

# Public Hearing

before

## ASSEMBLY ENVIRONMENT COMMITTEE

### ASSEMBLY BILL No. 1151

("Open Space and Historic Preservation Bond Act of 1992"  
authorizes bonds for \$450 million; and appropriates \$5000.)

LOCATION: Edison Municipal Complex  
Council Chambers  
Edison, New Jersey

DATE: April 23, 1992  
10:25 a.m.

#### MEMBERS OF COMMITTEE PRESENT:

Assemblywoman Maureen Ogden, Chair  
Assemblyman Jeff Warsh  
Assemblyman David C. Kronick

#### ALSO PRESENT:

Assemblyman Ernest L. Oros, District 19  
Assemblywoman Barbara W. Wright, District 14

Jeffrey T. Climpson  
Office of Legislative Services  
Aide, Assembly Environment Committee



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ASSEMBLY, No. 1151  
STATE OF NEW JERSEY

INTRODUCED MARCH 23, 1992

By Assemblywoman OGDEN, Assemblymen WARSH,  
Lustbader and Rooney

1 AN ACT authorizing the creation of a debt of the State of New  
2 Jersey by the issuance of bonds of the State in the aggregate  
3 principal amount of \$450,000,000 to provide moneys for public  
4 acquisition and development of lands for recreation and  
5 conservation purposes, for farmland development easement and  
6 fee simple absolute acquisitions, for soil and water  
7 conservation projects, and for historic preservation projects;  
8 establishing certain funds for those purposes; authorizing the  
9 issuance of refunding bonds; providing the ways and means to  
10 pay and discharge the principal and interest on the bonds and  
11 refunding bonds; providing for the submission of this act to the  
12 people at a general election; and making an appropriation.  
13

14 BE IT ENACTED *by the Senate and General Assembly of the*  
15 *State of New Jersey:*

16 1. This act shall be known and may be cited as the "Open  
17 Space and Historic Preservation Bond Act of 1992."

18 2. The Legislature finds and declares that the provision of  
19 lands for public recreation and the conservation of natural  
20 resources promotes the public health, prosperity, and general  
21 welfare and is a proper responsibility of State government; that  
22 lands now dedicated to these purposes will not be adequate to  
23 meet the needs of an expanding population in years to come; that  
24 such lands as are available and appropriate for these purposes will  
25 gradually disappear as their cost correspondingly increases; that  
26 it is necessary and desirable to provide assistance in the form of  
27 grants and loans to local government units and matching grants to  
28 qualifying tax exempt nonprofit organizations to acquire lands  
29 that have significant recreation and conservation attributes; and  
30 that it is also necessary and desirable to provide funds to assure  
31 that lands that have been or may hereafter be acquired for  
32 recreation and conservation purposes are developed to provide  
33 public recreation, preserve historic resources, and provide  
34 conservation opportunities and to implement the New Jersey  
35 Statewide Comprehensive Outdoor Recreation Plan.

36 The Legislature further finds and declares that agriculture  
37 plays an integral role in the prosperity and well-being of the  
38 State as well as providing a fresh and abundant supply of food and  
39 fiber for its citizens; that agricultural land resources face an  
40 imminent threat of permanent conversion to non-farm uses; that  
41 the retention and development of an economically viable  
42 agricultural industry is of high public priority for New Jersey; and  
43 that the issuance of bonds is necessary and desirable to provide  
44 funds to (1) purchase fee simple absolute titles to farmland for  
45 the purpose of offering the farmland for resale with agricultural

1 deed restrictions, (2) acquire, in cooperation with counties and  
2 municipalities, development easements on farmland, and (3)  
3 assist, through cost-sharing with landowners, the long-term  
4 conservation and management of farmland and the State's  
5 natural resources through soil and water conservation projects  
6 and programs.

7 The Legislature further finds and declares that throughout the  
8 State there are properties, structures, facilities, and sites of  
9 historic character and importance that are owned or leased on a  
10 long-term basis by the State, county or municipal governments,  
11 or tax exempt nonprofit organizations and that are in need of  
12 restoration and preservation; that unless this need is met, an  
13 important element of our historic heritage will be lost; that a  
14 significant number of these historic properties, structures,  
15 facilities, and sites are located in urban centers, where their  
16 restoration and preservation can play an important part in the  
17 overall strategy of the State and of local government to  
18 encourage urban revitalization; and that the issuance of bonds is  
19 necessary and desirable to provide funds for such historic  
20 preservation purposes.

21 3. As used in this act:

22 "Bonds" mean the bonds authorized to be issued, or issued,  
23 under this act;

24 "Commission" means the New Jersey Commission on Capital  
25 Budgeting and Planning;

26 "Commissioner" means the Commissioner of the Department  
27 of Environmental Protection;

28 "Cost" means the expenses incurred in connection with: all  
29 things deemed necessary or useful and convenient in connection  
30 with the acquisition and development of lands by or with the  
31 assistance of the State, for recreation and conservation purposes,  
32 the purchase of development easements or fee simple absolute  
33 titles to farmland, or the funding of soil and water conservation  
34 projects; the interest or discount on bonds; the issuance of bonds;  
35 the procurement or provision of engineering, inspection,  
36 relocation, legal, financial, planning, geological, hydrological and  
37 other professional services, estimates and advice; the services of  
38 a bond registrar or an authenticating agent; organizational,  
39 administrative and other work and services, including salaries,  
40 equipment and materials necessary to administer the applicable  
41 provisions of this act; and reimbursement of any fund of the State  
42 of moneys which may have been transferred or advanced  
43 therefrom to any applicable fund created by this act, or of any  
44 moneys heretofore expended for, or in connection with, an  
45 acquisition or a development or project;

46 "Development" means any improvement to land or water areas  
47 designed to expand and enhance their utilization for recreation  
48 and conservation purposes, including, but not limited to, site  
49 preparation, landscaping, and structures or facilities which are  
50 substantially consistent with the natural setting and  
51 topographical conditions. These structures and facilities may  
52 include, but are not limited to, access roads, interpretative  
53 facilities, parking areas, utilities, comfort facilities, and any  
54 ramps, structures, or facilities that would provide access to the



1 land or water area for handicapped or disabled persons;

2 "Development easement" means an interest in land, less than  
3 fee simple absolute title thereto, which interest represents the  
4 right to develop such lands for all nonagricultural purposes and  
5 which interest may be transferred under laws authorizing the  
6 transfer of development potential; and shall include limited term  
7 development easements authorized pursuant to law;

8 "Farmland" means land identified as prime, unique or of  
9 Statewide importance according to criteria adopted by the New  
10 Jersey State Soil Conservation Committee, and land of local  
11 importance as identified by local agricultural preservation  
12 agencies established by law in cooperation with local soil  
13 conservation districts, and which qualifies for lower property  
14 taxation pursuant to the "Farmland Assessment Act of 1964,"  
15 P.L.1964, c.48 (C.54:4-23.1 et seq.) and any other land on the  
16 farm which is necessary to accommodate farm practices as  
17 determined by the State Agriculture Development Committee;

18 "Farmland preservation program" means any program  
19 authorized by law which shall have as its principal purpose the  
20 long-term preservation of significant masses of reasonably  
21 contiguous agricultural land and the maintenance and support of  
22 increased agricultural production as the first priority use of that  
23 land;

24 "Government securities" means any bonds or other obligations  
25 which as to principal and interest constitute direct obligations of,  
26 or are unconditionally guaranteed by, the United States of  
27 America, including obligations of any federal agency, to the  
28 extent those obligations are unconditionally guaranteed by the  
29 United States of America, and any certificates or any other  
30 evidences of an ownership interest in those obligations of, or  
31 unconditionally guaranteed by, the United States of America or in  
32 specified portions which may consist of the principal of, or the  
33 interest on, those obligations;

34 "Historic" means, as applied to any property, structure,  
35 facility, or site, and except as used in this act in connection with  
36 the definition of "recreation and conservation purposes" as set  
37 forth in this act, any area, site, structure, or object approved for  
38 inclusion, or which meets the criteria for inclusion, in the New  
39 Jersey Register of Historic Places pursuant to P.L.1970, c.268  
40 (C.13:1B-15.128 et seq.);

41 "Historic preservation cost" means the expenses incurred in  
42 connection with: all things deemed necessary or useful and  
43 convenient in connection with historic preservation projects; the  
44 execution of any agreements or franchises deemed by the  
45 Trustees of the New Jersey Historic Trust to be necessary or  
46 useful and convenient in connection with any historic  
47 preservation project; the interest or discount on bonds; the  
48 issuance of bonds; the procurement or provision of engineering,  
49 architectural, design, inspection, relocation, legal, financial,  
50 planning, archaeological, historic research, geological,  
51 hydrological and other professional services, estimates, studies,  
52 reports, and advice; feasibility studies; the services of a bond  
53 registrar or an authenticating agent; organizational,  
54 administrative and other work and services, including salaries,

1 equipment and materials necessary to administer the applicable  
2 provisions of this act; and reimbursement of any fund of the State  
3 of moneys which may have been transferred or advanced  
4 therefrom to any applicable fund created by this act, or of any  
5 moneys heretofore expended for, or in connection with, a historic  
6 preservation project;

7 "Historic preservation project" means any work relating to the  
8 stabilization, repair, rehabilitation, renovation, restoration,  
9 improvement, protection, or preservation of any historic  
10 property, structure, facility, or site, and shall include any work  
11 related to providing access thereto for handicapped or disabled  
12 persons;

13 "Land" or "lands" means real property, including improvements  
14 thereof or thereon, rights-of-way, water, riparian and other  
15 rights, easements, privileges and all other rights or interests of  
16 any kind or description in, relating to or connected with real  
17 property;

18 "Local government unit" means: (1) a county, municipality or  
19 other political subdivision of this State authorized to administer,  
20 protect, develop and maintain lands for recreation and  
21 conservation purposes, or any agency thereof, the primary  
22 purpose of which is to administer, protect, develop and maintain  
23 lands for recreation and conservation purposes; or (2) with  
24 respect to historic preservation projects, a county, municipality  
25 or other political subdivision, or any agency thereof, that owns or  
26 leases on a long-term basis a historic property, structure,  
27 facility, or site;

28 "Qualifying tax exempt nonprofit organization" means a tax  
29 exempt nonprofit organization that qualifies for a matching grant  
30 pursuant to subsection d. of section 7 of this act or, in the case of  
31 historic preservation projects, a matching grant pursuant to  
32 section 10 of this act;

33 "Recreation and conservation purposes" means the use of lands  
34 for parks, natural areas, ecological and biological study, historic  
35 areas, historic buildings or structures, forests, camping, fishing,  
36 water reserves, wildlife preserves, hunting, boating, winter sports  
37 and similar uses for either public outdoor recreation or  
38 conservation of natural resources, or both;

39 "Secretary" means the Secretary of Agriculture;

40 "Soil and water conservation project" means any project  
41 designed for the control and prevention of soil erosion and  
42 sediment damages, the control of nonpoint source pollution on  
43 agricultural lands, the impoundment, storage and management of  
44 water for agricultural purposes, or the improved management of  
45 land and soil to achieve maximum agricultural productivity.

46 4. The commissioner and the secretary shall review and  
47 consider the findings and recommendations of the commission in  
48 the administration of the provisions of this act.

49 5. Bonds of the State of New Jersey are authorized to be  
50 issued in the aggregate principal amount of \$325,000,000 for the  
51 purposes of: providing moneys to meet the cost of public  
52 acquisition and development of lands by the State for recreation  
53 and conservation purposes; providing State grants and loans to  
54 assist local government units to acquire and develop lands for

1 recreation and conservation purposes; and providing State  
2 matching grants to assist qualifying tax exempt nonprofit  
3 organizations to acquire lands for recreation and conservation  
4 purposes, to be allocated as follows:

5 a. \$150,000,000 for the acquisition and development of lands  
6 by the State for recreation and conservation purposes, of which  
7 amount not more than \$37,500,000 shall be for the development  
8 of such lands;

9 b. \$150,000,000 for State grants and loans to assist local  
10 government units to acquire and develop lands for recreation and  
11 conservation purposes, of which amount, \$20,000,000 shall be for  
12 grants for up to 50% of the cost of acquisition or development of  
13 lands by local government units eligible to receive State aid  
14 pursuant to P.L.1978, c.14 (C.52:27D-178 et seq.); and

15 c. \$25,000,000 for State grants, on an up to 50% matching  
16 basis, to qualifying tax exempt nonprofit organizations to acquire  
17 lands for recreation and conservation purposes.

18 To the end that municipalities may not suffer a loss of taxes by  
19 reason of the acquisition and ownership by the State of New  
20 Jersey of property under the provisions of this section, the State  
21 shall pay annually on October 1 to each municipality in which  
22 property is so acquired, for a period of 13 years following an  
23 acquisition the following amounts: in the first year a sum of  
24 money equal to the tax last assessed and last paid by the taxpayer  
25 upon this land and the improvements thereon for the taxable year  
26 immediately prior to the time of its acquisition and thereafter  
27 the following percentages of the amount paid in the first year:  
28 second year, 92%; third year, 84%; fourth year, 76%; fifth year,  
29 68%; sixth year, 60%; seventh year, 52%; eighth year, 44%; ninth  
30 year, 36%; 10th year, 28%; 11th year, 20%; 12th year, 12%; 13th  
31 year, 4%. In the event that land acquired by the State pursuant  
32 to this act was assessed at an agricultural and horticultural use  
33 valuation in accordance with provisions of the "Farmland  
34 Assessment Act of 1964," P.L.1964, c.48 (C.54:4-23.1 et seq.), at  
35 the time of its acquisition by the State, no rollback tax pursuant  
36 to section 8 of P.L.1964, c.48 (C.54:4-23.8) shall be imposed as to  
37 this land nor shall this rollback tax be applicable in determining  
38 the annual payments to be made by the State to the municipality  
39 in which this land is located.

40 All sums of money received by the respective municipalities as  
41 compensation for loss of tax revenue pursuant to this section  
42 shall be applied to the same purposes as is the tax revenue from  
43 the assessment and collection of taxes on real property of these  
44 municipalities, and to accomplish this end the sums shall be  
45 apportioned in the same manner as the general tax rate of the  
46 municipality for the tax year preceding the year of receipt.

47 6. Moneys provided to the State for lands to be acquired or  
48 developed by the State for recreation and conservation purposes  
49 using the proceeds of bonds issued by the State under this act  
50 shall include 100% of the costs of acquisition or development of  
51 these lands, as the case may be.

52 7. a. Except for those grants to local government units  
53 eligible to receive State aid pursuant to P.L.1978, c.14  
54 (C.52:27D-178 et seq.) as provided for in subsection b. of section

1 5 of this act, a grant by the State for lands acquired or developed  
2 by a local government unit for recreation and conservation  
3 purposes shall include up to 25% of the cost of acquisition or  
4 development of these lands by a local government unit; provided,  
5 however, that at such times as the balance of the "1992 New  
6 Jersey Green Trust Fund" established pursuant to section 20 of  
7 this act in combination with the balance of the "Green Trust  
8 Fund" established pursuant to P.L.1983, c.354 and P.L.1987, c.265  
9 and the "1989 New Jersey Green Trust Fund" established  
10 pursuant to P.L.1989, c.183, exclusive of the moneys for grants to  
11 local government units eligible to receive State aid pursuant to  
12 P.L.1978, c.14 (C.52:27D-178 et seq.), exceeds \$100,000,000, the  
13 commissioner, in consultation with the State Treasurer, may  
14 increase the State's share of the cost of acquisition to a  
15 maximum of 50%.

16 b. A loan by the State for lands to be acquired or developed by  
17 a local government unit shall include up to 100% of the cost of  
18 acquisition or development of these lands by a local government  
19 unit. The local government unit share of the cost of this  
20 acquisition, if any, may be reduced (1) by the fair market value,  
21 as determined by the commissioner, of any portion of the lands to  
22 be acquired which have been donated to, or otherwise received  
23 without cost by, any of the local government units concerned; or  
24 (2) in the case of a conveyance of the lands, or any portion  
25 thereof, to any of the local government units concerned at less  
26 than fair market value, by the difference between fair market  
27 value thereof at the time of the conveyance and the conveyance  
28 price thereof to the local government unit or units.

29 c. Loans made to local government units from the "1992 New  
30 Jersey Green Trust Fund" established pursuant to section 20 of  
31 this act shall bear interest of not more than 2% per year, and  
32 shall be for a term of not more than 20 years.

33 d. A grant by the State for lands to be acquired by a qualifying  
34 tax exempt nonprofit organization for recreation and  
35 conservation purposes shall include up to 50% of the cost of  
36 acquisition of these lands by a qualifying tax exempt nonprofit  
37 organization. To qualify to receive a matching grant, the board  
38 of directors or governing body of the applying tax exempt  
39 nonprofit organization shall:

40 (1) demonstrate to the commissioner that it qualifies as a  
41 charitable conservancy for the purposes of P.L.1979, c.378  
42 (C.13:8B-1 et seq.);

43 (2) demonstrate that it has the resources to match the grant  
44 requested;

45 (3) agree to make and keep the lands accessible to the public,  
46 unless the commissioner determines that public accessibility  
47 would be detrimental to the lands or any natural resources  
48 associated therewith;

49 (4) agree not to sell, lease, exchange, or donate the lands  
50 except to the State, a local government unit, or another  
51 qualifying tax exempt nonprofit organization for recreation and  
52 conservation purposes; and

53 (5) agree to execute and donate to the State at no charge a  
54 conservation restriction or historic preservation restriction, as

1 the case may be, pursuant to P.L.1979, c.378 (C.13:8B-1 et seq.),  
2 on the lands to be acquired utilizing the matching grant.

3 8. Bonds of the State of New Jersey are authorized to be  
4 issued in the aggregate principal amount of \$100,000,000 for the  
5 purpose of the preservation of farmland for agricultural use and  
6 production. The proceeds from the sale of the bonds shall be for  
7 appropriation to the State Agriculture Development Committee  
8 established pursuant to section 4 of P.L.1983, c.31 (C.4:1C-4):

9 a. to provide grants to counties and municipalities for up to  
10 80% of the cost of acquisition of development easements on  
11 farmland, provided that any funds received for the transfer of a  
12 development easement shall be dedicated to the future purchase  
13 of development easements;

14 b. for up to 100% of the cost of acquisition of development  
15 easements, under such emergency conditions as the State  
16 Agriculture Development Committee determines;

17 c. for the cost of acquisition of fee simple absolute titles to  
18 farmland which shall be offered for resale with agricultural deed  
19 restrictions; and

20 d. to provide grants to landowners for up to 50% of the cost of  
21 soil and water conservation projects.

