart decisions are made and he would like to work with Raritan Township to come up with a strategic plan to do that. He expressed concern because Parks and Recreation was not a part of this decision.

Mr. DeSapio feels a discussion has to take place on who will own the property, so it can be included in the resolution.

Mayor Kendzulak said his understanding is there would be joint ownership, as was done with Green Valley Associates.

Mr. Richardson explained the County and the Township could share ownership with undivided interests; or the Township could assign its interests to the County. Typically when there are cooperative acquisitions where the County contributes funds with others, the County goes in as tenants in common and there is an ownership and maintenance agreement that defines the duties, obligations and responsibilities of the various owners on how it will be maintained, who will maintain it and the various respective obligations.

Mr. Sworen confirmed with Mayor Kendzulak that being tenants in common would be agreeable.

Director Muller said the County is looking to have active recreation on the property. Mr. Richardson said when the County contributes a majority of the funds, the County has the majority of the interest and depending on the consensus of the various owners there is an establishment of who is going to manage the property. Typically when the County contributes more than 50% the property is managed by the County as a County park subject to the existing rules and regulations. This affords the minority interest holder the right to co-join with the County to jointly use the property and if the Township or any municipality wants to use utilize the property, it is subject to the concurrent review and approval of the County and the Board of Chosen Freeholders. Since 2000 those terms have been memorialized in the joint purchase agreement and the ownership and management agreement between the parties.

Mr. Peterson asked how many properties the County does not have the right to decide what the property will be used for? Mr. Richardson advised out of the dozen or so the County has contributed towards, there are two, where the County contributed a lesser interest and that was by design and agreement between the County and the municipality. Depending on the objective or according with the County's Open Space plan goals and objectives, either the County actively pursues managing the property or if it doesn't meet one or more objectives, the host municipality is then asked to take on the management and maintenance responsibilities in accordance with their ordinances and rules and regulations.

Director Muller explained the resolution before the Board from the Raritan Township Committee recommends and requests the County of Hunterdon acquire with the County Open Space plan the Urbach property. He feels the Township is requesting the County acquire the property.

Mrs. Yard said when you start talking about active recreation and ball fields; it has always been the Freeholder Board's philosophy that ball fields are a municipal function. Irrespective of this property, when ball fields are built, this Board will have to change its philosophy on what is active recreation. The County has been doing regional parks and if it now going to build ball fields, there will be 25 other municipalities asking for ball fields also. Mrs. Yard stated she is not taking specifically about this property; rather she is talking philosophically.

Mrs. Yard confirmed with Mr. Trontis, that when ball fields are built, there are going to be other municipalities asking for the same. Raritan Township has done a wonderful job with Lenape Park which has municipal ball fields. Mrs. Yard said Lenape Park epitomizes what a municipal function is with regard to ball fields.

After further discussion, Mr. DeSapio confirmed the resolution will be amended to say that the County of Hunterdon acquires this as open space and that the Hunterdon County Parks Advisory Board will develop a plan for the property and that the property will be acquired in the County's name. Mayor Kendzulak stated what the County is proposing is acceptable.

Mr. Sworen agreed to amend his motion to acquire the Urbach property in accordance with the County's Open Space plan.

**ROLL CALL: (AYES) MR. SWOREN, MR. HOLT, MR. MULLER.
(NAY) MR. PETERSON.
(ABSENT) MR. MELICK.**

Director Muller informed those present that Freeholder George Melick is absent today, not because he did not want to be here for this discussion, as it is will known how concerned he is about open space in the County but he is having a non-emergent medical procedure done that could not be rescheduled.

Raritan Mayor Kendzulak thanked the Freeholder Board for listening to the Township, as this is an important piece of property in Raritan Township, as well as other properties, no matter what municipality they are located in. He realizes the Board has a lot to consider and there is only so much funding available to meet all the demands. The key is communication between the municipalities and the County. He feels Raritan Township will be talking with the County more with regard to open space as there are other opportunities in Raritan Township to partner with the County. He again thanked the Board for the dialog today and the decision made.

South Branch Parkway

Director Muller said at the meeting he attended of the Raritan Township Committee, he mentioned the South Branch Parkway and as he said then, he feels the South Branch Parkway should be looked into. Everyone has been studying the South Branch Parkway, the state's eventual two lane roadway with certain intersections and no driveway cut-through. He feels it would be an ideal opportunity for Raritan Township to develop lands on both sides of the proposed parkway, to have a greenway/parkway where there could be hiking, biking and jogging trails which could parallel this parkway. If the state is buying land for a road that can't have driveways cut into it for development, the price of land would be reasonable and it could be used in the future for active recreation. He suggested Raritan Township could explore that further.

