

Garden State Preservation Trust
October 13, 2020, Meeting Minutes
Teleconference 11 a.m.

Chairman Andy Buzby called the meeting to order at 11:04 a.m.

Executive Director Ralph Siegel read a statement that advance notice of at least 48 hours of the date, time, agenda summary and toll-free teleconference number with access code of this public Conference Call meeting of the Garden State Preservation Trust for Tuesday, October 13, 2020, at 11 a.m. was given and distributed in accordance with the New Jersey Open Public Meetings Act, and as amended by PL 2020 Chapter 11, to Statehouse Press Corps, specifically to the Associated Press, Bloomberg News, New Jersey Spotlight, New Jersey Public Media, NJ Advance Media and News 12 New Jersey, and to the Office of Legislative Services and to the Office of the New Jersey Secretary of State for due notification and to be posted, published and broadcast.

Mr. Siegel called the roll. Public members participating in the call were: Chairman Buzby, Vice-Chairman Greg Romano and Ben Spinelli. Ex-officio members in attendance on the call were Susan Payne (for Agriculture Secretary Douglas H. Fisher), Assistant Commissioner Ray Bukowski (for DEP Commissioner Catherine McCabe) and Michael Kanef (for Treasurer Elizabeth Muoio).

Dorothy Guzzo, representative for Community Affairs Commissioner Lt. Gov. Sheila Y. Oliver, was absent.

Former Public member Andrew McNally submitted his resignation from the board on October 12, 2020. The ninth position on the board is vacant.

OPENING REMARKS

Chairman Buzby made the following statement:

“I am glad to see we have a quorum. It is nice to hear from everyone this morning. It is too bad we are unable to see each other in person. Many things have changed in the pandemic. It is likely some changes will be in place for a long time. I know the pandemic restrictions have affected me and my family and of course work on our farm. We have been at work every day to maintain food production and take care of our land.

“As for the Garden State Preservation Trust, we meet so rarely it is nice to see everyone when we do meet. But naturally the safety of all board members and staff must remain the most important issue. I can say at this point that our next scheduled meeting is Tuesday November 17. It will also be conducted by Conference Call. At that time we will elect officers and discuss a schedule of meetings for next year.

“As for this meeting, I am impressed with the large package of Planning Incentive Grants and projects from the State Agriculture Development Committee. Many government operations are at half-speed through the pandemic. It is amazing to see New Jersey’s conservation programs are keeping up their work with no major drop in the tempo of operations. So congratulations to Susan Payne and her staff.

“It is also a tribute to the legislators like Senator Bob Smith and Senate President Steve Sweeney, who developed the Corporation Business Tax dedication. They created a funding stream that was not subject to political or budget pressures or even to a pandemic. State budgets nationwide are being cut. The fact that New Jersey has \$52 million to commit in the next year to preserving farms is phenomenal.”

APPROVAL OF MINUTES OF OCTOBER 8, 2019, BOARD MEETING

Chairman Buzby asked if there were any question or corrections to the draft minutes of the meeting. There were none.

Moved by Ms. Payne

Seconded by Mr. Kanef

Approved 6-0

Mr. Siegel noted the consideration of these official minutes was a formality because a substantive version of the minutes covering the actions taken had been submitted in October last year and had completed the Governor's veto period. He said the version under consideration today was the official transcript of the proceedings for the only meeting in recent years at which all programs came in with funding recommendations at the same time.

EXECUTIVE DIRECTOR'S REPORT

Mr. Siegel said CBT revenue of \$113 million for conservation programs for Fiscal Year 2021 was higher than anyone had expected. He made reference to a table the members had received by email which shows new CBT funds plus \$106 million available from previous years, most of which had been withheld as reserve.

CBT Revenue FY2021 for GSPT funded programs			
	Previous Year	Fiscal Year 2021	
	Unappropriated Funds	Proposed Budget	
PROGRAMS	& Reserve Funds	Revenues	TOTAL
Historic Trust	\$11,055,000	\$7,949,000	\$19,004,000
Farmland Preservation	\$21,064,000	\$35,204,000	\$56,268,000
DEP-Green Acres	\$73,622,000	\$70,409,000	\$144,031,000
SUBSETS			
Green Acres Local	\$48,321,000	\$28,164,000	\$76,485,000
Green Acres State Acquisition	\$11,376,000	\$19,010,000	\$30,386,000
DEP State Capital Development	\$13,925,000	\$23,235,000	\$37,160,000

Mr. Siegel noted CBT collection forecasts were buoyed by a special surcharge on high-earning companies that was enacted as a temporary measure three years ago. That surcharge was scheduled to sunset this year but the Governor and Legislature decided to extend it into the current fiscal year as a pandemic crisis measure.