22 All acquisitions or grants made pursuant to this section shall be  
23 with respect to land devoted to farmland preservation under  
24 programs established by law.

25 Of the amount authorized pursuant to this section, not more  
26 than \$10,000,000 may be utilized for the purposes of subsection c.  
27 of this section, and not more than \$3,000,000 may be utilized for  
28 the purposes of subsection d. of this section.

29 9. Bonds of the State of New Jersey are authorized to be  
30 issued in the aggregate principal amount of \$25,000,000 for the  
31 purpose of providing State matching grants to assist State  
32 agencies or entities, local government units, and qualifying tax  
33 exempt nonprofit organizations to meet the historic preservation  
34 cost of historic preservation projects for historic properties,  
35 structures, facilities, or sites owned or leased on a long-term  
36 basis by those agencies, entities, units, or organizations.

37 10. a. Historic preservation project matching grants shall be  
38 awarded by the Trustees of the New Jersey Historic Trust in the  
39 Department of Environmental Protection on a competitive basis  
40 based upon the following criteria:

41 (1) Submission of specific plans for the preservation of the  
42 architectural and historical integrity of the structure;

43 (2) Demonstration by the applicant of administrative  
44 capabilities to carry out the preservation plans required pursuant  
45 to paragraph (1) of this subsection;

46 (3) Evidence of ability to meet the eligibility standards for  
47 historic preservation project matching grants set forth in  
48 subsection b. of this section;

49 (4) Submission of financial plans for the continued preservation  
50 of the historic property, structure, facility, or site after the  
51 expenditure of the grant moneys; and

52 (5) Evidence that the historic property, structure, facility, or  
53 site is and shall remain accessible to the public, or if it is not  
54 accessible to the public at the time of application, that it shall be

1 made, and shall remain, accessible to the public.

2 b. To be eligible for a historic preservation project matching  
3 grant, the head official of an applying State agency or entity, the  
4 governing body of an applying local government unit, or the board  
5 of directors or governing body of an applying tax exempt  
6 nonprofit organization, as the case may be, shall:

7 (1) Certify that the property, structure, facility, or site is  
8 approved for, or meets the criteria for, inclusion in the New  
9 Jersey Register of Historic Places pursuant to P.L.1970, c.268  
10 (C.13:1B-15.128 et seq.); and

11 (2) Demonstrate the ability to match the grant applied for.

12 c. Moneys raised within two years prior to the enactment of  
13 this act for ongoing historic preservation projects may be utilized  
14 by an applicant to meet the matching requirements of this  
15 section, but moneys raised prior thereto may not be utilized for  
16 that purpose.

17 d. Not more than 50% of the moneys made available for  
18 historic preservation projects pursuant to this act shall be  
19 awarded to State agencies or entities.

20 e. No historic preservation project may receive a matching  
21 grant pursuant to this act that exceeds \$1,250,000.

22 f. Recipients of historic preservation project matching grants  
23 awarded pursuant to this act shall reflect the racial, ethnic and  
24 geographic diversity of the State.

25 g. The New Jersey Historic Trust shall establish an advisory  
26 committee composed of individuals with the requisite  
27 professional expertise to evaluate the historic preservation  
28 project matching grant applications submitted pursuant to this  
29 section and to advise the trustees on the merits of each  
30 application received.

31 h. The New Jersey Historic Trust shall require as a condition  
32 of any historic preservation project matching grant awarded to a  
33 qualifying tax exempt nonprofit organization that the historic  
34 property, structure, facility, or site for which the grant was  
35 received shall not be sold, leased, or otherwise conveyed to an  
36 individual or organization that does not have tax exempt  
37 nonprofit status.

38 i. Any work on a historic preservation project funded with a  
39 historic preservation project matching grant awarded pursuant to  
40 this act shall commence within two years of the effective date of  
41 the appropriation by law of the funds for the grant, or the grant  
42 for that historic preservation project shall lapse into the "1992  
43 Historic Preservation Fund" established pursuant to section 23 of  
44 this act.

45 11. The bonds authorized under this act shall be serial bonds,  
46 term bonds, or a combination thereof, and shall be known as  
47 "1992 New Jersey Open Space and Historic Preservation Bonds."  
48 They shall be issued from time to time as the issuing officials  
49 herein named shall determine and may be issued in coupon form,  
50 fully-registered form or book-entry form. The bonds may be  
51 subject to redemption prior to maturity and shall mature and be  
52 paid not later than 35 years from the respective dates of their  
53 issuance.

54 12. The Governor, the State Treasurer and the Director of the

1 Division of Budget and Accounting in the Department of the  
2 Treasury, or any two of these officials, herein referred to as "the  
3 issuing officials," are authorized to carry out the provisions of  
4 this act relating to the issuance of bonds, and shall determine all  
5 matters in connection therewith, subject to the provisions of this  
6 act. If an issuing official is absent from the State or incapable of  
7 acting for any reason, the powers and duties of that issuing  
8 official shall be exercised and performed by the person  
9 authorized by law to act in an official capacity in the place of  
10 that issuing official.

11 13. Bonds issued in accordance with the provisions of this act  
12 are a direct obligation of the State of New Jersey, and the faith  
13 and credit of the State are pledged for the payment of the  
14 interest and redemption premium thereon, if any, when due, and  
15 for the payment of the principal thereof at maturity or earlier  
16 redemption date. The principal of and interest on the bonds are  
17 exempt from taxation by the State or by any county, municipality  
18 or other taxing district of the State.

19 14. The bonds shall be signed in the name of the State by  
20 means of the manual or facsimile signature of the Governor under  
21 the Great Seal of the State, which seal may be by facsimile or by  
22 way of any other form of reproduction on the bonds, and attested  
23 by the manual or facsimile signature of the Secretary of State, or  
24 an Assistant Secretary of State, and shall be countersigned by the  
25 facsimile signature of the Director of the Division of Budget and  
26 Accounting in the Department of the Treasury and may be  
27 manually authenticated by an authenticating agent or bond  
28 registrar, as the issuing officials shall determine. Interest  
29 coupons, if any, attached to the bonds shall be signed by the  
30 facsimile signature of the Director of the Division of Budget and  
31 Accounting in the Department of the Treasury. The bonds may  
32 be issued notwithstanding that an official signing them or whose  
33 manual or facsimile signature appears on the bonds or coupons  
34 has ceased to hold office at the time of issuance, or at the time  
35 of the delivery of the bonds to the purchaser thereof.

36 15. a. The bonds shall recite that they are issued for the  
37 purposes set forth in sections 5, 8, or 9 of this act, that they are  
38 issued pursuant to this act, that this act was submitted to the  
39 people of the State at the general election held in the month of  
40 November, 1992, and that this act was approved by a majority of  
41 the legally qualified voters of the State voting thereon at the  
42 election. This recital shall be conclusive evidence of the  
43 authority of the State to issue the bonds and their validity. Any  
44 bonds containing this recital shall, in any suit, action or  
45 proceeding involving their validity, be conclusively deemed to be  
46 fully authorized by this act and to have been issued, sold,  
47 executed and delivered in conformity herewith and with all other  
48 provisions of laws applicable hereto, and shall be incontestable  
49 for any cause.

50 b. The bonds shall be issued in those denominations and in the  
51 form or forms, whether coupon, fully-registered or book-entry,  
52 and with or without provisions for interchangeability thereof, as  
53 may be determined by the issuing officials.

54 16. When the bonds are issued from time to time, the bonds of

1 each issue shall constitute a separate series to be designated by  
2 the issuing officials. Each series of bonds shall bear such rate or  
3 rates of interest as may be determined by the issuing officials,  
4 which interest shall be payable semiannually; except that the  
5 first and last interest periods may be longer or shorter, in order  
6 that intervening semiannual payments may be at convenient dates.

7 17. The bonds shall be issued and sold at the price or prices  
8 and under the terms, conditions and regulations as the issuing  
9 officials may prescribe, after notice of the sale, published at  
10 least once in at least three newspapers published in this State,  
11 and at least once in a publication carrying municipal bond notices  
12 and devoted primarily to financial news, published in this State or  
13 in the city of New York, the first notice to appear at least five  
14 days prior to the day of bidding. The notice of sale may contain a  
15 provision to the effect that any bid in pursuance thereof may be  
16 rejected. In the event of rejection or failure to receive any  
17 acceptable bid, the issuing officials, at any time within 60 days  
18 from the date of the advertised sale, may sell the bonds at a  
19 private sale at such price or prices and under the terms and  
20 conditions as the issuing officials may prescribe. The issuing  
21 officials may sell all or part of the bonds of any series as issued  
22 to any State fund or to the federal government or any agency  
23 thereof, at a private sale, without advertisement.

24 18. Until permanent bonds are prepared, the issuing officials  
25 may issue temporary bonds in the form and with those privileges  
26 as to their registration and exchange for permanent bonds as may  
27 be determined by the issuing officials.

28 19. The State Treasurer shall establish a fund, to be known as  
29 the "1992 New Jersey Green Acres Fund." and the moneys  
30 therein are to be held in those depositories as the State Treasurer  
31 may select. The State Treasurer shall deposit into the fund all  
32 proceeds from the sale of the bonds issued by the State under this  
33 act for State acquisitions and developments as set forth in  
34 subsection a. of section 5 of this act. The moneys in the fund are  
35 specifically dedicated and shall be applied to the cost of the  
36 purposes set forth in subsection a. of section 5 of this act. Such  
37 grants, contributions, donations, and reimbursements from  
38 federal aid programs as may be lawfully used for the purposes set  
39 forth in subsection a. of section 5 of this act shall also be held in  
40 the "1992 New Jersey Green Acres Fund." Moneys in the fund  
41 shall not be expended except in accordance with appropriations  
42 from the fund made by law, but bonds may be issued as herein  
43 provided, notwithstanding that the Legislature has not adopted an  
44 act making a specific appropriation of any of the moneys. Any  
45 act appropriating moneys from the "1992 New Jersey Green  
46 Acres Fund" shall identify the particular project or projects to be  
47 funded with such moneys.

48 20. The State Treasurer shall establish a revolving, nonlapsing  
49 fund to be known as the "1992 New Jersey Green Trust Fund,"  
50 and the moneys therein are to be held in those depositories as the  
51 State Treasurer may select. The State Treasurer shall deposit  
52 into the fund all proceeds from the sale of the bonds issued by the  
53 State under this act for grants and loans as set forth in  
54 subsections b. and c. of section 5 of this act. The moneys in the



1 fund are specifically dedicated and shall be applied to the cost of  
2 the purposes set forth in subsections b. and c. of section 5 of this  
3 act. Moneys derived from the payment of interest and principal  
4 on the loans to local government units authorized in subsection b.  
5 of section 5 of this act, and such grants, contributions, donations,  
6 and reimbursements from federal aid programs as may lawfully  
7 be used for the purposes of making grants and loans to local  
8 government units or qualifying tax exempt nonprofit  
9 organizations for recreation and conservation purposes, shall also  
10 be held in the "1992 New Jersey Green Trust Fund." Moneys in  
11 the fund shall not be expended except in accordance with  
12 appropriations from the fund made by law, but bonds may be  
13 issued as herein provided, notwithstanding that the Legislature  
14 has not adopted an act making a specific appropriation of any of  
15 the moneys. Any act appropriating moneys from the "1992 New  
16 Jersey Green Trust Fund" shall identify the particular project or  
17 projects to be funded with such moneys.

18 21. Notwithstanding any law, rule, or regulation to the  
19 contrary:

20 a. any proceeds from the sale or conveyance of lands acquired  
21 or developed by the State for recreation and conservation  
22 purposes with funds made available pursuant to P.L.1961, c.46;  
23 P.L.1971, c.165; P.L.1974, c.102; P.L.1978, c.118; P.L.1983,  
24 c.354; P.L.1987, c.265; P.L.1989, c.183; or this act, shall be  
25 deposited in the "1992 New Jersey Green Acres Fund," or in any  
26 similar fund established in any subsequent bond act enacted for  
27 similar purposes;

28 b. any proceeds returned to the State from the sale or  
29 conveyance of lands acquired or developed by a local government  
30 unit or a qualifying tax exempt nonprofit organization for  
31 recreation and conservation purposes with funds made available  
32 pursuant to P.L.1961, c.46; P.L.1971, c.165; P.L.1974, c.102;  
33 P.L.1978, c.118; P.L.1983, c.354; P.L.1987, c.265; P.L.1989,  
34 c.183; or this act, shall be deposited in the "1992 New Jersey  
35 Green Trust Fund," or in any similar fund established in any  
36 subsequent bond act enacted for similar purposes.

37 22. a. The State Treasurer shall establish a fund to be known  
38 as the "1992 Farmland Preservation Fund," and the moneys  
39 therein are to be held in those depositories as the State Treasurer  
40 may select. The State Treasurer shall deposit into the fund all  
41 proceeds from the sale of bonds issued by the State under this act  
42 for the acquisition of development easements or fee simple  
43 absolute titles on farmland and for soil and water conservation  
44 projects, all as set forth in section 8 of this act. The moneys in  
45 the fund are specifically dedicated and shall be applied to the  
46 cost of the purposes set forth in section 8 of this act. Moneys in  
47 the fund shall not be expended except in accordance with  
48 appropriations from the fund made by law, but bonds may be  
49 issued as herein provided, notwithstanding that the Legislature  
50 has not adopted an act making a specific appropriation of any of  
51 the moneys.

52 b. Any act appropriating moneys from the "1992 Farmland  
53 Preservation Fund" shall identify the particular project or  
54 projects to be funded with such moneys, except the provisions of

1 this subsection shall not apply to any appropriation of moneys  
2 from the fund for the cost of acquisition of fee simple absolute  
3 titles to farmland or for the cost of providing grants to  
4 landowners for up to 50% of the cost of soil and water  
5 conservation projects.

6 23. The State Treasurer shall establish a fund to be known as  
7 the "1992 Historic Preservation Fund," and the moneys therein  
8 are to be held in those depositories as the State Treasurer may  
9 select. The State Treasurer shall deposit into the fund all  
10 proceeds from the sale of bonds issued by the State under this act  
11 for the funding of historic preservation projects as set forth in  
12 section 9 of this act. The moneys in the fund are specifically  
13 dedicated and shall be applied to the historic preservation cost of  
14 the purposes set forth in section 9 of this act. Moneys in the fund  
15 shall not be expended except in accordance with appropriations  
16 from the fund made by law, but bonds may be issued as herein  
17 provided, notwithstanding that the Legislature has not adopted an  
18 act making a specific appropriation of any of the moneys. Any  
19 act appropriating moneys from the "1992 Historic Preservation  
20 Fund" shall identify the particular project or projects to be  
21 funded with such moneys.

22 24. a. At any time prior to the issuance and sale of bonds  
23 authorized to be issued under this act, the State Treasurer is  
24 authorized to transfer from available moneys in any fund of the  
25 treasury of the State to the credit of the "1992 New Jersey  
26 Green Acres Fund," the "1992 New Jersey Green Trust Fund,"  
27 the "1992 Farmland Preservation Fund," or the "1992 Historic  
28 Preservation Fund," such sums as the State Treasurer may deem  
29 necessary. The sums so transferred shall be returned to the same  
30 fund of the treasury by the State Treasurer from the proceeds of  
31 the sale of the first issue of those bonds.

32 b. Pending their application to the purposes provided in the  
33 applicable provisions of this act, moneys in the "1992 New Jersey  
34 Green Acres Fund," the "1992 New Jersey Green Trust Fund,"  
35 the "1992 Farmland Preservation Fund," and the "1992 Historic  
36 Preservation Fund" may be invested and reinvested as are other  
37 trust funds in the custody of the State Treasurer, in the manner  
38 provided by law. Net earnings received from the investment or  
39 deposit of moneys in these funds shall be redeposited and become  
40 part of the respective funds.

41 25. If any coupon bond, coupon or registered bond is lost,  
42 mutilated or destroyed, a new bond or coupon shall be executed  
43 and delivered of like tenor, in substitution for the lost, mutilated  
44 or destroyed bond or coupon, upon the owner furnishing to the  
45 issuing officials evidence satisfactory to them of the loss,  
46 mutilation or destruction of the bond or coupon, the ownership  
47 thereof, and security, indemnity and reimbursement for expenses  
48 connected therewith, as the issuing officials may require.

49 26. The accrued interest, if any, received upon the sale of the  
50 bonds shall be applied to the discharge of a like amount of  
51 interest upon the bonds when due. Any expense incurred by the  
52 issuing officials for advertising, engraving, printing, clerical,  
53 authenticating, registering, legal or other services necessary to  
54 carry out the duties imposed upon them by the provisions of this

1 act shall be paid from the proceeds of the sale of the bonds by  
2 the State Treasurer, upon the warrant of the Director of the  
3 Division of Budget and Accounting in the Department of the  
4 Treasury, in the same manner as other obligations of the State  
5 are paid.

6 27. Bonds of each series issued hereunder shall mature,  
7 including any sinking fund redemptions, not later than the 35th  
8 year from the date of issue of that series, and in amounts as shall  
9 be determined by the issuing officials. The issuing officials may  
10 reserve to the State by appropriate provision in the bonds of any  
11 series the power to redeem any of the bonds prior to maturity at  
12 the price or prices and upon the terms and conditions as may be  
13 provided in the bonds.

14 28. The issuing officials may issue refunding bonds in an  
15 amount not to exceed the amount necessary to effectuate the  
16 refinancing of any bonds issued pursuant to this act, at any time  
17 and from time to time, for the purpose of refinancing any bond or  
18 bonds issued pursuant to this act, subject to the following  
19 provisions:

20 a. Refunding bonds may be issued at any time prior to the  
21 maturity or redemption of the bonds to be refinanced thereby as  
22 the issuing officials shall determine.

23 b. Each series of refunding bonds may be issued in a sufficient  
24 amount to pay or to provide for the payment of the principal of  
25 the bonds to be refinanced thereby, together with any redemption  
26 premium thereon, any interest accrued or to accrue on the bonds  
27 to be refinanced to the date of payment of the outstanding bonds,  
28 the expense of issuing the refunding bonds and the expenses, if  
29 any, of paying the bonds to be refinanced.