Deputy Mayor King informed the Board he is to be part of a Master Plan Session tomorrow evening and he will take that message with him.

Mayor Kendzulak advised his understanding is that the South Branch Parkway was planned to be two lanes in each direction, and it is now down to one lane in each direction; so there is a lot of state purchased right of way, so the Township doesn't have to purchase the right of way. If there is a way to get the state to buy in and build a bike path as part of the parkway project, it would not cost the taxpayers money. He suggested the County and Raritan Township push the State Department of Transportation (DOT) to get them to build these paths as part of this project.

Mr. Peterson stated the South Branch Parkway will have an intersection at Bartles Corner Road, at Junction Road and at River Road, and he feels this would be a strategic way of preventing development and traffic flow. He feels this project is something the Freeholders should work with Raritan Township on as it's a project that will benefit the entire County, as well as Raritan Township. Director Muller stated this will also connect into the County Park along the South Branch up into Clinton.

Extraordinary Preservation Policy

Mrs. Yard reported at the last Freeholder meeting there was discussion about the County's Extraordinary Policy and there are also parcels of land that don't meet the extraordinary policy but would be an exceptional value. When she and Mr. Richardson were working on this policy, it was felt the property could be 1 acre or 1,000 acres. They took the criteria from the basic policy adopted by the Freeholder Board recently and reduced it down for the Board in order to discuss the valuable acre or two, in an extraordinary policy.

Mrs. Yard confirmed for Mr. Sworen that this policy would be for any property that is non-traditional, which doesn't fall under open space, farmland or green acres, so that the Board doesn't have to have numerous policies for something that is non-traditional.

Mr. Peterson explained for those present that the County has situations where the normal pathway, for whatever reason, time or sensitive emergent reason, a project can't go through the normal process, either the municipality asks for the project funded in a nontraditional way or the nontraditional pathway is not appropriate for another reason. He felt there should be objective criteria for the Board to determine if a property qualifies. There should be an emergent situation when a property does not go through the traditional process. The Board needs to determine what types of things are emergent and how to grade that. Also to be considered is whether the Township created the emergent situation because of zoning changes and such. The County should not get into situations which have been self created. Mr. Peterson said it maybe emergent and critical to that town, but if they created the emergency, it isn't right to take the other municipalities money to bail them out under those circumstances. That type of situation should be listed in the criteria and they would not receive as much from the County. The County also needs to consider the value of the land and if it's scenic or not and how much is farmed, the types of soils there are.

Mr. Peterson said information can be taken from the Highlands Act, such as vista and those types of things because the Highlands Act does have a way to grade them. We need to consider watersheds, schools, walking neighborhoods, and community settings would have a higher value in order to protect them.

Mr. Peterson feels the County should take some properties that were smart moves, in different categories that the County has purchased and see where they would rank with this criteria, to determine what their number/ranking would be, and we could base the ranking on that number. The County needs to make sure it has good criteria and determine categories.

Director Muller asked if Mr. Peterson is asking for a committee to be created to review the criteria. Mr. Trontis stated that the Open Space Advisory Board is in place, and doing this work currently. Mr. Richardson's Open Space Advisory Board has an excellent rating system to evaluate properties.

Mr. Sworen recommended that GIS put together a presentation so that the Freeholders are able to see all the properties the County has purchased under the individual programs, such as Open Space, Farmland Preservation, Green Acres, the PIG (Planning Incentive Grants) program and Parks/Recreation. Once GIS captures this, the Freeholders will be able to look at the individual programs throughout the County and where they are located to a better understanding of how they all connect and what is being saved where and how the properties are linked. The Board agreed.

Mr. Peterson recommended the County develop a rule for when exceptions are made to purchase property, a rule for when a property is not in any of the County's plans. He feels development may change plans as does time, so flooding and run off should be critical issues. Also to be considered is if property is near historic structures. The County needs to get more specific on what types of soils because not all soils are equal, so criteria should include soils.

Director Muller suggested the Freeholders form an Open Space Forum which holds monthly, ongoing meetings, to meet in the morning which lasts less than two hours, so a topic can be addressed. An Open Space Forum could gradually educate not only the Freeholders but municipal elected officials and anything which is addressed at that meeting can be discussed at a Freeholder meeting the following week. He suggested the Open Space Forum consist of Mrs. Yard, Mr. Richardson, Ms. Dziamara, Mr. Trontis and other who would meet, establish an agenda and report to the Freeholders. This could be where townships can attend and be part of the agenda.