Mr. Siegel reported the downside was that the pandemic had an impact on just the revenues for the fourth quarter of Fiscal Year 2020 just ending. He said in Fiscal Year 2021 we will see the pandemic impact in all four quarters. But he reminded board members that 25-percent of the forecasted CBT revenue was being withheld as a reserve. He said the GSPT would be appropriating a share of funds from the 75-percent available that is expected to be collected.

Mr. Siegel said he was not in a position to conduct a national study but that he was confident New Jersey's program was a largest in the country this year and that he would expect the Farmland Preservation funding to be larger than all similar state programs combined.

**EXECUTIVE DIRECTOR'S FISCAL REPORT: STATE AGRICULTURE
DEVELOPMENT COMMITTEE RECOMMENDATIONS FOR FARMLAND
PRESERVATION PROJECTS FOR FY2021**

Mr. Siegel reviewed the recommendations from the State Agriculture Development Committee (SADC) to fund Farmland Preservation projects for Fiscal Year 2021. He reviewed the packet of resolutions and the Farmland Summary each member had received by overnight mail and through email, explaining that the Board members should consider the Summary tables as being attached to the resolutions. He said the resolutions under consideration were to approve the number tables and grant lists in the pages of the Summary.

Mr. Siegel reviewed the line by line details of the funds available and appropriations as recommended.

Farmland Preservation FY2021 Summary						
State Agriculture Development Committee						
	Total Available	FY2021 Cumulative CBT Funds	2009 Farmland Bond Fund	2007 Farmland Bond Fund	GSPT Farmland Preservation Fund	1995 Farmland Bond Fund
County PIG Grants	\$12,000,000	\$12,000,000				
Municipal PIG Grants	\$11,500,000	\$11,500,000				
Nonprofit Grants						
Resolution #20-002	\$3,346,225					
Resolution #20-003 NJCF	\$417,400					
NONPROFIT SUBTOTAL	\$3,763,625	\$3,763,625				
State Acquisition	\$23,298,172	\$22,416,375	\$599,712	\$141,233	\$103,308	\$37,544
Stewardship Grants	\$2,253,000	\$2,253,000				
Project Recommendation	\$52,814,797 A	\$51,933,000	\$599,712	\$141,233	\$103,308	\$37,544
Administration*	\$3,985,000	\$3,985,000				
Appraisal Survey & Title Costs*	\$250,000	\$250,000				
Outside Review Appraisals*	\$100,000	\$100,000				
Administrative Recommendation*	\$4,335,000	\$4,335,000				
Total Recommendation	\$57,149,797 B	\$56,268,000	\$599,712	\$141,233	\$103,308	\$37,544

Mr. Siegel noted the \$52.8 million highlighted by the red letter "A" indicated the sum the Trust board members would be voting on in five resolutions. He said the GSPT vote was limited to the approval of project funding.

Mr. Siegel said the \$57.149 million highlighted by the red letter "B" represented the total appropriation the SADC would be seeking from the Legislature, including funding for administration and project costs that were not subject to GSPT approval.

PRESENTATION OF SADC RECOMMENDATIONS FOR FARMLAND PRESERVATION PROJECTS FOR FY2021

Matt Distaulo, chief financial officer for the SADC, made the presentation to explain the SADC recommendations. He first reviewed some of the progress of the Farmland Preservation program to place the recommendations in context.

Mr. Distaulo said the latest USDA Census statistics show 734,000 acres of active farmland in New Jersey. He said the strategic goal is to preserve 550,000 acres, which means the SADC is 43-percent of the way to its goal. He said to date the program has preserved 238,000 acres on 2,681 farms. He said this is the highest percentage of farmland acreage preserved of any state in the country.

Mr. DiStaulo said the public investment in farmland preservation totals \$1.78 billion, with \$1.15 billion in State funds matched by federal, county, municipal and nonprofit partners. He referred to a chart showing funding trends in which he said state funding reached its maximum of \$77 million a year during the years of the Garden State Preservation Trust bond funding from 2000 to 2008. His chart showed annual funding averaged \$39 million from 2009 to 2014 using the bond funds from the 2007 and 2009 voter referenda. Under the CBT dedication initiated in 2016, funding averaged \$23 million from 2016 to 2019 and \$57 million for 2020-2021.