30 c. No refunding bonds shall be issued unless the issuing  
31 officials shall first determine that the present value of the  
32 aggregate principal amount of and interest on the refunding bonds  
33 is less than the present value of the aggregate principal amount  
34 of and interest on the bonds to be refinanced thereby; provided,  
35 for the purposes of this limitation, present value shall be  
36 computed using a discount rate equal to the yield of those  
37 refunding bonds, and yield shall be computed using an actuarial  
38 method based upon a 360-day year with semiannual compounding  
39 and upon the price or prices paid to the State by the initial  
40 purchasers of those refunding bonds.

41 d. Any refinancing authorized hereunder may be effected by  
42 the sale of the refunding bonds and the application of the  
43 proceeds thereof to the immediate payment of the principal of  
44 the bonds to be refinanced thereby, together with any redemption  
45 premium thereon, any interest accrued or to accrue on those  
46 bonds to be refinanced to the date of payment of those bonds, the  
47 expenses of issuing the refunding bonds and the expenses, if any,  
48 of paying those bonds to be refinanced, or, to the extent not  
49 required for that immediate payment, shall be deposited,  
50 together with any other moneys legally available therefor, in  
51 trust with one or more trustees or escrow agents, which trustees  
52 or escrow agents shall be trust companies or national or state  
53 banks having powers of a trust company, located either within or  
54 without the State, to be applied solely to the payment when due

1 of the principal of, redemption premium, if any, and interest due  
2 and to become due on the bonds to be refinanced on or prior to  
3 the redemption date or maturity date thereof, as the case may  
4 be. The proceeds or moneys so held by the trustees or escrow  
5 agents may be invested in government securities, including  
6 government securities issued or held in book-entry form on the  
7 books of the Department of Treasury of the United States;  
8 provided those government securities shall not be subject to  
9 redemption prior to their maturity other than at the option of the  
10 holder thereof. Except as otherwise provided in this subsection,  
11 neither government securities nor moneys so deposited with the  
12 trustees or escrow agents shall be withdrawn or used for any  
13 purpose other than, and shall be held in trust for, the payment of  
14 the principal of, redemption premium, if any, and interest on the  
15 bonds to be refinanced thereby; provided that any cash received  
16 from the principal or interest payments on those government  
17 securities deposited with the trustees or escrow agents, to the  
18 extent the cash will not be required at any time for that purpose,  
19 shall be paid over to the trustees or escrow agents, and to the  
20 extent the cash will be required for that purpose at a later date,  
21 shall, to the extent practicable and legally permissible, be  
22 reinvested in government securities maturing at times and in  
23 amounts sufficient to pay when due the principal of, redemption  
24 premium, if any, and interest to become due on the bonds to be  
25 refinanced, on and prior to the redemption date or maturity date  
26 thereof, as the case may be, and interest earned from those  
27 reinvestments, to the extent not required for the payment of  
28 bonds, shall be paid over to the State, as received by the trustees  
29 or escrow agents. Notwithstanding anything to the contrary  
30 contained herein: (1) the trustees or escrow agents shall, if so  
31 directed by the issuing officials, apply moneys on deposit with the  
32 trustees or escrow agents pursuant to the provisions of this  
33 section, and redeem or sell government securities so deposited  
34 with the trustees or escrow agents, and apply the proceeds  
35 thereof to (a) the purchase of bonds which were refinanced by the  
36 deposit with the trustees or escrow agents of the moneys and  
37 government securities and immediately thereafter cancel all  
38 outstanding bonds so purchased or (b) the purchase of different  
39 government securities; provided however, that the moneys and  
40 government securities on deposit with the trustees or escrow  
41 agents after the purchase and cancellation of the outstanding  
42 bonds or the purchase of different government securities shall be  
43 sufficient to pay when due the principal of, redemption premium,  
44 if any, and interest on all other bonds in respect of which the  
45 moneys and government securities were deposited with the  
46 trustees or escrow agents on or prior to the redemption date or  
47 maturity date thereof, as the case may be; and (2) in the event  
48 that on any date, as a result of any purchases and cancellations of  
49 the outstanding bonds or any purchases of different government  
50 securities as provided in this subsection, the total amount of  
51 moneys and government securities remaining on deposit with the  
52 trustees or escrow agents is in excess of the total amount which  
53 would have been required to be deposited with the trustees or  
54 escrow agents on that date in respect of the remaining bonds for

1 which such deposit was made in order to pay when due the  
2 principal of, redemption premium, if any, and interest on those  
3 remaining bonds, the trustees or escrow agents shall, if so  
4 directed by the issuing officials, pay the amount of that excess to  
5 the State. Any amounts held by the State Treasurer in a separate  
6 fund or funds for the payment of the principal of, redemption  
7 premium, if any, and interest on bonds to be refinanced, as  
8 provided herein, shall, if so directed by the issuing officials, be  
9 transferred by the State Treasurer for deposit with one or more  
10 trustees or escrow agents, as provided herein, to be applied to the  
11 payment when due of the principal of, redemption premium, if  
12 any, and interest to become due on those bonds to be refinanced,  
13 as provided in this section, or be applied by the State Treasurer  
14 to the payment when due of the principal of, redemption  
15 premium, if any, and interest on refunding bonds issued hereunder  
16 to refinance those bonds. The State Treasurer is authorized to  
17 enter into contracts with one or more trust companies or national  
18 or state banks, as provided herein, to act as trustees or escrow  
19 agents, as provided herein, subject to the approval of the issuing  
20 officials.

21 e. Notwithstanding the provisions of section 17 of this act, any  
22 series of refunding bonds issued pursuant to this section shall  
23 mature at any time or times not later than five years following  
24 the latest scheduled final maturity date, determined without  
25 regard to any redemptions prior thereto, of any of the bonds to be  
26 refunded thereby, and in no event later than 35 years following  
27 the date of issuance of that series of refunding bonds, and those  
28 refunding bonds may be sold at public or private sale at prices  
29 and under terms, conditions and regulations as the issuing  
30 officials may prescribe. Refunding bonds shall be entitled to all  
31 the benefits of this act and subject to all its limitations, except  
32 as to sale provisions and to the extent therein otherwise expressly  
33 provided.

34 f. Upon the decision by the issuing officials to issue refunding  
35 bonds pursuant to this section, and prior to the sale of those  
36 bonds, the issuing officials shall transmit to the Joint Budget  
37 Oversight Committee, or its successor, a report that a decision  
38 has been made, reciting the basis on which the decision was  
39 made, including an estimate of the debt service savings to be  
40 achieved and the calculations upon which the issuing officials  
41 relied when making the decision to issue refunding bonds. The  
42 report also shall disclose the intent of the issuing officials to  
43 issue and sell the refunding bonds at public or private sale and the  
44 reasons therefor.

45 g. The Joint Budget Oversight Committee, or its successor,  
46 shall have authority to approve or disapprove the sale of  
47 refunding bonds as included in each report submitted in  
48 accordance with subsection f. of this section. The committee, or  
49 its successor, shall notify the issuing officials in writing of the  
50 approval or disapproval as expeditiously as possible.

51 h. No refunding bonds shall be issued unless the report has  
52 been submitted to and approved by the Joint Budget Oversight  
53 Committee, or its successor, as set forth in subsection g. of this  
54 section.

1 i. Within 30 days after the sale of the refunding bonds, the  
2 issuing officials shall notify the Joint Budget Oversight  
3 Committee, or its successor, of the result of that sale, including  
4 the prices and terms, conditions and regulations concerning the  
5 refunding bonds, the actual amount of debt service savings to be  
6 realized as a result of the sale of refunding bonds, and the  
7 intended use of the proceeds from the sale of those bonds.

8 j. The Joint Budget Oversight Committee, or its successor,  
9 shall, however, review all information and reports submitted in  
10 accordance with this section and may, on its own initiative, make  
11 observations and recommendations to the issuing officials, or to  
12 the Legislature, or both, as it deems appropriate.

13 29. Any bond or bonds issued hereunder shall no longer be  
14 deemed to be outstanding, shall no longer constitute a direct  
15 obligation of the State of New Jersey, and the faith and credit of  
16 the State shall no longer be pledged to the payment of the  
17 principal of, redemption premium, if any, and interest on the  
18 bonds, and the bonds shall be secured solely by and payable solely  
19 from moneys and government securities deposited in trust with  
20 one or more trustees or escrow agents, which trustees and escrow  
21 agents shall be trust companies or national or state banks having  
22 powers of a trust company, located either within or without the  
23 State, as provided herein, whenever there shall be deposited in  
24 trust with the trustees or escrow agents, as provided herein,  
25 either moneys or government securities, including government  
26 securities issued or held in book-entry form on the books of the  
27 Department of Treasury of the United States, the principal of and  
28 interest on which when due will provide money which, together  
29 with the moneys, if any, deposited with the trustees or escrow  
30 agents at the same time, shall be sufficient to pay when due the  
31 principal of, redemption premium, if any, and interest due and to  
32 become due on the bonds on or prior to the redemption date or  
33 maturity date thereof, as the case may be; provided the  
34 government securities shall not be subject to redemption prior to  
35 their maturity other than at the option of the holder thereof.  
36 The State of New Jersey hereby covenants with the holders of  
37 any bonds for which government securities or moneys shall have  
38 been deposited in trust with the trustees or escrow agents as  
39 provided in this section that, except as otherwise provided in this  
40 section, neither the government securities nor moneys so  
41 deposited with the trustees or escrow agents shall be withdrawn  
42 or used by the State for any purpose other than, and shall be held  
43 in trust for, the payment of the principal of, redemption  
44 premium, if any, and interest to become due on the bonds;  
45 provided that any cash received from the principal or interest  
46 payments on the government securities deposited with the  
47 trustees or escrow agents, to the extent the cash will not be  
48 required at any time for that purpose, shall be paid over to the  
49 State, as received by the trustees or escrow agents, free and  
50 clear of any trust, lien, pledge or assignment securing the bonds;  
51 and to the extent the cash will be required for that purpose at a  
52 later date, shall, to the extent practicable and legally  
53 permissible, be reinvested in government securities maturing at  
54 times and in amounts sufficient to pay when due the principal of,

1 redemption premium, if any, and interest to become due on the  
2 bonds on and prior to the redemption date or maturity date  
3 thereof, as the case may be, and interest earned from the  
4 reinvestments shall be paid over to the State, as received by the  
5 trustees or escrow agents, free and clear of any trust, lien or  
6 pledge securing the bonds. Notwithstanding anything to the  
7 contrary contained herein: a. the trustees or escrow agents  
8 shall, if so directed by the issuing officials, apply moneys on  
9 deposit with the trustees or escrow agents pursuant to the  
10 provisions of this section, and redeem or sell government  
11 securities so deposited with the trustees or escrow agents, and  
12 apply the proceeds thereof to (1) the purchase of the bonds which  
13 were refinanced by the deposit with the trustees or escrow agents  
14 of the moneys and government securities and immediately  
15 thereafter cancel all bonds so purchased, or (2) the purchase of  
16 different government securities; provided however, that the  
17 moneys and government securities on deposit with the trustees or  
18 escrow agents after the purchase and cancellation of the bonds or  
19 the purchase of different government securities shall be  
20 sufficient to pay when due the principal of, redemption premium,  
21 if any, and interest on all other bonds in respect of which the  
22 moneys and government securities were deposited with the  
23 trustees or escrow agents on or prior to the redemption date or  
24 maturity date thereof, as the case may be; and b. in the event  
25 that on any date, as a result of any purchases and cancellations of  
26 bonds or any purchases of different government securities, as  
27 provided in this sentence, the total amount of moneys and  
28 government securities remaining on deposit with the trustees or  
29 escrow agents is in excess of the total amount which would have  
30 been required to be deposited with the trustees or escrow agents  
31 on that date in respect of the remaining bonds for which the  
32 deposit was made in order to pay when due the principal of,  
33 redemption premium, if any, and interest on the remaining bonds,  
34 the trustees or escrow agents shall, if so directed by the issuing  
35 officials, pay the amount of the excess to the State, free and  
36 clear of any trust, lien, pledge or assignment securing the  
37 refunding bonds.

38 30. Refunding bonds issued pursuant to section 28 of this act  
39 may be consolidated with bonds issued pursuant to section 11 of  
40 this act or with bonds issued pursuant to any other act for  
41 purposes of sale.

42 31. To provide funds to meet the interest and principal  
43 payment requirements for the bonds and refunding bonds issued  
44 under this act and outstanding, there is appropriated in the order  
45 following:

46 a. Revenue derived from the collection of taxes under the  
47 "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.), or  
48 so much thereof as may be required; and

49 b. If, at any time, funds necessary to meet the interest,  
50 redemption premium, if any, and principal payments on  
51 outstanding bonds issued under this act are insufficient or not  
52 available, there shall be assessed, levied and collected annually in  
53 each of the municipalities of the counties of this State, a tax on  
54 the real and personal property upon which municipal taxes are or

1 shall be assessed, levied and collected, sufficient to meet the  
2 interest on all outstanding bonds issued hereunder and on the  
3 bonds proposed to be issued under this act in the calendar year in  
4 which the tax is to be raised and for the payment of bonds falling  
5 due in the year following the year for which the tax is levied.  
6 The tax shall be assessed, levied and collected in the same  
7 manner and at the same time as are other taxes upon real and  
8 personal property. The governing body of each municipality shall  
9 cause to be paid to the county treasurer of the county in which  
10 the municipality is located, on or before December 15 in each  
11 year, the amount of tax herein directed to be assessed and levied,  
12 and the county treasurer shall pay the amount of the tax to the  
13 State Treasurer on or before December 20 in each year.

14 If on or before December 31 in any year, the issuing officials,  
15 by resolution, determine that there are moneys in the General  
16 Fund beyond the needs of the State, sufficient to meet the  
17 principal of bonds falling due and all interest and redemption  
18 premium, if any, payable in the ensuing calendar year, the issuing  
19 officials shall file the resolution in the office of the State  
20 Treasurer, whereupon the State Treasurer shall transfer the  
21 moneys to a separate fund to be designated by the State  
22 Treasurer, and shall pay the principal, redemption premium, if  
23 any, and interest out of that fund as the same shall become due  
24 and payable, and the other sources of payment of the principal,  
25 redemption premium, if any, and interest provided for in this  
26 section shall not then be available, and the receipts for the year  
27 from the tax specified in subsection a. of this section shall be  
28 considered and treated as part of the General Fund, available for  
29 general purposes.

30 32. Should the State Treasurer, by December 31 of any year,  
31 deem it necessary, because of the insufficiency of funds collected  
32 from the sources of revenues as provided in this act, to meet the  
33 interest and principal payments for the year after the ensuing  
34 year, then the State Treasurer shall certify to the Director of the  
35 Division of Budget and Accounting in the Department of the  
36 Treasury the amount necessary to be raised by taxation for those  
37 purposes, the same to be assessed, levied and collected for and in  
38 the ensuing calendar year. The director shall, on or before March  
39 1 following, calculate the amount in dollars to be assessed, levied  
40 and collected in each county as herein set forth. This calculation  
41 shall be based upon the corrected assessed valuation of each  
42 county for the year preceding the year in which the tax is to be  
43 assessed, but the tax shall be assessed, levied and collected upon  
44 the assessed valuation of the year in which the tax is assessed and  
45 levied. The director shall certify the amount to the county board  
46 of taxation and the treasurer of each county. The county board  
47 of taxation shall include the proper amount in the current tax  
48 levy of the several taxing districts of the county in proportion to  
49 the ratables as ascertained for the current year.

50 33. For the purpose of complying with the provisions of the  
51 State Constitution, this act shall be submitted to the people at  
52 the general election to be held in the month of November, 1992.  
53 To inform the people of the contents of this act, it shall be the  
54 duty of the Secretary of State, after this section takes effect,



1 and at least 60 days prior to the election, to cause this act to be  
2 published in at least 10 newspapers published in the State and to  
3 notify the clerk of each county of this State of the passage of  
4 this act; and the clerks respectively, in accordance with the  
5 instructions of the Secretary of State, shall have printed on each  
6 of the ballots the following:

7 If you approve of the act entitled below, make a cross (x), plus  
8 (+), or check (✓) mark in the square opposite the word "Yes."

9 If you disapprove of the act entitled below, make a cross (x),  
10 plus (+), or check (✓) mark in the square opposite the word "No."

11 If voting machines are used, a vote of "Yes" or "No" shall be  
12 equivalent to these markings respectively.

		<p style="text-align: center;"><b>OPEN SPACE AND HISTORIC PRESERVATION BOND ISSUE</b></p> <p><b>YES.</b> Shall the "Open Space and Historic Preservation Bond Act of 1992," which authorizes the State to issue bonds in the amount of \$450,000,000 to provide moneys to meet the cost of public acquisition and development of lands for recreation and conservation purposes, to provide moneys for farmland development easement and fee simple absolute acquisitions, to provide grants for soil and water conservation projects, to provide grants and low-interest loans to local government units and matching grants to qualifying tax exempt nonprofit organizations to help meet the cost of public acquisition and development of lands for recreation and conservation purposes, and to provide matching grants to State agencies or entities, local government units, and qualifying tax exempt nonprofit organizations for historic preservation projects; and in a principal amount sufficient to refinance any of the bonds if the same will result in a present value savings; and providing the ways and means to pay and discharge the principal and interest thereof, be approved?</p>
		<p style="text-align: center;"><b>INTERPRETIVE STATEMENT</b></p> <p><b>NO.</b> Approval of this act would authorize the sale of \$450,000,000 in State general obligation bonds to be used for acquiring and developing lands for recreation and conservation purposes, purchasing farmland or development easements thereon, and funding farmland soil and water conservation projects and historic preservation projects. The revenue raised for recreation or conservation purposes from the bonds would be used for State projects, for grants and low-interest loans to local governments for local projects, and for matching grants to qualifying tax exempt nonprofit organizations. The revenue raised for farmland preservation purposes from the bonds would be used for State and local government efforts to purchase farmland development easements, for State projects to purchase farmland, and for grants to qualifying landowners for soil and water conservation projects. The revenue raised for historic preservation purposes from the bonds would be used for matching grants to State agencies or entities, local governments, and qualifying tax exempt nonprofit organizations. The act also authorizes the issuance of bonds in a sufficient amount to refinance any of these bonds if the same will result in a present value savings.</p>

The fact and date of the approval or passage of this act, as the case may be, may be inserted in the appropriate place after the title in the ballot. No other requirements of law of any kind or character as to notice or procedure, except as herein provided, need be adhered to.