Mr. Trontis reported a Green Table Forum currently takes place every other month, which is a forum for interagency participation. He suggested the Open Space Forum be an in-house forum and if input is needed from other agencies it could be featured at a Green Table Forum.

Mr. DeSapio confirmed the County has a formal Open Space Acquisition Plan. He recommended the Board review that plan to determine if it needs to be revised or updated. It was noted for Mr. Holt that the plan is about 7 years old. The County needs to adopt a County Farmland Preservation Plan by September in order to qualify for future funding from the SADC (State Agriculture Development Committee). That should define what areas will be targeted for acquisition for farmland funding. Ms. Dziamara informed the Board that a draft farmland preservation plan has been submitted to the state and the County Planning Board is currently waiting for the state's comments on what needs to be updated.

Mr. DeSapio explained his understanding when the Freeholder Board does a direct acquisition for open space or parkland, etc., there is no formal evaluation process in the sense of criteria or rating. Mr. Richardson said that is true in terms of rating but not criteria. Mr. DeSapio informed

the Board it needs to determine what it wants to do in terms of County acquisitions. There is a formal rating system which is used when someone comes to the Board, whether it is a municipality or a third party, asking for open space funds for a project they want to pursue. Those projects are evaluated under the formal rating system.

Mr. DeSapio advised the previous Freeholder Board adopted the Extraordinary Acquisition Policy on November 28, 2006 and that includes when municipality pre-acquire property without coming to the County but also includes when municipality comes to the County prior to acquiring property. He suggested the Board read that policy which includes a rating system to determine if this Board wants to modify that policy to include some additional comments which this Board made today.

Mr. DeSapio questioned what the new policy is that this Board is talking about. He thinks the Board needs to see everything that is already in place in the County, and which may need to be revised.

Mr. DeSapio thought the new policy is for situations when the municipalities come before the Board asking the County to ask as their banker and lend them money which the County will eventually get back, either because it's given back through farmland preservation, or because the municipality will remarket the property.

Mr. Peterson said the difference is, if a township comes to the County with a property of exceptional value and there was some emergent reason it could not go through one of the County's traditional programs to purchase it; or if the County purchases a property that isn't in one of its plans because the County may not recognize/realize the value of a particular piece of property and therefore the County's Master Plans may not have taken into account a unique issue that is unique to a particular municipality or area of the County. The County needs to have a simple way to handle those situations.

Mr. DeSapio suggested in getting some clarity so that the Administrative staff knows which policy they are supposed to use because as he reads through the policy adopted in November 2006, what Mr. Peterson just described comes within the ambit of the policy. Mr. Peterson said the only difference is that the November policy is geared towards large expenditures of properties. Being talked about today are smaller properties, whether the property is 50 acres or less. Size is being taken into consideration. He feels there maybe properties that have exceptional value but only be 10 acres so it would not, or score high enough using the November 2006 policy.

Mrs. Yard explained she and Mr. Richardson took the November 2006 policy, and took the words out of it verbatim and they then took the Freeholders concerns/comments about the beautiful acre, and broadly said under paragraph 2H, parcel enhances the rural significance of the area, quality of life, etc. She and Mr. Richardson tried to take the best of the 2006 policy and incorporate what the Freeholders discussed as exceptional. What they prepared currently doesn't have a rating system but they wanted to give the Board some talking points.

Mr. DeSapio pointed out that you need to determine when the Board will use the November 2006 policy and when to use the new policy. That isn't clear at this point. Mr. Holt is trying to understand the difference between the two policies.

Mrs. Yard advised if the Board wants to get a group of County professionals together, the Freeholders need to clearly identify what the objective of the group is to be.

Mr. Peterson conceptually understands there is a difference between a Milligan Farm and the Devil's Tea Table or a farming lot where the soil is good but it can't hold houses. The Freeholders need to be able to differentiate but the catch is that they can't go through any traditional County plans/programs. He feels once some specifics are in place, the Board will be able to determine the differences.

Director Muller recommended this issue be brought back before the Board at the June 12, 2006 meeting if everyone is prepared to discuss it again.

There being no further business to come before the Board, Director Muller adjourned the meeting at 6:00 p.m.

Respectfully submitted,

Denise B. Doolan
Clerk of the Board