Mr. Distaulo detailed the funding recommendation of \$52.8 million broken down on the top page Farmland Summary (copied in the minutes above under the Executive Director's report.) He also contrasted it with the funding recommendations which were approved in Fiscal year 2020, showing more than double the funding in the Nonprofit Grants program and the Municipal Planning Incentive Grant (PIG) program. He showed that PIG base grants were going to seven counties and 10 municipalities based on their "performance" in the expenditure of appropriations from prior years. The funding to the Municipal PIGs included a \$5 million appropriation to the competitive grant fund from which municipalities can draw once they have used their base grant. He said these grants reflect the SADC's new regulations revised in August concerning how base-grant expenditures are calculated.

Mr. Distaulo said they received 12 applications for farmland easement acquisitions on 700 acres from four nonprofit land trusts. He said the SADC proposes to provide \$3.76 million, which is 50 percent of the project costs. His charts showed the most active land trust is the Land Conservancy of New Jersey with nine farms in application totaling 424 acres.

Mr. Distaulo broke down the \$23.3 million recommendation for State Direct Acquisitions. He said New Jersey is organized into three regions, and that the priority for preservation would be the two highest-ranked farms from each of the regions, with the remaining farms to receive funding in order of their ranking. He said \$5.1 million would also go into a special fund designated as a "partnership pool" to leverage matching funds from preservation partners. He said the partnership projects could be in any region of the state.

Mr. Distaulo gave details of the stewardship funding program. He said the Soil & Water Grant program can include water management impoundments and reservoirs, irrigation systems and drainage systems. He said the recommended funds would be used for 132 applications "in progress" and ready for funding. He said previous appropriations of \$1.5 million have funded 53 Soil & Water projects that are still underway plus 22 projects that have been completed.

Mr. Distaulo discussed the other stewardship component: deer fencing. He said 52 deer-fencing grants have been awarded. He said 19 of these projects have been completed for

roughly 21.5 miles of fencing that encloses and protects 1,100 acres. He said reimbursements for fencing projects have totaled \$275,000.

Ms. Payne, executive director of the SADC, thanked Chairman Buzby for his opening statement recognizing SADC efforts during the pandemic. She said all of the credit goes to the staff.

Ms. Payne said the amendments to the county and municipal PIG rules streamlined procedures and simplified some requirements. “We tried to reinvigorate the role of the Local Advisory Committee,” which is required for a town or county to be eligible for PIG classification and to receive PIG funding.

Ms. Payne reiterated Chairman Buzby’s statement that we appreciate the Legislature for established the CBT funding stream for conservation.

Ms. Payne said, “We are going to be the first state to really permanently nail down its agricultural land base” through preservation. She said, “We really want to get that job done, and so we are going to start taking a close look at what is it going to take to really, fully accomplish that goal of protecting New Jersey’s agricultural land base permanently.”

Ms. Payne made reference to the New Jersey Conservation Blueprint being on the agenda, commenting that it was an invaluable tool. She said she was pleased the GSPT would consider investing in the Conservation Blueprint project.

Chairman Buzby asked if there were additional questions or comments from the board members before moving on to the resolutions to approve the SADC recommendations.

DISCUSSION, CONSIDERATION OF RESOLUTION TO APPROVE \$23,500,000 TO FUND STATE AGRICULTURE DEVELOPMENT COMMITTEE FUNDING RECOMMENDATIONS FOR THE COUNTY PIG AND MUNICIPAL PIG PROGRAMS FOR FY2021 FROM THE PRESERVE NEW JERSEY (CBT) FARMLAND PRESERVATION FUND.

Chairman Buzby read the title of the resolution and asked for consideration of the resolution.

Moved by Ms. Payne

Seconded by Vice Chairman Romano

Approved 6-0

SIDE NOTE (NOT PART OF THE OFFICIAL MINUTES): This resolution approves the appropriation of \$23.5 million for the county and municipal Planning Incentive Grant (PIG) programs as recommended by the State Agriculture Development Committee (SADC).

It provides \$12 million in county PIG “base grants” to seven counties which have been active in executing preservation projects and are therefore eligible for additional funding. It also provides \$6.5 million in municipal PIG base grants to 10 towns plus \$5 million to establish a Competitive Grant Fund from which any of the municipal PIGs may draw additional funds once they have expended their base grants.

The resolution is funded from CBT 2021 revenues and from reserve CBT funds made available from previous years.