The votes so cast for and against the approval of this act, by

1 ballot or voting machine, shall be counted and the result thereof  
2 returned by the election officer, and a canvass of the election  
3 had in the same manner as is provided for by law in the case of  
4 the election of a Governor, and the approval or disapproval of  
5 this act so determined shall be declared in the same manner as  
6 the result of an election for a Governor, and if there is a majority  
7 of all the votes cast for and against it at the election in favor of  
8 the approval of this act, then all the provisions of this act not  
9 made effective theretofore shall take effect forthwith.

10 34. There is appropriated the sum of \$5,000 to the Department  
11 of State for expenses in connection with the publication of notice  
12 pursuant to section 33 of this act.

13 35. a. The commissioner shall adopt, pursuant to law, rules  
14 and regulations necessary to implement the provisions of this act,  
15 including rules and regulations governing the awarding and use of  
16 grants and loans including, but not limited to, eligibility  
17 requirements, procedures for the submission of applications,  
18 standards for the evaluation of applications, requirements for the  
19 reporting by the recipients of the expenditure of funds, and any  
20 limitations, restrictions or requirements concerning the use of a  
21 grant or loan as the commissioner may prescribe.

22 b. The secretary shall adopt, pursuant to law, rules and  
23 regulations necessary to implement the provisions of this act.

24 36. The commissioner and the secretary, as appropriate, shall  
25 submit to the State Treasurer and the commission with the  
26 respective department's annual budget request a plan for the  
27 expenditure of funds from the "1992 New Jersey Green Acres  
28 Fund," the "1992 New Jersey Green Trust Fund," the "1992  
29 Farmland Preservation Fund," and the "1992 Historic  
30 Preservation Fund" for the upcoming fiscal year. Each plan shall  
31 include the following information: a performance evaluation of  
32 the expenditures made from the particular fund to date; a  
33 description of programs planned during the upcoming fiscal year;  
34 a copy of the rules and regulations in force governing the  
35 operation of programs that are financed, in part or in whole, by  
36 moneys from the particular fund; and an estimate of expenditures  
37 for the upcoming fiscal year.

38 37. Immediately following the submission to the Legislature of  
39 the Governor's annual budget message, the commissioner and the  
40 secretary shall submit to the Senate Environment Committee and  
41 the Assembly Environment Committee, or their successors, and  
42 to the Joint Budget Oversight Committee, or its successor, a  
43 copy of each plan called for under section 36 of this act, together  
44 with such changes therein as may have been required by the  
45 Governor's budget message.

46 38. Not less than 30 days prior to entering into any contract,  
47 lease, obligation, or agreement to effectuate the purposes of this  
48 act, the commissioner or the secretary, as appropriate, shall  
49 report to and consult with the Joint Budget Oversight  
50 Committee, or its successor.

51 39. Except as otherwise provided pursuant to this act, all  
52 appropriations from the bond funds established by this act shall  
53 be by specific allocation for each project, and any transfer of any  
54 funds so appropriated shall require the approval of the Joint

Budget Oversight Committee or its successor.

40. This section and sections 33 and 34 of this act shall take effect immediately and the remainder of this act shall take effect as provided in section 33.

#### STATEMENT

The "Open Space and Historic Preservation Bond Act of 1992" would provide for the issuance of State general obligation bonds in the principal amount of \$450 million. Of that amount, \$325 million would be allocated for the Green Acres program, \$100 million would be allocated for the State farmland preservation program, and \$25 million would be allocated for the State historic preservation program administered by the New Jersey Historic Trust.

Of the amount allocated for the Green Acres program:

(1) \$150 million would be utilized for the acquisition and development of lands by the State for recreation and conservation purposes, of which amount not more than \$37.5 million could be utilized for development of such lands;

(2) \$150 million would be utilized for State grants and low interest loans to assist local government units to acquire and develop lands for recreation and conservation purposes, of which amount, \$20 million would be for grants for up to 50% of the cost of acquisition or development of lands by local government units eligible to receive State aid pursuant to P.L.1978, c.14 (C.52:27D-178 et seq.); and

(3) \$25 million would be utilized for State grants, on an up to 50% matching basis, to qualifying tax exempt nonprofit organizations to acquire lands for recreation and conservation purposes, provided that the qualifying tax exempt nonprofit organization makes and keeps the lands accessible to the public in most cases.

The bond moneys allocated for the State farmland preservation program would be utilized:

(1) to provide grants to counties and municipalities for up to 80% of the cost of acquisition of development easements on farmland;

(2) for up to 100% of the cost of acquisition of development easements, under such emergency conditions as the State Agriculture Development Committee determines;

(3) for the cost of acquisition of fee simple absolute titles to farmland which shall be offered for resale with agricultural deed restrictions; and

(4) to provide grants to landowners for up to 50% of the cost of soil and water conservation projects.

With respect to the farmland preservation moneys, the bill requires that not more than \$10 million may be utilized for acquisition of fee simple absolute titles to farmland, and not more than \$3 million may be utilized for grants to landowners for up to 50% of the cost of soil and water conservation projects.

The bond moneys allocated for the State historic preservation program would be utilized to provide matching grants to State

1 agencies or entities, local government units, or qualifying tax  
2 exempt nonprofit organizations for historic preservation projects  
3 in connection with historic properties, structures, facilities, or  
4 sites owned or leased on a long-term basis by those agencies,  
5 entities, units, or organizations.

6

7

8

9

10 "Open Space and Historic Preservation Bond Act of 1992";  
11 authorizes bonds for \$450 million; and appropriates \$5,000.



AUREEN OGDEN  
Chair  
AVID C. RUSSO  
Vice-Chair  
JOSE M. HECK  
LEE A. SOLOMON  
FF WARSH  
AVID C. KRONICK  
ARRY A. MCENROE



## New Jersey State Legislature

ASSEMBLY ENVIRONMENT COMMITTEE  
LEGISLATIVE OFFICE BUILDING, CN-068  
TRENTON, NEW JERSEY 08625-0068  
(609) 292-7676

### NOTICE OF PUBLIC HEARING AND COMMITTEE MEETING

TO: MEMBERS OF THE ASSEMBLY ENVIRONMENT COMMITTEE  
FROM: ASSEMBLYWOMAN MAUREEN OGDEN, CHAIR  
SUBJECT: PUBLIC HEARING AND COMMITTEE MEETING  
April 23, 1992

*The public may address comments and questions to Jeffrey T. Climpson or Spiros J. Caramalis, Committee Aides, or make bill status and scheduling inquiries to Carol Hendryx, secretary, at (609) 292-7676. Those persons presenting written testimony should provide 15 copies to the committee on the day of the hearing.*

-----

The Assembly Environment Committee will hold a public hearing, with a committee meeting to follow, on Thursday, April 23, 1992 at 10:00 a.m. in the Edison Municipal Complex, Council Chambers on the 1st floor, 100 Municipal Blvd., Edison, NJ to consider the following bill:

A-1151 "Open Space and Historic Preservation Bond Act of  
Ogden/Warsh 1992"; authorizes bonds for \$450 million; and appropriates  
\$5,000.

**DIRECTIONS:** Take the NJ Turnpike to Exit 10; follow signs to I-287 North. Take I-287 North to the exit for Route 27 South (New Brunswick). Once on Route 27 South, go through 2 traffic lights; at 3rd traffic light (Municipal Blvd.), make a right turn and go to the end of the road. The Edison Municipal Complex is at the end of the road.

Issued 4/10/92





## TABLE OF CONTENTS

### Page

Thomas S. Wells Administrator Green Acres Program New Jersey Department of Environmental Protection and Energy	8
Robert Baumley Program Manager State Agriculture Development Committee New Jersey Department of Agriculture	15
Arijit De Chairman New Jersey Historic Trust, and Associate Executive Director City of Camden Redevelopment Agency	20
Thomas E. Carroll Chairman Bond Committee New Jersey Historic Trust	22
Nancy B. Gay Trustee New Jersey Historic Trust	24
Anne Weber Board of Advisors Main Street New Jersey	26
Suzanne D. MacDowell Secretary Jersey Conservators	27
Michael F. Catania Executive Director New Jersey Chapter of the Nature Conservancy	28
Len Franks Paulinskill Valley Trail Association	32
Charlene Kelly Director Stonehedge Conservatory	33



## TABLE OF CONTENTS (continued)

### Page

Julie Baron  
Chairman  
Land Acquisition Committee  
Morris County Parks Commission

34

Diane Nelson  
Morris Parks and Land Conservancy

35

James J. Truncer  
Secretary-Director  
Monmouth County Parks System

36

Edward J. Loud  
Vice Chairman  
Monmouth County Parks System

37

Karen Fedosh  
Monmouth County Planning Office  
County Agriculture Development Board  
Farmland Preservation Program

37

Anthony Burke  
Essex County Parks

41

William LaRosa  
Director  
Cultural and Historic Affairs Office  
County of Hudson

41

Jane Tousman  
Save Our Swamp

43

Robert Spiegel  
Edison, New Jersey

44

John Shersick  
Edison, New Jersey

45

Katherine Shuler  
National Trust For Historic Preservation

49

William Foelsch  
Executive Director  
New Jersey Recreation and Park Association

49

William R. Neil  
Assistant Director of Conservation  
New Jersey Audubon Society

53



## TABLE OF CONTENTS (continued)

	<u>Page</u>
Eleanor S. Campbell Special Projects Coordinator New Jersey Conservation Foundation	57
Hermia Lechner South Branch Watershed Association, and Hunterdon County Conservancy	60
Ella F. Filippone, Ph.D. Executive Administrator Passaic River Coalition	66
Timothy Dillingham Chapter Director New Jersey Chapter The Sierra Club	69
Betty Wagner Chairman of Special Projects Cranbury Historical Society	70
Virginia T. Mosley Borough Historian for Tenaflly, New Jersey, and Chairman Tenaflly Historic Preservation Commission, and Member County Historic Sites Advisory Board	71
Schuyler Warmflash Board Member, Preservation New Jersey Bergen County Division of Cultural and Historic Affairs	72
Florence Leon Executive Director Hermitage Ho-Ho-Kus, New Jersey	75
Ann Suydam Board Member The Meadows Foundation	77
Sheila Diamond Project Manager The Main Street Program North Plainfield, New Jersey	78
Matthew Chalifoux, A.I.A. Short & Ford & Partners, Architects	79



## TABLE OF CONTENTS (continued)

	<u>Page</u>
Mary Anne Thomson, Esq. President Chatsworth Club II	82
Ilona English Principal ISE Associates	85
Ray Kalainikas Private citizen	89

### APPENDIX:

Testimony and attachments submitted by Arijit De	1x
Statement submitted by Suzanne D. MacDowell	8x
Testimony submitted by James J. Truncer	9x
Edison Wetlands Association News Update, submitted by Jane Tousman	11x
Statement submitted by William Foelsch	12x
Testimony and newsletter submitted by Eleanor Campbell	15x
Statement plus attachments submitted by Virginia T. Mosley	27x
Statement submitted by William R. Neil	34x
Statement submitted by Ella F. Filippone, Ph.D.	35x
Letter to Assemblywoman Ogden from Sheila McElroy Diamond	41x
Letter, plus attachments to Jeffrey T. Climpson, Committee Aide from Andrew J. Grosso, Jr.	42x





## TABLE OF CONTENTS (continued)

### APPENDIX:

	<u>Page</u>
Letter to Assemblywoman Ogden from Peter M. Beronio	45x
Letter to Assemblywoman Ogden from Sally Dudley	47x
Letter to Assemblywoman Ogden from Janet Sheridan	49x
Letter to Committee from Catherine J. Lenix-Hooker	50x

\* \* \* \* \*

bgs: 1-95



**ASSEMBLYWOMAN MAUREEN OGDEN (Chair):** I'd like to get started now, and apologize to everyone else who was here on time. I have to tell you that coming from the north, we didn't interpret the directions correctly, then when we stopped to ask for other directions we got further wrong directions. So I'm just apologetic for not starting on time.

I'm Assemblywoman Maureen Ogden, Chairman of the Environment Committee. I'd like to introduce the other members here: Jeffrey Warsh, who is also on the Environment Committee, and then two of our associates, Barbara Wright and Ernie Oros, who is on one of the sister committees, Energy and Hazardous Waste. After giving a brief statement I'd like to ask them if they would also like to speak.

I don't think it's a coincidence that we're holding this first hearing today on the bond issue during "Earth Week." New Jersey's commitment to protecting its open space and farmland and historical treasures is well documented. In fact, we go back to 1961 -- more than 30 years, actually -- when New Jersey first passed a Green Acres Bond Issue. All of us have realized over the years that there is no state that is more densely populated than New Jersey, but at the same time I believe that there is no Legislature or Governors who have been more committed to preserve open space through the bond issues.

Today we're asking State government and all New Jerseyans to renew their commitment to our State's precious environment by supporting a new legislative proposal that will provide \$450 million to programs specifically designed to preserve open space and historic sites and structures.

Now I know that New Jersey is facing some difficult economic times and its State government must establish priorities; that is why Assemblyman Warsh and I have not proposed this bond issue lightheartedly. To the contrary, we have proposed this out of necessity.

Moneys provided by the 1989 bond issue of \$300 million -- while they have been used for many worthwhile and essential projects -- will be completely exhausted by the end of this year. And so, when 1992 fades into history, the money is going to be needed to fund additional and valuable projects. If we fail to approve this bond issue, New Jersey will be taking a major step backward in its efforts to be a national leader in environmental conservation.

Our State, as I said earlier, the most densely populated in the nation, has experienced a tremendous loss of open spaces leaving a substantial deficit of recreational land for our current population. And in a similar fashion, farmland acreage has declined precipitously. We had almost two million acres going back to 1960; by the late '70s it was down to one million and by the late '80s it was down to 800,000. We know that the farm community has said if we go below 500,000 we will no longer have a viable industry in our State.

Open space and farmland preservation is essential, not only for recreational purposes, it is also vital for the protection of our priceless water supplies and endangered and threatened wildlife habitat.

\* The money allocated by this legislation would be used as follows:

\* \$325 million to the Green Acres Program which would be used for various programs that acquire and develop land for recreational and conservational purposes,

\* \$100 million to the State Farmland Preservation Program, and

\* \$25 million to the State Historic Preservation Program which is administered by the New Jersey Historic Trust.

With land prices and interest rates simultaneously down at the present time, we now have a unique opportunity to get much more for the dollar than we have in the past. When land prices and interest rates begin to increase, the dollar won't stretch as far as it would in the current market.

The demand for Green Acres and farmland preservation have far exceeded the supply of these funds. Assemblyman Warsh and I are committed to rewarding towns, counties, and the State for their strong desire to use these funds for preservation and conservation projects. This is one investment that yields great dividends: higher property values, cleaner air and water, places to play, an environment that is attractive to businesses. It is really what has been so often called a win-win scenario.

New Jerseyans, the electorate, have time and again expressed their will -- whether in polls or in the voting booth -- that open space and farmland must be preserved. It's been more than 30 years now that the voters of New Jersey have given their approval to Green Acres, farmland, and water conservation bond acts. As I said at the outset, the very first Green Acres Bond Act was passed in 1961, and if you realize that that was the smallest one but was able to buy the most acres, realize that with each successive one, they have to be larger because the value of the land keeps increasing to such an extent because they are plain not making any more of it.

I am confident that the people of New Jersey will once again say yes to protecting and preserving our environment and making certain that our children and grandchildren have an opportunity to enjoy what nature has given to the State of New Jersey.

I'd like to ask Assemblyman Warsh if he would like to make some comments, and then the other two members. Then we'll be on to the witnesses.

ASSEMBLYMAN WARSH: Thank you, Chairwoman Ogden. I'd first like to state how very proud I am at this early stage of our legislative career that I've been given the honor of being able to coprime sponsor a bill of this magnitude with Maureen. She's certainly been one of New Jersey's great environmental leaders and one of my personal environmental heroes.

As the Chairwoman says, it's no coincidence that this hearing is occurring during "Earth Week." It's also no coincidence that it's occurring in Edison Township. It's my hometown. It's in the middle of the 18th Legislative District and I live, literally, a stone's throw away from this building. Edison Township, over the years, has shown great disrespect for open spaces. Edison Township currently is in the midst of a variety of controversies dealing with open space, and for those of you who have read Erskine Caldwell's "God's Little Acre," it's very much the way that the administrations in the past have treated the open space: This is Green Acres, then in the following year; no, it's not Green Acres; this is Green Acres. It's that kind of mistreatment of open spaces and mistreatment of the public trust that I hope, as part of my tenure in the Legislature, to do a great deal about. I think that this bill with respect to providing the funding for the integrity of the Green Acres Program will take great steps towards that.

Today, this Committee will consider a bill that offers New Jersey State government the opportunity to fulfill a long-running obligation with its citizens; an obligation that began with the placement of the first Green Acres Bond referendums on the general election ballot back in 1961. Since the program's inception, the residents of this State have approved nearly \$1 billion in Green Acres issues, the largest and most recent was for \$300 million in 1989. Over 70 percent of the voters supported this bond issue. It was the highest approval rating ever given to any Green Acres referendum. With overwhelming support like that, it is clear what the public has mandated: the continued preservation of New Jersey's natural resources, specifically our severely endangered open spaces and farmland, which is why we are considering this essential piece of legislation here today that would provide for the issuance of State general obligation bonds in the principal amount of \$450 million.

As Chairwoman Ogden has already stated, the funding for the Green Acres Program has just about run out. When it does, New Jersey faces the potential destruction of the open spaces and the farmland that have helped define our Garden State. The Open Space and Historic Preservation Bond Act of 1992 provides the State of New Jersey with the funds necessary to further stem the loss of undeveloped land in our nation's most densely populated state.

The threat of seeing our open spaces disappear to development is very real. In every community throughout the State you can point to parcels of land that were vacant only a year or two ago, and no county has witnessed such a rapid decimation of its undeveloped land as has my home, Middlesex County. Overdeveloped and struggling to maintain essential open areas, Middlesex County has been able to check the onslaught of development as a direct result of the Green Acres Program. Twelve projects were undertaken in Middlesex County to preserve open spaces for the enjoyment of future generations with the funds generated by the most recent Green Acres Bond passed in 1989.

In the 18th Legislative District alone, three projects were pursued with the moneys provided by the bond act: The acquisition of land in East Brunswick Township for the construction of the Sports Complex, the purchase of additional lands along both the Raritan River in New Brunswick, and Farrington Lake in North Brunswick which added considerably to the size of the buffer zones insulating the two water systems from development.

But there's still much more to accomplish in our fight against development of all of our open spaces and farmland. Like all of our natural resources, they are a finite supply; once they are gone, they are gone forever. We need to take some quick and dramatic action to protect these fragile and irreplaceable areas if we don't want our license plates to be

framed with the slogan: "New Jersey, the Asphalt State." For these reasons, it is imperative that we pass bill A-1151. The passage into law of this bill would insure the future existence of New Jersey's open space and farmland, finite resources far too valuable to the delicate balance of New Jersey's environment and far too important to the enjoyment of future generations to be lost at the developer's shovel.

Before I pass the microphone over to my colleague in the Assembly, I'd like to state one last thing: We all know that we're going through some rather serious fiscal restraints in the State of New Jersey; fiscal restraints that are not soon to be lifted. To me, the beauty of this bill is that it's not going to be done with the caprice of legislators. This bill, once it passes the Legislature, will go onto a ballot. The voters ultimately get to decide if this is an investment they want to make in New Jersey's future, or not. And while Jeff Warsh is going to go into that ballot booth and vote for this, I'm going to encourage everyone in my power to do the same. It's the voters of New Jersey that will ultimately get to decide what they want to do with their money and what they want to do with their State.

So with that, I thank you very much, Chairwoman Ogden.

ASSEMBLYWOMAN OGDEN: Thank you very much, Jeff.

Barbara or Ernie, would you like to make a statement?

ASSEMBLYWOMAN WRIGHT: Thank you very much, Chairwoman Ogden and Assemblyman Warsh, for sponsoring A-1151, this important legislation, and also for holding this hearing to provide us the opportunity to reaffirm our commitment to the Garden State.

As you know, in the 14th district, I represent towns in Mercer County, such as Hamilton, East Windsor, Washington and Hightstown, and in Middlesex County, Plainsboro -- my hometown now -- and Cranbury, where I grew up, South Brunswick, Monroe, Jamesburg, and Helmetta, which have benefited greatly



from the previous Green Acre funds through programs such as Agricultural Preservation, Historical Preservation, and even bicycle paths in my neighborhood.

As a lifelong resident of Middlesex County and a nurse, I'm proud to serve in the New Jersey Legislature, to bring to bear my efforts to ensure that the environment will be healthy one and a place for us to achieve our goals and dreams.

Thank you very much, Madam Chair.

ASSEMBLYWOMAN OGDEN: Thank you.

Ernie?

ASSEMBLYMAN OROS: Thank you, Madam Chairlady. I, too, commend the two Assembly people for putting forth this bill. I think it's a very important bill and I think it deserves our support.

I serve on the Energy and Hazardous Waste Committee in Trenton, and I did that by request. I'm very interested in the environment. I have an organization in Woodbridge called, "The Woodbridge River Watch" which has been quite successful. It's a hands-on group, and believe me I can tell you firsthand how difficult it is to preserve open spaces, because we have done a tremendous amount of work over there, it's all done physically, and it's growing and growing by leaps and bounds. So, therefore, I commend once again the two Chairpeople for this bill. Thank you.

ASSEMBLYWOMAN OGDEN: Thank you very much.

We'd like to begin with the two, well actually, three State agencies, Green Acres, the Department of Agriculture and then the New Jersey Historic Trust. Next we'll go to other agencies, particularly those that have a county affiliation, and then to organizations, and then to individuals. Since we have started late, unfortunately, I would urge everyone to, if they have lengthy testimony, to please try and summarize it.

First, I'd like to ask Tom Wells, who is head of the Green Acres Program, at the DEPE, to testify.

**T H O M A S   S .   W E L L S:** Good morning, Chairwoman Ogden, and members of the Committee. My name is Thomas Wells, and I'm the Administrator of the Green Acres Program within the Department of Environmental Protection and Energy. I welcome the opportunity to appear before you this morning, as a representative of the Department. Before I get into my testimony, I'd just like to introduce Gary Rice of the Green Trust staff within Green Acres, Bob Stokes of my planning staff, and Jeanne Donlon, in the audience. They're going to try to keep me out of trouble this morning.

The Department strongly endorses the need for a new bond issue to replenish funds for open space preservation, outdoor recreation, and historic preservation projects. We commend the sponsors of Assembly Bill A-1151, the Open Space and Historic Preservation Bond Act of 1992, for their support of a new bond issue.

At the present time, the Department respectfully reserves comment on the exact amounts and structuring of the funding proposed in A-1151, pending further study of the various needs for bond funds this year.

The bulk of my testimony will focus on the status of the State's efforts to preserve sufficient open space lands to meet current and anticipated outdoor recreation and conservation needs. I will give an overview of the projects that have been approved under the most recent bond act, the Open Space and Preservation Bond Act of 1989. I will then describe very broadly the near-term demand for Green Acres funding that will remain unmet until a new bond issue is approved. Finally, I will present a few recommendations for minor changes or clarifications in A-1151.

The State Comprehensive Outdoor Recreation Plan has set a goal for New Jersey of slightly over one million acres of land to be set aside for outdoor recreation by all levels of government. This goal has been determined, based upon a

combination of the anticipated recreation needs of New Jersey's growing population in relation to land available to meet those needs.

When the Green Acres Program was established in 1961, there was a gap of over 600,000 acres between the supply and the goal for recreation land in New Jersey. Over the last three decades, New Jersey has come more than halfway in meeting that goal, primarily through the efforts of the Green Acres Program which has acquired or assisted in the acquisition of over 300,000 acres statewide. But the hard work remains. An additional 270,000 acres need to be acquired to reach that goal, and the bulk of those acres need to be acquired at the municipal and county levels where land values are often higher than on the larger parcels of land acquired by the State for parks and wildlife refuges.

In addition to the lands that need to be set aside to meet outdoor recreation goals, the Green Acres Program with the assistance of our DEPE divisions, conservation and recreation groups, and the general public, has identified over 400,000 acres of lands throughout the State that are of preservation concern.

I'd like to turn your attention for a second to the large map you see displayed there. The orange areas on that map represent the areas that are of State preservation concern. Some but not all of these lands may be acquired to meet recreation needs, and some may not require acquisition because they are protected through environmental regulation. But, the point that I want to make here is that at least a portion of those 400,000 acres of land of State preservation concern will need to be acquired specifically for conservation purposes, in addition to the 270,000 acres that are needed to meet recreation needs.

Funding approved for Green Acres under the 1989 Open Space Bond Act is now fully committed to specific

projects, except for a \$2.8 million balance in a special account for projects and municipalities that are eligible to receive urban aid, and pending applications by urban aid municipalities, will totally deplete the funds remaining in this account.

The other map by the wall over there indicates the configuration of projects that have been approved under the 1989 Bond Act, both at the State and local levels. So, it shows you the disbursement of the grant and loan money throughout the State for projects at the State and local level.

Based upon our projections, the projects approved with the 1989 bond funds will protect a total of about 36,000 acres; \$60 million in land acquisition funding has been approved for 57 State projects that will protect approximately 22,000 acres; 88 grants and loans to municipalities and counties totalling \$144 million have been approved for the purchase of approximately 10,000 acres. These figures include the funding from the 1980 bond fund, as well as the current balances remaining in the 1983 and 1987 Green Trust funds. In addition, 27 matching grants totaling \$10 million have been approved for 21 nonprofit organizations to assist in the acquisition of approximately 4000 acres. In addition, \$20 million has been allocated to facility construction in State parks, forests, and wildlife management areas.

. Other recreational development projects at the local level include 78 projects using grants or loans totaling over \$31 million that have been awarded to counties and municipalities. These are also using the balance of the 1989 Bond funds and the remaining balances in the '83 and '87 funds. A number of State acquisition projects need additional funding to be completed. For example, current funds dedicated to the Salem River/Mannington Meadows Project in Salem County are anticipated to acquire only 2000 acres of this 12,000 acre project. And under the current acquisition plan for the

Pinelands, 28,000 acres of land will remain to be acquired when all funds from the 1989 Bond fund are completely spent.

In addition, we anticipate major initiatives through land acquisition as a result of the planning studies now ongoing in the Skylands and Highlands region in the northern part of the State. For example, the Farny Highlands Watershed Coalition has proposed public land acquisition of between 25,000 and 35,000 acres. The Green Acres Program is also involved in a 21,000 acre cooperative acquisition project with other agencies in the Morris River Watershed in Cumberland County.

Many other projects have been initiated including, for example, those along the Musconetcong, Pequest, and Delaware Rivers. In addition there are a number of land offerings as additions to existing State lands, many of which have been offered at bargain prices. In order to take advantage of these particular land bargains, and the depressed real estate prices in general, the Green Acres Program will need additional funds. I'd like to call your attention to the recent auction by the Resolution Trust Corporation that was held just a couple of days ago in Somerset, where most of the properties went for 50 percent of their appraised value. There are good land values out there to be had right now, both by real estate interest but also by conservation interest and right now is the time to strike. If we wait too long in terms of approving another bond issue, we're going to be back into another upswing and paying top dollar for these lands, and the State funds would not go nearly as far as they would if we act quickly.

On the local side, The Green Trust Program has pending applications from counties and municipalities for 74 acquisition or development projects totaling nearly \$88 million. Barring significant project cancellations in the very near future that would make additional funding available, we will not be able to fund these projects. These applications

were made with the knowledge that funding would probably not be available. More applications would have been made if the prospects of funding had been better. In addition, some projects that received funding within the context of the 1989 Bond issue will require additional funds in order to go forward based upon land appraisals received since the original Green Acres awards were announced.

I'd like to mention just a few specific comments on the bill. In the definition of recreation and conservation purposes which is located on page 4 of the bill, we would like to propose a minor modification in that definition. Based upon the current definition which has been used in the past, the Green Acres Program has been authorized to fund acquisition and restoration of historic structures only if those structures are associated with lands that provide for public outdoor recreation or conservation of natural resources. The modification we propose would allow Green Acres funds to be used for projects that can serve historic resources whether or not such projects would conserve natural resources or provide for public outdoor recreation. In some circumstances in the past, particularly with State-owned historic buildings, we've been in a quandary over whether or not we can restore those buildings, or purchase buildings that do not have significant open space lands associated with them, and this modification would allow us to deal with that issue.

I have submitted the wording recommendation to the Committee Aide, Jeff Climpson, rather than spend time in terms of reading it right now. I think I'll just move on, but that's one of our comments.

The other specific comment that we have concerns the nonprofit matching grants. On page 6, Section 7d, number 4, between the words "the" and "State" we recommend the insertion of the words "Federal government." The present wording of the bill would allow a nonprofit organization to convey to the

State, a local government unit, or other qualifying nonprofit organizations land acquired by it with the assistance of funds provided by this bill. The recommended change would allow the nonprofit organization the option of conveying such lands to a Federal agency as well. In any event, no matter where the nonprofit would convey those lands, the conveyance would be subject to the terms of the conservation or historic preservation restriction that the nonprofit organization must donate to the State as a condition of any matching grant for a State land acquisition -- for a nonprofit acquisition.

Some of the nonprofit organizations are working on cooperative projects with Federal agencies such as the Fish and Wildlife Service -- one in particular, down in Ocean County, for the Forsythe National Wildlife Refuge. And the option might be that sometime in the future they might want to convey that to the Fish and Wildlife Service. This kind of wording would allow nonprofit entities to do that.

I only have a couple of other comments; they're technical. One is in reference to the term of Department of Environmental Protection. We recommend that it be amended by the addition of the word "Energy" to reflect the current name of the Department. And on page 20, in the paragraph opposite the word "yes" on lines 18 and 19, we recommend that the words "public" and "and development" be deleted. The phrase in which these words appear refers to the use of matching grants provided to nonprofit organizations. Such organizations are not eligible to receive grants for development projects under the terms of the Bond act, and land acquisitions by these organizations would not be considered "public" acquisition.

Our other technical comments have been addressed in proposed Committee amendments that have been prepared by the staff. I don't know whether-- Assemblywoman Ogden, are you planning on discussing those amendments, or should I discuss them now?

ASSEMBLYWOMAN OGDEN: If you just want to briefly discuss them now, Tom. The other members haven't had a chance to look at them yet.

MR. WELLS: On page 11, section 21a, line 14, we're recommending the deletion of the phrase "P.L. 1987, c.265." This section of the bill refers to the various bond acts that made funds available for State acquisition and development projects. P.L. 1987, c.265 provided funds only for local Green Acres projects, not State projects, and therefore, it shouldn't be included as a reference in that section.

The other amendment that we are requesting is that there's a provision in-- If you'll bear with me for one minute? Yes, in Section 7 which starts on page 5 and continues on to page 6 of the bill, within Section 7b. beginning in the second sentence on line 19, it talks about the ability of the local government to use the fair market value of any partial donation of land as part of their match against the State funding. That's been a longstanding provision in all the bond acts, and we are just recommending that it be relocated so it also applies to the matching share for a nonprofit organization which is also the way the current funding for nonprofit organizations has been interpreted. So, we're recommending that rather than have it in a section that only deals with local governments, that it be moved to a section of its own, namely add a section or subsection e. in section 7 to allow for that to occur.

That's the balance of our comments. I'd be happy to answer any questions you might have. In addition, as I mentioned, members of my staff are here to answer any questions and provide information that the Committee might have.

ASSEMBLYMAN WARSH: Mr. Wells, you mentioned at the beginning of your testimony that you had to reserve comment on the specific allocation of the total amount allotted than the specific allocations of that amount, and you're at this point



not prepared. Why is that; that you're not prepared? This is the season in order to move bills through so that we can get them on the ballot for November, and this being a presidential year the most amount of voters will come out -- and it's nice to have more people participate.

MR. WELLS: Well, I guess one issue is that we haven't consulted with the State Treasurer in terms of what he feels would be a reasonable amount of funding for the year. There are also possible competing issues that the administration might want to address in terms of funding for this year, but I would like to say that we want to see an open bond act that deals with open space and historic preservation this year, and that we're certainly prepared to move forward with it. Today we're not in a position to make a specific statement as to the specific amounts in this bill, but I wouldn't want that to send a signal that we don't want to see the process move forward. We are definitely committed to an open space and historic preservation bond act this year.

ASSEMBLYMAN WARSH: Now that the bill has been introduced, will these meetings with the Treasurer to discuss amount and competing amounts on bonds be scheduled so that we can hope to see a position of the administration on the amounts?

MR. WELLS: Absolutely.

ASSEMBLYMAN WARSH: Thank you.

ASSEMBLYWOMAN OGDEN: Any other questions?

ASSEMBLYWOMAN WRIGHT: No, that was my question.

ASSEMBLYWOMAN OGDEN: Thank you very much.

Next, I'd like to call from the Department of Agriculture, Robert Baumley.

R O B E R T B A U M L E Y: Thank you, Chairwoman Ogden and Committee members. I'm Rob Baumley. I'm the Program Manager with the State Agriculture Development Committee. I'm here today on behalf of the State Agriculture Development Committee and the Department of Agriculture to express their strong

support for the need for future bond funding to continue the Farm, Air, Preservation Program. The momentum of the program to date has been tremendous and this need, again, for future bond funding, I think is appropriate.

Let me begin a little bit -- just so the members as a whole, understand the difference between the State Ag Development Committee and the Department of Agriculture. The State Ag Development Committee is in, but not of, the Department of Agriculture. It's the agency that's responsible for implementing the Farm, Air, Preservation Program, establishing the rules and regulations of the program, and again, they work closely with the 16 County Agriculture Development Boards that are responsible for implementing the program at the local level.

You've made some comments this morning about the different activities of the Farm, Air, Preservation Program. In Cranbury, in particular Cranbury Township, we're in the process of closing on some farms on Monday. And again, that's just reflective, I think, of a lot of counties and the townships within those counties, that have really taken hold to understand the program.

I want to point to the map while it's here as well that the map prepared by the Green Acres Program is one that we also have prepared a similar type version that reflects the Farm, Air, Preservation Program activity. That activity, more and more, is starting to complement a lot of the Green Acres Program activities. The acquisition of Farm, Air, Preservation, as the Committee sees it, interacts not only as just to preserve the Agricultural industry in the State, but it's there to interact with other public programs, the private land trust groups that are also there for conservation purposes. And that our focus-- Mention was made of the Musconetcong River, the Pequest River, the Salem River areas, the Crosswicks Creek area, these are all primary areas that

there's been a tremendous growth in the Farm, Air, Preservation Program, and again, the need for these programs to work together, there needs to be the Ag industry as well as recreational side and the public access.

Let me just give you a quick status report of where we are with the program. We don't go back as far as 1961, but the first bond issue in 1981 provided \$50 million to the Farm, Air, Preservation Program. Those moneys are basically all committed and expended. There's a few remaining moneys for soil and water conservation projects, and these are ongoing projects. They take time for implementing. They run for three-year periods of installation. So, again, there's remaining moneys that we're expending on the '81 funds. Under the '81 funds the purchase of development easements total over about 12,000 acres. The Open Space Preservation Bond Act of 1989 came at, again, good timing where it provided another \$50 million for the Farm, Air, Preservation Program.

That particular bond issue has been broken down into two funding rounds. The first round consisted of 50-some farms were selected and were appraised. Of those 50-some farms, 35, 36 farms received final approval, and the Committee, the Boards, are still in the process at this time of closing on those farms. I've mentioned the farms in Cranbury. There are a few remaining ones there to finish up the acquisitions under the '89 first round. There's, to date, a total of -- I guess it's nearly 5800 acres which will be acquired under the first funding round. There still remains about 19 more acquisitions to close on, about another 3200 acres, and that will complete the first round.

The second round is under a review at this time of the appraisal process on 74 farms, that total well over 11,000 acres, that were given preliminary approval to proceed with the process. Those farms-- Once the values are certified, there will be offers submitted by landowners, and again, we expect to

see another, at least 6000 acres, I would say, as acquisitions under that second funding round. So, we're at a point in time, counties have been anxious to proceed with the program. They've held back on accepting applications for new funding rounds. Chairman Ogden mentioned about the loss of farmland. It happens annually. It's going to continue happening. And the timing, I think, for the purchase of easements-- Land values are a little bit lower at this time, it's appropriate that we move ahead and continue moving the program, again, to keep the momentum for Farm, Air, and Preservation.