DISCUSSION, CONSIDERATION OF RESOLUTION #20-002 TO APPROVE \$3,346,225 TO FUND STATE AGRICULTURE DEVELOPMENT COMMITTEE RECOMMENDATIONS FOR NONPROFIT GRANTS FOR THE D&R GREENWAY LAND TRUST, THE LAND CONSERVANCY OF NJ AND THE MONMOUTH CONSERVATION FOUNDATION FOR FY2021 FROM THE PRESERVE NEW JERSEY (CBT) FARMLAND PRESERVATION FUND.

Chairman Buzby asked for consideration of the resolution.

Moved by Vice Chairman Romano

Seconded by Mr. Bukowski

Approved 6-0

SIDE NOTE (NOT PART OF THE OFFICIAL MINUTES): This resolution approves the appropriation of \$3.35 million for Farmland Preservation Nonprofit matching grants to three land trusts for 11 projects as recommended by the SADC. It is funded from CBT 2021 revenues and from reserve CBT funds made available from previous years.

DISCUSSION, CONSIDERATION OF RESOLUTION #20-003 TO APPROVE \$417,400 TO FUND STATE AGRICULTURE DEVELOPMENT COMMITTEE RECOMMENDATION FOR A NONPROFIT GRANT FOR THE NEW JERSEY CONSERVATION FOUNDATION FOR FY2021 FROM THE PRESERVE NEW JERSEY (CBT) FARMLAND PRESERVATION FUND

Chairman Buzby began to identify the resolution when Vice Chairman Romano interrupted to announce in advance his intention to recuse from discussion and vote. He asked for consideration of the resolution.

Moved by Mr. Bukowski

Seconded by Ms. Payne

Approved 5-0

Vice-Chairman Romano explained his recusal. Although he is retired from the New Jersey Conservation Foundation, during his employment he did work on the specific project being funded in this grant.

SIDE NOTE (NOT PART OF THE SUBSTANTIVE MINUTES): This resolution approves the appropriation of an additional, single Nonprofit grant of \$417,400 to New Jersey Conservation Foundation (NJCF). It was separated from the main Nonprofit package in #20-002 so that a board member recently employed by NJCF could recuse on #20-003 while preserving his ability to vote for the main Nonprofit package in #20-002.

Resolutions #20-002 and #20-003 total \$3.8 million for Nonprofit grants. They are funded from CBT 2021 revenues and from reserve CBT funds made available from previous years.

DISCUSSION, CONSIDERATION OF RESOLUTION #20-004 TO APPROVE \$23,298,172 TO FUND STATE AGRICULTURE DEVELOPMENT COMMITTEE RECOMMENDATIONS FOR STATE DIRECT EASEMENT ACQUISITIONS FOR FY2021 FROM THE PRESERVE NEW JERSEY (CBT) FARMLAND PRESERVATION FUND, THE GARDEN STATE FARMLAND PRESERVATION TRUST FUND AND FROM THE 1995, 2007 AND 2009 FARMLAND PRESERVATION BOND FUNDS

Chairman Buzby read the titles and introduced the resolution.

Mr. Siegel explained that there were special features to this resolution and to Resolution #20-005 concerning application of additional CBT revenues should they become available prior to enactment of the Appropriations Act. He asked for consideration of the resolution.

Moved by Mr. Kanef

Seconded by Mr. Bukowski

Approved 6-0

SIDE NOTE (NOT PART OF THE SUBSTANTIVE MINUTES): This resolution approves the appropriation of \$23.3 million for the Farmland Preservation Program State Direct Acquisitions as recommended by and to be carried out by the SADC.

The sources of funding break down as follows:

- **\$22.4 million in CBT FY2021 funds**
- **\$599,712 from the 2009 Farmland Preservation Bond Fund**
- **\$141,233 from the 2007 Farmland Preservation Bond Fund**
- **\$103,308 from the Garden State Farmland Preservation Trust Fund**
- **\$37,544 from the 1995 Farmland Preservation Bond Fund**

DISCUSSION, CONSIDERATION OF RESOLUTION #20-005 TO APPROVE \$2,253,000 TO FUND STATE AGRICULTURE DEVELOPMENT COMMITTEE RECOMMENDATIONS FOR FARMLAND STEWARDSHIP GRANTS FOR FY2021 FROM THE PRESERVE NEW JERSEY (CBT) FARMLAND PRESERVATION FUND

Chairman Buzby read the title and asked for consideration of the resolution.