Regarding the bill itself, we appreciate in reading through the flexibility that's been provided to the State Ag Development Committee in the acquisition, in particular, for fee simple acquisitions and the flexibility to allow for negotiations without having any particular exposure of particular projects being identified, and, also, for the soil and water conservation aspect of the program. It's critical that these projects continue, and continue in a manner in which they don't have to continuously come back as separate appropriation bills. That type of flexibility is certainly the key, I think, to helping the program in the future.

I don't have any other comments at this time. If there are any questions, I'd be glad to answer those.

ASSEMBLYWOMAN OGDEN: I have a question. Knowing that more than 50 percent of the farmland that remains is currently in the hand of those who are not farmers, do you have any idea, in terms of what's been preserved over the past decade, as to whether that is land that has been owned by those who were eventually going to dispose of it, as opposed to those who are committed to farming?

MR. BAUMLEY: I would say of the acquisitions to date, those were primarily, I would say, in the hands of farmer-owned, farmer-operated operations. Not entirely. We've had some fee simple acquisitions, both of which, even the

farmland owner which is an owner-operator today, can very quickly turn into being the developer. They may sell their interests, or want to sell out their interests in farmland or continue farming. And that's an opportunity under the fee simple program where in both cases the landowner did not want to continue farming. Both properties were slated for development purposes, and those acquisitions under the fee simple aspect of the program provided, again, the saving of those particular farms.

The easement purchase, I would say, primarily have been under farmer-owned properties, not to say that they were entirely. There were some in there that were in the hands of developers that applied as an applicant. The Committee has not set any criteria as far as opposing those types of submissions. They've been quite flexible. It's primarily the land that they're interested in and not so much of the particular ownership of the properties.

ASSEMBLYWOMAN OGDEN: You're really guided by the type of land and where it's situated.

MR. BAUMLEY: That's right. In looking at the map as we see here, the Committee's focus is on trying to develop contiguous areas of a mass of farmland preservation. Rather than disburse acquisitions which are more subject to other non ag development uses and impacts, the focus is to look at contiguous parcels nearly in close proximity, the more productive soil is the prime statewide important soils. Where there's local support in the municipality and county to continue the Farmland Preservation Program, that's been the focus of putting these types of project areas together.

ASSEMBLYWOMAN OGDEN: Thank you very much.

MR. BAUMLEY: Thank you.

ASSEMBLYWOMAN OGDEN: Next, we have a group of people representing the New Jersey Historic Trust. Possibly everyone who's here might like to come up and have the Chairman as your

spokesman, or whoever is designated the spokesman?

A R I J I T D E: Good morning Madam Chairlady and members of the Assembly Environment Committee. Thank you for giving me the opportunity to testify before you.

I am Arijit De, Chairman of the New Jersey Historic Trust, and Associate Executive Director of the City of Camden Redevelopment Agency. I'd also like to introduce two other members of our Executive Committee: Nancy Gay and Tom Carroll. I'd like to testify on behalf of the New Jersey Historic Trust.

As Chairman and one of eight public members appointed by the Governor to the New Jersey Historic Trust, I am pleased to be here today to ask your support for continued bond funds for the Bricks and Mortar Preservation Assistance Program administered by the Trust.

With the completion of our third and final grant cycle this summer, our funds will be exhausted and many important historic sites will remain in peril. While others are here to make a case for certain funding levels of the program, I am here to stress the importance of A-1151, the newly introduced Open Space and Historic Preservation Bond Act of 1992, and to ask your support for this Act, specifically with respect to historic preservation.

As detailed in my written testimony the response to the Historic Preservation Bond Program has been nothing short of amazing. In two grant rounds, we have received more than 200 applications requesting \$65 million in matching funds. We know that the demand for these funds will continue to be very strong. The survey of preservation needs we undertook at the request of the Legislature in 1989 documented nearly \$400 million in preservation projects; the all too dramatic evidence of decades of underfunding and neglect. Clearly, the \$22 million provided by the 1987 Bond Act has only just begun to make an impact.

Beyond the profound, aesthetic, and cultural reasons for saving New Jersey's historic legacy and the intrinsic relationship to revitalization of the State's urban areas, there are direct, tangible, economic benefits to be gained by investing in our past. A sampling of our funded projects indicates that for every \$10,000 of funds from our program, means that there's one job for the design professions or building trades, and we see the importance of leveraging firsthand.

The funds committed from the bond program have attracted \$62 million in investments by State and local governments and nonprofits in historic properties. But for the bond program, many of these invaluable reminders of New Jersey's history would have been lost.

These figures in the economic and employment spinoffs of preservation do not take into account the revitalizing effect that preservation has had in New Jersey's cities, in urban neighborhoods, and the private investment this represents. This effect is no doubt substantial. Much of the State's urban area was built in the late 19th and early 20th centuries, and the origin of these cities goes back to earliest colonial settlement of the State. It is not surprising, then, to discover that the wealth of the State's historically valuable architecture is found in our older cities. Public funding for preservation has spurred private investment in urban neighborhoods as people rediscover these neighborhoods' unique and irreplaceable character. To underscore this point, the Conservation Foundation conducted a study which concluded that there is no more potent an economic tool that has been found for urban revitalization, and, in fact, preservation.

Among the critical factors contributing to successful communities are preservation of cultural resources and implementation of development programs which are sensitive to aesthetic issues. Cities consider preservation the keystone of

their redevelopment efforts because it helps create a positive investment climate. The building stock of older urban neighborhoods must be preserved to provide housing, community facilities, and expansive space for small enterprises, to preserve a chance for neighborhood revitalization to the return of the intrinsic value of urban neighborhoods found in the unique character of the built environment, and to preserve the artifacts of our culture as stated in the 1990 Historic Preservation Capital Needs Survey by the New Jersey Historic Trust: "The historic houses, schools, and commercial blocks, churches and factories that still serve practical needs keep us in touch with our common heritage. They help stabilize neighborhoods, both economically and culturally. They provide jobs and stimulate economic growth. They furnish focal points for community identity, and while doing all these things, they create an indispensable sense of place that helps to mitigate the anonymity of modern life."

With the advent of the Historic Preservation Bond Program, preservation has only just begun to come of age in New Jersey. It has also enabled the Trust, at long last, to fulfill some of the broad mandates contained in its 1967 enabling legislation.

We thank you for your assistance in the past and ask your continued help in carrying forward the momentum for preservation which you have helped initiate. Once again, I urge you to strongly consider passage of A-1151.

Thank you.

ASSEMBLYWOMAN OGDEN: Thank you.

Any questions or comments by members? (negative response)

T H O M A S E. C A R O L L: Madame Chairwoman, my name is Tom Carroll. I'm Chairman of the Bond Committee. I'd like to just talk a little bit from some firsthand experience in preservation.



In 1969 I moved to Cape May with the Coast Guard and was advised not to buy property in a very depressed community. It's advice that I'm very happy today that I never took. I became a resident of Cape May and a business person in that area. I've learned firsthand how preservation can be a very wonderful economic tool in providing community stability, employment for people of all ages, and certainly helps keep New Jersey dollars in New Jersey. Approximately 40 percent of our visitation to our community comes right from within our own State.

As much as I'm excited about what's happened in Cape May, I've dealt with the frustration of dealing with many applicants throughout the State of New Jersey who we've been unable to fund. We dealt firsthand with maybe 200 different applicants who have come forward, all with very, very worthwhile projects, and we've been only able to fund approximately 25 percent of those people. With our potentially last round coming up this June, the final deadline for applications, we're dealing with many nervous preservationists throughout the State that look at this as their "drop dead" date for preservation. If they don't receive funding this time, there might not be additional funding available for them. The type of leverage that they're able to gain through funding from the Trust has actually been the make or break situation for many of these projects. There are many things that never would have happened, never would have received other sources of matching funds if the Historic Trust hadn't put its blessing on that project.

For all those reasons, I certainly ask you to continue your obvious support. We certainly thank you for sponsoring this bill to assist us with our work. If we could offer one or two suggestions, it might help a little bit: The strict dollar for dollar matching requirement works quite adversely against many of the smaller groups that we are trying to support. Many

of the small local preservation societies look at the Trust as the organization that's only able to help the large preservation organizations or State-owned properties, and we've made a direct effort to reach out as far as we can. If we could consider the possibility of matches in-kind also being a possibility for the dollar per dollar match, it would help us quite a bit.

Thank you.

ASSEMBLYWOMAN OGDEN: In connection with that idea, would you have a limit, in terms of the application? You know, I don't think we could possibly do that for all applications. I mean, if you're geared to just the small ones, would you say in considering this idea that you put forward, like \$25,000, \$50,000?

MR. CAROLL: It is something that could be offered strictly to not-for-profit organizations, as compared to-- Approximately 40 percent of our grant money has gone to the State government. Another vast majority has been for other county or municipal governments and fairly large not-for-profit organizations. If that could be applied to assist not-for-profits-- Many preservation funds have worked in this way, so human resources can be counted as part of that match. That would definitely help smaller groups.

ASSEMBLYWOMAN OGDEN: But there are also smaller groups that are governmental. I'm thinking of municipalities that have a hard time coming up with the money, too.

MR. CAROLL: We'll be happy to do more homework on that and make a very specific recommendation, if you'd like?

ASSEMBLYWOMAN OGDEN: Yes.

N A N C Y B. G A Y: Good morning. I'm Nancy Gay from Bergen County, and I've been involved in preservation through the museum world in New Jersey since 1970.

I want to speak to a side that is never in a piece of legislation -- but another reason that we appreciate your

support, and why we need more of it -- and that is the educational aspect for our children as alternative schools at our interpretive properties. These are-- Many of them are the State-owned properties that do the teaching of New Jersey's history. Unlike the arts, you cannot pick up a Batsto and travel it around the country and teach New Jersey's history. Most of the State's sites are in dire need of more money to put the buildings in order, and that has not yet been thoroughly addressed. This first \$25 million -- while the nation is looking at this; and this was quite a startling thing for the National Preservation Trust people to see and commend -- is only a small drop in the bucket. We have miles to go and years to make up. We must consider this as we are educating the children who are coming into our State; the children who are already here from the various ethnic and different nationalities that come into this country. This is how we teach how we became Americans and how we became New Jerseyans and why, and the greatness of this State. We have one of the most unique pieces of historical history for the generations coming in now and from other countries. When you bring children to the Old Barracks to teach them what we were fighting about and why we were becoming Americans, and what that meant, you can't do that if you take that building away. You need that backdrop.

I would urge that we look at the educational side of historic preservation also and tie it in with this whole concept. Understanding that and moving forward on that, \$25 million is nothing. We know the situation today, but we haven't begun to scratch, yet. I would urge that you consider a larger proportion in this bill to come toward this project so that the backdrops for the teaching of our history will have great pride behind them.

I give you a very good example: The Governors' Conference is coming into this State in August, and one of the

most important houses in the State of New Jersey is Morven. And ladies and gentlemen, it's a disaster. That's very pathetic for this great State of New Jersey to have one of the most important houses that was left to the State of New Jersey to be an important house, and to become a museum and educational center, a disaster. And that's just one example.

I do, and we all do thank you, for the wonderful support. The original \$25 million was citizen led -- it did not come out of the Department -- it was a citizen led effort from those of us who have been working in the field, who know, who know the condition of our sites and yearn to make them worthy of our efforts and our pride, and to keep New Jersey proud.

Thank you very much.

ASSEMBLYWOMAN OGDEN: Thank you. Any comments or questions? (negative response)

Thank you very much.

Next, we have three people representing both public and private organizations who have said they have to leave by 11:30, so I'd like to call them all up at once: Anne Weber of the Main Street Board of Advisors, Michael Catania of the Nature Conservancy, and Susan MacDowell of the Jersey Conservators. Normally we wouldn't change things around at this time, but I realize that we had some problems with the delivery of letters that were written a week to ten days ago, and that many people just received them yesterday. I know that there are those here today who juggled their schedules around at the last moment in order to fit this hearing in, so we thank you and we're trying to have you meet your deadlines.

First, from the Main Street Board of Advisors of the New Jersey State program, Anne Weber.

A N N E W E B E R: Good morning, Assemblywoman Ogden. Thank you for sponsoring this bill to extend the bond program which we have seen as very positive for historic preservation in the State of New Jersey.

Today I'm representing the Board of Advisors of Main Street New Jersey which is a four point preservation-based downtown revitalization program sponsored by the Office of New Jersey Heritage. The Board of Advisors is an informal group of people concerned with revitalization of New Jersey's small towns and cities which consults on the needs and the directions of the New Jersey Main Street Program.

The four points of the New Jersey Main Street Program as developed by the National Trust for Historic Preservation are: organization, economic restructuring, promotion, and design. The design aspect is equally as important as the other three points, and currently the Main Street Project has very limited funds for design assistance. Additional grant money for historic communities in the State of New Jersey would be very important to the revitalization of these communities. In the past two years the New Jersey Main Street Project has been responsible for 109 downtown building improvement projects, with a total private reinvestment in the downtown of almost \$4 million. To provide more money for historic preservation in these downtown would help to concentrate historic preservation efforts in communities where historic preservation is already well established, and would create a critical mass and a great benefit to preservation in this State as a whole, and to the revitalization of our cities.

Thank you.

ASSEMBLYWOMAN OGDEN: Thank you.

Next, Susan MacDowell

S U Z A N N E D. M A C D O W E L L: The Jersey Conservators' philosophy has been that there must be a balance between economic and environmental concerns in order that both of these concerns may flourish. With the current attention across the street, the State being focused on economic needs is extremely important that we remember this balance. While growth is important, properly managed growth is always balanced with adequate preservation of open space.

As a mother of adolescents, I can tell you that if we do not provide recreational areas for our children, they will find other ways to amuse themselves, and the cost we pay will be much higher than the cost of this bond issue.

The Jersey Conservators supports the Open Space Bond Issue. We feel that the environment and the economy are both essential for a healthy New Jersey. We support the \$450 million.

ASSEMBLYWOMAN OGDEN: Thank you.

Michael?

M I C H A E L F. C A T A N I A: Thank you, Assemblywoman. I appreciate the opportunity to testify.

The Nature Conservancy is a national nonprofit organization. It's devoted to identifying, protecting, and managing the best habitat for endangered species.

We commend you on the sponsorship of this Bond Act, and we wholeheartedly endorse it.

I would like to make a few comments. My name is Michael Catania, and I'm the Executive Director of the New Jersey Chapter of the Nature Conservancy.

Several of the speakers before me talked about opportunities, and this bond issue really is an opportunity for we, in New Jersey, to decide what kind of State we'd like to live in. It's not only a good opportunity; it may be the last good opportunity that we have.

One of the few good things about the economic recession that we're in is that it does give us the chance to take a look at where we'd like to plan for the future, where we would like to preserve adequate open space, where we'd like to preserve farmland, where we'd like preserve historic structures, critical habitat for endangered species, and recreational open spaces. It's not just a good opportunity, but it may be one of the last opportunities we have to do some very intelligent planning and open space acquisition in New

Jersey, so that makes it really critical right now, and I commend you on the timing of your efforts.

There has also been some discussion of the momentum that's been built up in both the Green Acres Program, the Farmland Preservation Program, and the Historic Program. That momentum is very important because with it comes the partnerships that have made these programs work in New Jersey. So, we're not just running out of money to continue these programs, but we're jeopardizing the continuation of these partnerships. By that, I mean the way that State agencies like Green Acres and the State Agriculture Development Board have worked with county agencies, including county park commissions, county park departments, county agriculture development boards, municipalities, as well as nonprofit groups, to together provide public and private dollars towards open space preservation and any other projects that will be funded by this bond issue. Continuing that partnership is absolutely essential, because if we let that fall apart, we may never be able to repair it. Quite honestly, Green Acres has been the glue that has held the open space part of that partnership together.

The role that the State bond funds have played since 1961 has really been critical, and that money has been very well leveraged by other levels of government and by other private agencies. So I was particularly pleased to see you continue the program with very good numbers in terms of funding, but also to continue the partnership in terms of the match for local governments and to continue the 50-50 match for nonprofit groups, because that really lets us take the State money and leverage it with other public and private dollars to really stretch it quite far.

A lot of the projects that Tom Wells mentioned when he was testifying earlier are projects in which there are county and private nonprofit groups that are involved. So it's not

only that we get to stretch the dollars, but we get to stretch the contacts, and we get to stretch the opportunities. Very often in the partnership that's developed with these public and private groups, there will be one group who may have a better contact with a particular landowner and can make an acquisition work. So we get together and we work cooperatively to really, not just stretch the dollars, but to stretch the opportunities as well. This bill is really essential to allow us to continue to do that.

We've also been able, through this process, to leverage some Federal money. Now the Federal money has been disappearing over the years. In the past, the Land and Water Conservation Fund was principal source of funding for a lot of the acquisitions that have taken place that are shown on that map. As everybody knows all too well, Federal dollars have been really declining, and New Jersey gets only a trickle of Land and Water Conservation money. So, that makes it really essential for the State to step in and do -- not only continue doing its share, but to try and fill that gap. This bond issue right now will let us do that.

There was a lot of talk last year about having a bond issue on the ballot and there was a lot of concern that it was not the right time; that we couldn't afford to do it. Well, one of the things I'd like to leave you with today is the thought that we can't afford not to do this. That it is true that our economy is in a recession, and it is true that we have tight budgets and we have to live with reduced services, but in terms of the opportunity that is provided right now for an additional bond issue, if we don't seize that opportunity, not only will it cost much more in the future, but it simply won't be available.

An analogy that I'd like to leave you with is that President Bush and a lot of other world leaders have been talking about an unparalleled opportunity to invest in what



used to be the Soviet Union, and it's an opportunity to shape the future and to avoid another Cold War and to avoid a lot of future defense spending. Well, I think this bond issue is a very similar opportunity to shape the future of New Jersey. If we don't do it now, if we don't manage to put up the dollars to provide to those programs now, not only will it cost much more in the future, but we simply won't have the opportunity to do it.

The other thing that I would like to leave you with is, I'd like to endorse the changes that Tom Wells suggested to you earlier, particularly those for the nonprofit match provisions of the legislation, and to say that the Nature Conservancy and all other partners in the nonprofit world stand ready, willing, and able to work with the State, counties, and Federal agencies to continue the wonderful partnership that we've had.

Thank you, and we support your proposal wholeheartedly.

ASSEMBLYWOMAN OGDEN: Thank you. When you talk about leveraging and working with other levels of government and individuals and organizations, in terms of the dollars of leveraging, could you give us a range of what you're talking about?

MR. CATANIA: Well, not only is it a 50/50 match when a nonprofit gets money, but--

ASSEMBLYWOMAN OGDEN: I mean is it like three times you would leverage it or--

MR. CATANIA: Well, it depends on the project area, but in many of the project areas -- Tom mentioned the Morris River Project area -- that happens to be an area that's targeted by the Nature Conservancy, by the Philadelphia Conservationists, so we're putting in dollars well over and above the 50/50 match. We'll probably be spending something like a 4:1 ratio in terms of our investments in that area. So again, that match becomes essential. When we know that we can

count on a certain level of State funding, it lets us go out and attract private donations not only to meet that, but very often to exceed the match.

ASSEMBLYWOMAN OGDEN: Any other questions, comments?

Thank you.

It's just come to my attention that there are two other individuals who are in the same car with Susan MacDowell and are going to have to leave with her. I'd like to give them a chance just, if they wish, to stand up and say if there's anything further that you'd like to add beyond her testimony. One is Len Franks from the Paulinskill Valley Trail Association and Charlene Kelly from Stonehedge. If you just have brief comments that you'd like to make?

L E N F R A N K S: Madam Chairman, Committee members: I'm pleased to have the opportunity to speak to you and give you just a few comments about the bill. We are for the bill.

Let me just tell you a bit about myself and the organization that I represent. The Paulinskill Valley Trail Committee organized some eight years ago to try to purchase 26 miles of the New York Susquehanna and Western Railroad right-of-way. As of this meeting, we still have not had Green Acres make that purchase. Green Acres was the prime candidate to make that purchase, so we had proceeded on that basis. In these last eight years I've had a number of lessons learned, and I just want to convey those lessons to you.

Our interest has been in open space conservation and forested lands conservation, and we found that by going with the project such as the abandoned railroad right-of-ways, that we could do that. The railroad passes through farmlands, and we know that those farmlands should remain and be protected. We have found a rich history in the railroad itself, and we would hope in the future, this history would be preserved. We believe that there should be a strong effort by nonprofit organizations to participate with the State and other organizations in open space conservation activities.

We developed a relationship with the Delaware National Water Gap Recreation Area for the consideration of loop trails from the recreation area to railroad right-of-ways. All of this we recognized would come through if we had a better handle on controlled development. So we are asking you to combine the idea of the controlled development and making purchases for open space.

Thank you.

ASSEMBLYWOMAN OGDEN: Thank you.

ASSEMBLYWOMAN WRIGHT: Can I ask a question?

ASSEMBLYWOMAN OGDEN: Surely.

ASSEMBLYWOMAN WRIGHT: Can you tell us the cost of the project, the 26 mile--

MR. FRANKS: Seven hundred thousand dollars.

ASSEMBLYMAN OROS: Are there any stations involved in this?

MR. FRANKS: Yes, there are. Well, the trail runs from the town of Columbia which is off the trail, it then goes to Hainesburg; there's Vail station; there's Blairstown. There are a number of stations along the railroad right-of-way.

ASSEMBLYMAN OROS: Do you feel that they have historic value, or that they're that type of buildings?

MR. FRANKS: Well, the buildings do not, you know, exist currently. We know what they looked like from old photographs. One of the things that we want to do is to preserve some of the unique bridges that pass through the river. The trail runs most of its way along the Paulinskill, and so we feel that that is a very important issue. We also feel that the lands between the railroad and the Paulinskill should be preserved.

ASSEMBLYMAN OROS: Thank you.

C H A R L E N E K E L L Y: Hi, my name is Charlene Kelly. I'm the Director of the Stonehedge Conservatory. The Stonehedge Conservatory is dedicated to wildlife

rehabilitation. Over the past few years we're rather alarmed at the fast rate at which prime habitat that is suitable for the release of our wildlife is falling to the blades of developers, so we are very much in favor of this bill, and we'd like to see it passed. Also, as the Chairman of the Mt. Olive Environmental Commission, who is dedicated and in the process of trying to preserve 267 acres within our community -- and is one of the municipalities that has already been told that there is no more Green Acres land acquisition funds available to us -- we are very much in favor of seeing this bill passed, because otherwise the Mt. Olive residents, which is the fastest growing community in Morris County, would not be able to protect ourselves from the indignity of overcrowding.

Thank you.

ASSEMBLYWOMAN OGDEN: Thank you very much.

Now, we'll go back to governmental agencies: From Morris County we have Diane Nelson of the Morris County Parks and Land Conservancy. We also have Julie Baron from the Morris County Parks Commission. If you'd both like to come up?

J U L I E B A R O N: I'm Julie Baron. I'm Chairman of Morris County Parks Commission's Land Acquisition Committee, and I'm very well aware of the need of a new Green Acres Bond Issue passed, and the Commission enthusiastically supports Assembly Bill 1151. We're pleased that the bill includes funding for nonprofit agencies to participate in the Green Acres Program. In combining efforts, public and private groups can make significant contributions to the preservation of our State's natural resources. With funding again available from Green Acres, we'll be able to work together on projects such as the Farny Highlands.

These forested areas located in northern Morris County serve to replenish and protect drinking water supplies for over one-third of New Jersey's population, and these same forested areas are habitats for an astounding number of plant and animal

species. In the long run, taxpayers will be spared the additional costs of replacement of lost water supplies if we can take action soon to protect our valuable headwater areas.

Last year, when it seemed that there might be voter reluctance to authorize new taxes, voters in several Morris County municipalities endorsed new taxes for the purpose of setting up local open space trust funds. We believe, in November, New Jersey voters will again strongly endorse a new Green Acres. We request that the Legislature move quickly to authorize this Green Acres bond referendum.

Thank you very much.

D I A N E N E L S O N: I'm speaking today for Stephen Greenberger, President of the Morris Parks and Land Conservancy. He is not able to be here, but he asked that I submit the Conservancy's endorsement of A-1151.

The Conservancy is a member of a coalition of open space groups working together to find ways to preserve the Farny Highlands. The Conservancy's spring 1992 newsletter describes the purposes and goals of the Farny Highlands Watershed Coalition. I'm going to leave a copy with you.

Green Acres funding to nonprofit organizations will help the Conservancy leverage its open space trust fund and thus take action to preserve lands threatened by development that would compromise water quality and destroy headwater forests.

Recently, several environmental organizations joined in efforts to get the Resolution Trust Corporation to withhold from auctioning off certain environmentally sensitive lands located in the Highlands region. Despite our efforts and a request from the Governor of New Jersey as well, parcels that had been identified as pristine headwater areas were sold at auction bargain prices. Had the Green Acres been able to fund these purchases, we believe that the Resolution Trust could not have denied our request to remove these parcels from the

auction block. This is just one example of the dire need for a new Green Acres Bond Issue to help open space organizations take advantage of opportunities to preserve large tracts of undisturbed forests.

The Conservancy will do all it can to generate voter support for the bond referendum, and we look forward to the Legislature authorizing its placement on the November ballot.

Thank you.

ASSEMBLYWOMAN OGDEN: Thank you. I know there was an effort on the part of, I guess, environmental groups to have certain environmentally sensitive lands taken off the auction block. Was that not successful?

MS. NELSON: It was not successful. It's unfortunate. It's really very unfortunate. It should have been clearly the duty of RTC to respond to the request of the Governor, to respond to the request of Green Acres, but they wanted assurance of funding to purchase these lands. And without the money available in Green Acres to help finance local municipalities -- to help finance nonprofits to repurchase these properties, they were not interested.

It's too bad.

ASSEMBLYWOMAN OGDEN: Lost opportunity.

MS. NELSON: Yes, but we don't want it to happen again.

ASSEMBLYWOMAN OGDEN: Yes.

MS. NELSON: Thank you.

ASSEMBLYWOMAN OGDEN: Thank you.

From Monmouth County, we have the Executive Director of the County Parks System, James Truncer. We also have Karen Fedosh from the Monmouth County Agricultural Development Board.

J A M E S J. T R U N C E R: (speaking from audience)  
Madam Chairman, I also have Ed Loud who is Vice-Chairman of our parks board with us.

ASSEMBLYWOMAN OGDEN: Okay.

E D W A R D J. L O U D: Madam Chairman, members of the Committee, I'm not going to take up much time here. I just want to restate what I've heard here over and over again this morning: that now's the time for legislation such as is proposed. We probably will not get another opportunity, be it money-- Maybe that will not be the question. The availability of what we want to do now, the land we want to preserve, retain, and put aside for the public good, just will not be there when the economy turns around. I think we're all aware of that and we have to move forward at this time. I know the people of Monmouth County will support this. I believe the entire population of the State of New Jersey will support this as they have all the Green Acres legislation that has been proposed since 1961. I just request that you move forward with this bill and see that its passed through the Assembly and the Senate.

Thank you.

ASSEMBLYWOMAN OGDEN: Thank you.

K A R E N F E D O S H: Thank you, Chairwoman Ogden and Assemblyman Warsh, for introducing this bill and for this opportunity to address you.

My name is Karen Fedosh. I work for the Monmouth County Planning Office, and I'm responsible for the County Agriculture Development Board's Farmland Preservation Program.

Today, easements have been purchased on almost 2000 acres in Monmouth County. This represents 14 farmers who, through their voluntary participation in this program, have shown their commitment to the preservation of farming. This also represents an investment by the State and County of almost \$14 million; seven-and-a-half million of that was State. All of our participants have used the money from the sale of their development rights to improve their farm operation. These farmers also speak to a variety of groups about this program has enabled them to continue farming in New Jersey rather than

moving. Quite often, farmers are forced to sell portions of their farm to generate income following bad years, especially when these years occur back-to-back.

With the revenues generated by this program, farmers are able to eliminate their current debt and invest in improving their farm. The restricted land remains privately owned and maintained, and there is no loss of tax revenue to the municipality. These funds are being used in project areas large enough to insure that farming operations will be viable enterprises and that the investment of public funds is appropriate to preserve a quality of life that so many are seeking.

Currently, Monmouth County has an additional 1700 acres -- which represents 11 farms -- in competition for the funds remaining from the last referendum. Using average easement values of the past, purchasing these easements will require approximately \$6 million of the \$20 million the State has. We have in hand another 2600 acres of applications representing 14 more farms, and anticipate the need for another \$10 million to acquire easements on those, alone. This doesn't include several other project areas in the county we would like to aggressively pursue, but cannot without financial assistance.

As Rob mentioned earlier, we work closely with the Farmland Preservation Program and the Park System, as well as various other conservation agencies. Several projects, especially along Crosswicks Creek, have been joint projects. Just last week we hosted the State Ag Development Committee and toured our project area, which in addition to being able to see where some of the money has gone, also showed the diversity and economic impact of the current agriculture uses of farms, the complementary relationship between Farmland Preservation and Public Parks in Monmouth County, and the ability of landowners, private nonprofit organizations, and government agencies to structure complex projects and leverage its costs and



benefits. The Farmland Program is also shown as an integral part of the local, county, regional, and statewide economic and land use considerations.

We feel that now is the time to take full advantage of the lull in the marketplace. This is a unique window of opportunity to preserve the farms that gave New Jersey its name -- the Garden State. We urge passage of this referendum in its entirety to the voters. We feel confident the public will once again overwhelmingly endorse all our preservation efforts. Just last year, to the surprise of the local township committee members, one of our municipalities passed a tax dedicated to farmland preservation. Our only suggestion is the insertion of the term "farmland" in the title, to say, "Open Space, Farmland, and Historic Preservation Bond Issue." This will clarify that farmland preservation is actually different and separate from open space preservation.

Thank you.

ASSEMBLYWOMAN OGDEN: Thank you, and that's a good idea about changing the title -- amending it rather.

MR. TRUNCER: Thank you for allowing us to be here today. I'm Jim Truncer, Secretary/Director of the Monmouth County Parks System.

I just wanted to briefly make a few comments as a cleanup batter here on our team this morning. First, I'd like to make the statement that our State's Green Acres Program is a success. Our State's citizens, since 1961, have recognized the Green Acres Program as providing essential infrastructure investment in our State and in its communities, not unlike our roads, sewers, and schools. We, in Monmouth County believe, as others also believe, that public and private funds invested in our public parks, open space, farmland, and historic preservation is necessary to our economic future and well-being.

The decision as to where people wish to live will more and more depend on the quality of life that our State and its

communities are able to provide. It's becoming more and more evident that businesses will locate where their employees wish to live.

Since 1961 through the passage of seven successful Green Acres bond referendums, Monmouth County and its municipalities have preserved over 10,000 acres and provided additional recreation opportunities. To date this represents an investment in Monmouth County of over \$73 million in Green Acre funds. Monmouth County envisions in its adopted Park, Recreation, and Open Space Plan, the preservation and County ownership of seven percent of the developed or the developable land within the County and County Park and Open Space for a total of approximately 19,000 acres. Currently County Parks and Open Space totals approximately 7400 acres and at the present time 2000 acres is in the process of being acquired. As you can see we have a balance of some 9600 acres left to be preserved.

Monmouth County has recognized three major issues facing the future of our County: 1) being potable water supply which is in the process of being addressed; 2) solid waste disposal which is an issue that is ongoing, and; 3) park, open space, farmland, and historic preservation. In the forward of our Park, Open Space, and Recreation Plan we state a few things that I would just like to mention: Imagine beaches, nature preserves, ball fields, marinas, permanently protected from development and open to the public. Imagine streams, ponds and rivers whose banks are accessible to the public, whose waters are stocked with fish and which are protected from erosion and flooding by sensitive land practices. Imagine a trail near your home where you can walk for leisure or exercise or where your child could ride a bike safely to school. Imagine a public golf course where waiting time is only 15 minutes. Imagine showing your grandchildren the farm where you were raised or the woods where you played as a youngster, instead of telling them what was there before the houses.

We respectfully request the Legislature and the Governor to again look favorably on allowing the voters of our State to decide on the continuing funding of this successful program.

Thank you very much.

ASSEMBLYWOMAN OGDEN: Thank you.

ASSEMBLYMAN OROS: I just want to make a comment.

ASSEMBLYWOMAN OGDEN: Yes?

ASSEMBLYMAN OROS: That's a fantastic record. That's fantastic.

ASSEMBLYWOMAN OGDEN: It's excellent. Thank you.

From Essex County we have Anthony Burke.

A N T H O N Y B U R K E: Assemblywoman, Committee, I just wanted to briefly take a second to go on the record in support of A-1151 and I will vigorously pursue support of all my Essex colleagues and the Assembly delegation.

Thank you.

ASSEMBLYWOMAN OGDEN: We appreciate that.

From the County of Hudson, William LaRosa.

W I L L I A M L a R O S A: Chairman Ogden, members of the Committee, I thank you this morning for having me here. My job is the Director of Cultural and Historic Affairs Office for the County of Hudson. I can't add much to what's been said this morning, but to give you, I guess, a firsthand account of how we have benefited by both the Green Acres Program and the Historic Trust Program.

The County, as you know, is probably the most densely urbanized county in the State of New Jersey, if not in the United States. Its 46 square miles and 12 municipalities are stretched to find recreational pursuits for the people of our County. Through the last several years, the County has improved its park system through the Green Acres Program. In fact, in the coming years we will create a new park in the town of Secaucus which will then have more pursuits with

conservation, wildlife, and ball fields for people out in the western Hudson County section.

In terms of historic preservation, the County actually is using both Green Acres and Preservation to save a historic house. There's a property in Jersey City called the Apple Tree House which is a connection to the founding days of the Dutch colonists. We will acquire the property through Green Acres and through the Historic Trust and hopefully in the years to come, preserve the house. That will be the first County museum house in our area. The other townships, Weehawken, and West New York have also benefited by the improvements of their parks along Boulevard East from Green Acres. Also, I think that the local organizations and nonprofits have also benefited by this Loew's Theater Project in Jersey City, the Borough Mansion in Jersey City and other areas of the County as well.

In closing my comments I'd just make two points. Again, of course, we support A-1151, but urban areas-- We tend to think that preservation, conservation is a suburban rural issue. Obviously it's not. If you're living in a 46-square-mile community on a peninsula, you're landlocked in some ways because of the stress for public use of lands. We really need the support of this bill to continue to provide recreational use for our community. I can't say enough about how important this is to us, as well as education of conservation, historic trust issues. I think it's important to never assume that people who are going to vote for this bill know what the issues are. I would find it's important that we make this a public issue, that how it's important for people to support preservation of historic treasures in our County, as well as in our State.

I think I would urge you all to think of more issues, educational issues, to support this thought: How we can bring to the voters the necessity to understand why it's important to save historic items? I think it's not just a person who has a home in some rural county who wants to save that. It's also

the neighborhoods, the older housing stock in the urban areas which needs to be addressed as well.

Thank you very much.

ASSEMBLYWOMAN OGDEN: I think that you know that I share your opinion about preserving open space in historic sites and structures in urban areas. In this bond issue, as in the previous one, there are both grants and low interest loans for urban communities.

MR. LaROSA: Yes, we do. We appreciate that very much. Thank you.

ASSEMBLYWOMAN OGDEN: From Union County we have Linda McTeague. Is she here? (no response) I guess not. I would like to call the President of the Council of Edison and two others from Edison who represent the Edison Wetlands Association.

J A N E T O U S M A N: First of all, I'd like to thank you for having this hearing here in Edison. We have a desperate need for open space. I'm not speaking for the Council today; I'm speaking as an environmentalist, as a citizen, and also as a member of Save Our Swamp which is primarily responsible for the Dismal Swamp. I feel that open space is desperately needed here in New Jersey.

In Edison, if we take the formula of 100 acres per 1000, we have grown tremendously. We have grown 20,000--

ASSEMBLYWOMAN OGDEN: Jane, just for the record, could you give your name?

MS. TOUSMAN: Oh, sure. Jane Tousman. I am currently the Council President in Edison, and the last name is spelled, T-O-U-S-M-A-N.

Currently, here in Edison, if you take the formula that was provided by the State of 100 acres per 1000, we have about 300-plus acres of open space. Our needs here in Edison are for about 900 acres for the current population of 90,000-plus. We've grown those 20,000 in the last few years.