Moved by Ms. Payne

Seconded by Vice Chairman Romano

Approved 6-0

SIDE NOTE (NOT PART OF THE SUBSTANTIVE MINUTES): This resolution approves the appropriation of \$2.25 million for Farmland Stewardship Grants as recommended by and to be carried out by the SADC. It is funded from CBT 2021 revenues and from reserve CBT funds made available from previous years.

DISCUSSION, CONSIDERATION OF RESOLUTION #20-006 TO APPROVE A GRANT OF \$50,000 TO THE GEOSPATIAL RESEARCH LAB AT ROWAN UNIVERSITY FOR THE PURPOSE OF OPERATING AND MAINTAINING THE NEW JERSEY CONSERVATION BLUEPRINT WEB SITE AND SUPPORTING DATABASES FOR USE BY STATE, LOCAL AND NONPROFIT CONSERVATION AGENCIES.

Chairman Buzby asked Mr. Siegel to update the board on the status of last year's \$36,000 grant to the Geospatial Lab.

Mr. Siegel said the Grant Agreement with Rowan required a final report, which was received "just last week" from Dr. John Hasse of the Geospatial Lab on the progress of GSPT grant for the New Jersey Conservation Blueprint. He said board members had received a preliminary report from the Geospatial Lab in their Advanced Mailing packet. He said this September report was technically incomplete because a small staff expenditure had been delayed owing to the impact of the pandemic on the re-opening of Rowan University. He said a more recent final report resolved this final expenditure and showed the GSPT grant as fully expended with a zero balance.

Mr. Siegel said most of the funding, as expected, had gone to staff work to maintain and develop new features on the Web site. He said the crucial work is updating the Web site continuously as new properties are preserved and other landscapes have changes in status. He said if the Web site were to be left without maintenance for just six months it would begin to erode in value.

Mr. Siegel discussed the GSPT's \$278,000 office budget from which this grant is appropriated. He said a special three-month layover from Fiscal Year 2020 threw many budget lines into disarray but that the final disposition of the GSPT's operating budget for Fiscal Year 2021 has been completed. He said there is capacity to increase the Conservation Blueprint grant to \$50,000.

Mr. Bukowski said he had visited the Geospatial Lab a few years ago as the tools were being developed "and to say it is impressive is an understatement." He said he would be interested in obtaining a report from the Geospatial Lab concerning integration of acquisition programs and "connectivity" of projects. He said, "I mean this to be supportive and positive, to facilitate the relationship development."

Mr. Siegel said he also visited the Geospatial Lab with Chairman Buzby in February. He said he was certain Dr. Hasse would be enthusiastic about facilitating such a meeting between acquisition programs at his venue or elsewhere to discuss coordination.

Ms. Payne said she would welcome a coordinating meeting between the acquisition programs whether or not the Geospatial Lab is involved.

Mr. Siegel asked for consideration of the resolution.

Moved by Mr. Bukowski

Seconded by Ms. Payne

Approved 6-0

SIDE NOTE (NOT PART OF THE SUBSTANTIVE MINUTES): This resolution approves the appropriation of a second \$50,000 grant for the Geospatial Lab at Rowan University. It is funded from the GSPT's administrative budget. This grant helps pay for the development and maintenance of the New Jersey Conservation Blueprint Web site. A \$36,000 grant was funded in FY2020.

BOARD MEMBER COMMENT

Mr. Bukowski suggested future meetings of the GSPT could be hosted at his office to use video conference software.

Mr. Siegel said the chairman can make the call on how to conduct the meeting. He said his own office lacked software capacity for video conferencing.

Chairman Buzby said he would be pleased to see a video conference meeting.

PUBLIC COMMENT

Chairman Buzby asked if anyone from the public participating in the call wished to make a comment. There was none.

ADJOURNMENT

Chairman Buzby asked to adjourn the meeting. He thanked everyone for participating.

Moved by Ms. Payne

Seconded by Mr. Kanef

Approved 6-0 by roll call vote.

Respectfully submitted

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

Ralph Siegel
executive director/board secretary
Nov. 17, 2020

Also registering their participation on the Conference Call were Deputy Attorney General George Loeser, Craig Ambrose of the Governor's Counsel's Office, Carrie-Anne Calvo Hahn of the Office of Legislative Services, Thea Sheridan of the Assembly Republican staff, Samuel McCaffrey of the SADC and Martha Sapp of the Office of Green Acres.