The Dismal Swamp, which was litigated by a citizens group, would save approximately 235 acres of wetlands and would save about 30 acres of hardwood forest. Currently there is a study on the Dismal Swamp by the Army Corps of Engineers for a \$200,000 grant from the U.S. Congress. However, if the land is to be acquired, part of the land would be paid for with U.S. funds; the rest of it would come from New Jersey. And I really feel that if we have this Green Acres Bond Issue pass successfully, it will be exceedingly important to acquire that piece of land. In that land we have four ecosystems. We have hardwood forest, we have swamp forest, and for future generations we need to have the open space. We need to have the threatened and endangered species in there saved. We need to have the wildlife saved, and we also have an archaeological site in there which goes back thousands and thousands of years, and that is exceedingly important to the population of Central Jersey.

So, thank you very, very much for having us here today, and I do hope that the bond issue will pass. I support it wholeheartedly.

R O B E R T   S P I E G E L: My name is Robert Spiegel. I'm from Edison, New Jersey.

I would just like to thank all the Committee people for this bond issue. I think it's very important.

The Dismal Swamp which Jane Tousman was just talking about is a prime example of what we need Green Acres funds for. We've talked a little bit about-- I heard a little bit about a conversation about the technical end of how the money will be used, but it's important to understand why we need to preserve these lands. The Dismal Swamp was a pristine example of what type of property should be saved. It had -- still has -- very endangered species. It has a prehistoric Indian archaeological site, it's got farmhouses which were used in the late 1800s, and it's got a few other features which make it something that is worth saving.

Basically, why we want to save wetlands and forested areas are: trees are the lungs of the earth. They help to filter out the pollutants from industries and they help to provide clean air for us to breathe. Also, wetlands are used in filtering water to provide clean drinking water for future generations. They also provide habitat for rare and endangered species, which is also very important.

Right now the developers are waging war on it. This is the last rain forest, the Dismal Swamp. They went in there February 3 and without the proper clearances, started clearing forests, filling in wetlands and were granted exemptions from the first Water Wetlands Act by the State. The property itself, amongst the endangered species, and aside from the wetlands, has other values. It has a 5000-year-old prehistoric Indian archaeological site. It also has three other historic sites.

Edison declared that the other historical sites, because they were houses in the late 1800s, had no historic value, that nothing happened in the early 1900s worth keeping a record of. So they're presently bulldozing in these historic sites, and they're headed for where the archaeological site is, which for 5000 years has remained undisturbed.

Basically how Edison has celebrated Earth Week is destroying the Dismal Swamp. They are in there every day headed for the historical sites.

In closing I'd just like to say that one thing about historical sites, and it's a saying I'm sure we've all heard in relation to keeping them intact: Those who do not learn from history are doomed to repeat it. And that's something that has stuck with me every time I think about the destruction of a historical site and the destruction of the trees and forest.

Thank you.

**J O H N   S H E R S I C K:** Hello, my name is John Shersick, and I'd just like to say that I'm definitely for this bill,

wholeheartedly. I'm looking at the map there, and I hope this bill does something for our area. I'd like to see a little more green in Middlesex County. The rest of the State looks, you know-- I see quite a few green blotches, but our area definitely doesn't have, you know, much of that at all. I'd like to see with this bill a little more green in our area. That's about it.

MR. SPIEGEL: Are you talking about the turtles?

MR. SHERSICK: Well, just with the Dismal Swamp, that it's-- That would be a nice green area, then. You know, we'd have, if the Dismal Swamp was saved and the turtles that are in there are very rare-- You know, I've gone all over the State catching wildlife and turtles, and the Dismal Swamp happens to have one of the highest populations of spotted turtles that I've ever seen. It's going to be completely destroyed if something isn't done. Hopefully, this bill, if it's not too late, will definitely help us there. That's about it.

MR. SPIEGEL: Also, the picture that we gave you is of the spotted turtle and the wood turtle. The wood turtle presently is in area two and that's where the highest density of housing is going. No relief has been provided for these animals even though they're on a threatened species list in the State of New Jersey. Presently that area is scheduled to have the highest density so they're going to be filling in any areas that are wetlands where those turtle pictures were taken. We're trying to catch them and relocate them, but according to the State, that's illegal. But it's okay for the bulldozers to go in there and fill in the wetlands; that's acceptable. But to go and try to catch these animals and bring them to an area in the Highlands or somewhere else where they can live, that's illegal according to the State. So, that's why we're here today to testify. We would like to see this bond issue passed and something may be done if it's not too late to preserve the Dismal Swamp.



ASSEMBLYWOMAN OGDEN: I'm curious as to why the State gave this developer an exemption from the Freshwater Wetlands law?

MS. TOUSMAN: Okay, perhaps I could address that. What was claimed was, it was an extraordinary happening actually, in terms of letters of interpretation. Originally, we did come under the Wetlands Act, and then there was a reversal. I don't know of any case at all where that has happened; where one minute it is, and the next minute it isn't. And the thing that was claimed on that -- the Save Our Swamp Organization was a third party to all of this -- was that the conditions had changed out there magically, and actually, I don't know how that's possible because there was a judge, Judge Harding, who rendered a ruling that the first hearing was considered null and void because of a conflict of interest. The Chairman of the Planning Board was also doing business with the people who owned the Dismal Swamp, and that was found to be a conflict, and Judge Harding declared that the first set of hearings were null and void, which means that we had to start new hearings -- this goes back to 1986, and we're talking 1988 -- and what happened was, they claimed that the conditions had changed, but I don't know how you can say that a judge's decision that something is null and void could possibly be something that would be fluid, or that could be flexible, or that could be changed.

There's an appeal currently before the Commissioner of the DEPE and we're hoping that they lost the appeal that was put in by the attorney for Save Our Swamp, and we're hoping that the appeal will be heard, and that we can be heard on these issues, because everything is very, very strange as to how one minute you would be exempt from a Wetland Act, and how another minute you would not be exempt. So, that's the cornerstone. It's a very complex matter, but that's the cornerstone of what's happening with all of this.

There may be a hearing that would come down even though it was put in for in 1991. It seems to be a problem with getting acknowledgement from DEPE concerning appeals when you have them on wetland issues like letters of interpretation which involve stream encroachment permits.

ASSEMBLYWOMAN OGDEN: Have you also applied for Green Acres?

MS. TOUSMAN: I don't believe that since the earlier days we have applied for Green Acres. No. I believe that in the earlier days Green Acres officials came here and asked for the Township to apply for Green Acres, but I don't believe currently there is anything in on that. I believe that it was turned down by the Council that was in power at the time, and I don't think that subsequent to that there has been anything further done in that area. It's certainly something that should be contemplated.

ASSEMBLYWOMAN OGDEN: It has to be done by either the municipality or possibly the county, because the county could.

MS. TOUSMAN: Okay. I thank you.

ASSEMBLYWOMAN OGDEN: Any questions or comments?

ASSEMBLYMAN WARSH: Just to make some brief comments. I'd like to congratulate you. I've had many opportunities to congratulate you, but as somebody who stood shoulder to shoulder with you during these fights, not as your Assemblyman. So, I'd like to congratulate you, Bob and Jane, and John. You've been doing some yeoman's work for some years on this and we still have a lot of work to do. So, I thank you for coming today, and let's continue to work together on this.

MS. TOUSMAN: And we'd like to thank you for all that you're doing to help push this bond forward. It's so important, and we really appreciate that all of you are making this giant step forward in trying to get this Green Acres bond passed. We will do everything in our power to help support you on it.

ASSEMBLYWOMAN OGDEN: Good luck in your appeal.

MR. SPIEGEL: Thank you.

ASSEMBLYWOMAN OGDEN: Next, we have from the National Trust for Historic Preservation, Katherine Shuler.

K A T H E R I N E S H U L E R: Thank you. My name is Katherine Shuler, and I'm here today speaking as a representative of the National Trust For Historic Preservation. I'm a member of the National Trust, a 100-member volunteer board of advisors, and today, on behalf of almost 10,000 members of the National Trust in New Jersey, I'd like to voice my support for this bill. The bill and the bond act that it proposes, like the earlier bond act, will provide a much needed incentive for the preservation of open space and historic resources and farmland.

I'm not going to go through all of the things that I had noted to say, because a lot of people ahead of me have said them. I do want to make one comment, and that is the fact that the National Trust has a number of grant programs, one small grant program in particular, the Preservation Services Fund, which has been used by a lot of folks in New Jersey for historic preservation related projects.

However, the problem with this fund is that it's not available for the kind of things that the bond act is going to cover. It's not available for bricks and mortar work for historic preservation. So, we see that it's very important to have something like this bond act again to act in collaboration with the other funding that exists around our State, and we really support the passage of the bond act. We hope that it will pass successfully and we are ready to work behind it.

ASSEMBLYWOMAN OGDEN: Thank you very much.

Bill Foelsch from the New Jersey Recreation and Park Association.

W I L L I A M F O E L S C H: I was going to say good morning, but I think we've gone into the afternoon.

Madam Chairwoman, members of the Committee, it's a pleasure to be here today to address you about this important bill, and also to be amongst friends that we haven't seen in, I guess, a number of years. It looks like another coalition behind us.

My name is William Foelsch. I'm Executive Director of the New Jersey Recreation and Park Association. I have given you a prepared statement from the Association, and I will not read from that, at least, too much. I would like to say that we're in full support and encourage you to move forward with this bill. We believe the funding level is an appropriate level for the State to consider this year, and we believe it's one of the key priorities for the environmental movement in New Jersey.

We also note that these funding amendments as proposed are consistent with the needs identified in the recommendations made in the 1991 annual report of the Governor's Council on New Jersey Outdoors. I'm sure a number of other organizations stand ready to organize grass-roots support for this bill and hopefully make sure before this bill or one envisioned very much like this one, reaches the voters this November.

I do have a little bit different bent today in terms of what we'd like to see represented in this bill. The membership of our organization -- the administrators of public parks and recreation systems and the volunteers who serve on related park commissions, many of whom you've already seen today -- debated the allocation of funds in this program since the inception of the Green Trust Loan Program. We continue to be aggressive advocates of the permanent open space preservation both in the Green Acres and in the Farmland Preservation Program. Our statement here today is not to demean these efforts; we think that they are critical. We have, however, watched as the appropriations for Green Acres development projects have dwindled from approximately 2 to 1

acquisition to development ratio in the early 1980s to a more recent 5 to 1 ratio in the 1991 appropriations bill. All this curtailing of development funding has been a response to very intense land use pressures of the 1980s. We believe that the balance of appropriation categories in this bill must be more reflective of the 1990s, a need for greater emphasis on outdoor recreation facilities construction and renovations, particularly in urban and suburban parks systems.

We ask the Committee, today, to reflect upon Green Acres as an investment in community facilities, and also as an investment in our local economies. A typical park improvement project can provide more jobs and a greater variety of jobs than a similar investment in roadway, sewerage, or drainage projects. Beginning with engineers and architects, park construction contracts may involve heavy equipment operators, masons, plumbers, carpenters, electricians, paving contractors, fencing contractors, and landscapers. We think it makes sense in today's economy that this opportunity presented in this legislation provides stimulation to the State's economy reserving a greater portion of available funding for infrastructure improvements.

We propose a reservation of the minimum of 25 percent of the State Green Acres project funding, and approximately 30 percent of the local Green Acres funding, as proposed in this bill, for development purposes, bringing it close to a total of \$92 million. We compared this to the totals proposed for Open Space Preservation through the Green Acres, State, and local nonprofit organization aid, and funding for Farmland Preservation, our recommended amount comes to less than 22 percent of the full bill.

We are also proposing a new element be added to the Green Acres Program which would be funded through the amounts reserved for development projects. As of January 26 of this year, our State and local governments began to assess the

impact of the Americans with Disabilities Act, including the retrofit needs and improvement needs for public park and recreation facilities. While these assessments are still in progress, we are uncovering millions of dollars of potential expense for replacing, retrofitting, and redesigning these facilities. From resurfacing playgrounds to replacing rest rooms to resurfacing trails, our governmental units must begin a full scale effort to make appropriate improvements. We propose that within the Green Acres Program, as the State's only consistent source of outdoor recreation funding, a program be established to assist State parks, forests, historic sites, and fish and wildlife management areas to establish this program and begin complying with ADA responsibilities. We also ask that a similar matching grant program be established for local government needs.

We have provided to you with our testimony some proposed revisions to section 5 of this bill. Number one on that list is a slight modification in the amounts of money available for both the State and the local program. In deference to our good friends in the State Park Service and the State Fish and Wildlife, we do believe that the funding amount envisioned in this bill, for Green Acres specifically, is about a three-year program. The amounts seem to be balanced at the current writing of this bill between State and local. Yet we find that local needs are usually a little bit greater than what the State could possibly spend in a three-year period. So, we're asking for a slight modification in the amounts to increase the amount of money available for local.

We're also asking that you consider our request for that minimum number for development within the bill, and of course we've provided some language which would establish \$3 million for State improvements for compliance with the Americans With Disabilities Act, and a \$7 million matching program which would include local improvements for counties and municipalities.

We thank you for the opportunity to testify today. I certainly hope you can move forward with the bill, and we hope to help out with it.

ASSEMBLYWOMAN OGDEN: Thank you, Bill. We'd be glad to consider your proposals.

One point to be made about the local funding, though, is that, as you know, it's the 2 percent fund that keeps getting replenished, and so, there's a continual reimbursement of the local dollars.

MR. FOELSCH: Even with the reimbursement we've seen that the appropriations process slide to a 6:1 ratio right now, and that concerns us. We are responsible for making sure the public has access to these facilities and that the outdoor recreation needs are fulfilled in those communities. We do agree with emphasis of the bill, and under the current priority system it certainly has worked where the acquisition becomes the highest priority. Yet we've seen within the regulations as identifying the priority system for Green Acres applications, that it really discourages many municipalities and counties from coming forward for very well needed development projects. As a matter of fact, as I provide technical assistance to communities around the State, I often at least give them limiting language that they should retain a much smaller scope of project and consider other alternate sources of funding if they can be found, for development projects. Right now the balance is tilted away from what we originally envisioned it to be.

ASSEMBLYWOMAN OGDEN: Thank you. Thank you very much.

From the New Jersey Audubon Society, Bill Neil.

W I L L I A M R. N E I L: Good morning, Maureen, and it's nice to meet some of the new Assembly members for the first time.

New Jersey Audubon Society appreciates the chance to testify before this Committee on this Preservation Bond Act of great importance to the people of our State.

We come before you both to think out loud and endorse the tremendous need for a substantial bond issue to preserve our open spaces, wildlife habitats, and historical heritage.

Without a blink of their eye, we can say that the entire sum on the table here, \$450 million, could be used to purchase the 150,000 to 250,000 acres of private, unprotected, forested watershed habitats in the New Jersey Highlands alone. But we know, as well, that most municipalities, and especially urban ones, are having pressing recreational and sheer "breathing room" needs in areas throughout the rest of this State. So even this sum pales before the growing logjam of State and local projects.

But we know as well that powerful political and economic forces have their own competing projects and needs to address, such as sewerage infrastructure problems from the distant past and to accommodate future growth. We need to make sure that old problems are cleaned up but that the allocation for future expansion follows the guidelines and logic of the State Plan. Some of these needs are closely tied to existing environmental protection missions such as that of the New Jersey Pinelands Commission which needs some \$30 million to treat the wastewater that will be generated by the construction in their designated growth areas.

This is part of the constraining context in which the request for \$450 million will have to compete with other issues and that, so we were repeatedly told in 1989, has a total upper cap limit of \$500 million for any given year for all bonding purposes.

And certainly the two great variable and ultimate constraints are the mood of the voters and the financial situation of the State and country in the fall of 1992.

Having put this Preservation Bond Act in that perspective, we must also say this is a good time in a thrifty consumer "stretch the dollar" sense, to purchase open space -- at the very bottom of the real estate market.



But given this tremendous unmet need and demand for the purposes of this bill, and the constraints that are sure to crowd in and try to reduce this sum, we are therefore mindful that acquisition tools need other allies in the cause.

The words of the 1973 Task Force Report Sponsored by the Rockefeller Brothers Fund, called "The Use of Land: A Citizens' Policy Guide to Urban Growth," put acquisition in the proper perspective:

"Since it is neither feasible nor acceptable for governments to acquire the vast agricultural and natural areas that ought to be conserved within future urban regions, mechanisms to protect privately held open space are essential. Without such mechanisms, even moderate objectives of protection programs are unlikely to be achieved.

"The land market as it operates today is the principal obstacle to effective protection of private open space."

This report was edited by the current head of the EPA, William K. Reilly, and endorsed by, among others, Pete Wilson, current Governor of California, and James W. Rouse, who was in 1973 Chairman of the Board of the Rouse Company.

We cite this report because, remarkably, these thoughts were written down before the concept of Transfer of Development Rights, or TDRs, had wide circulation. And, remember, we did earmark some \$20 million in our 1989 Green Acre Bond Act for a statewide TDR bank, which has not been appropriated because the Assembly has failed to pass a statewide TDR bill. So as we consider the great demand for and the scale of the appropriations before us today, we need to remember that wherever political reality sets the final appropriation figure, that the TDR system is the best way to leverage tax dollars and save open space because the TDR market itself raises additional money through the intensified demand for the TDR credits. It is the logical and necessary complement to Green Acres Bond Issues.

And one closing thought: Our Green Acres Bond Acts are by necessity, driven to address a pretty piecemeal approach to small or supplementary conservation goals. Except where they can extend the area of already existing large tracts of open space, this piecemeal approach will not do the job, alone, of saving large, special, environmentally important areas, such as watersheds, nor will the State Plan, entirely. So we invite both parties of the Legislature to work with us in the conservation community to pass the TDR tools to complete the picture and support the soon to be released Skylands Task Force report and the work in progress of the Highlands Work Group now chaired by Christopher Daggett.

Thank you.

ASSEMBLYWOMAN OGDEN: Thank you very much, Bill. You know that we tried valiantly to pass TDR in the Assembly.

MR. NEIL: I was unaware, Maureen, how far ahead it had gotten, and, you know, it was a contrast between the fairly easy passage in the Senate, and then just hanging. I sent some letters on it. I don't know how close we came, really. I don't have sense of, you know, how close it was.

ASSEMBLYWOMAN OGDEN: Well, I'm thinking back about two or three years with Bob Shinn's bill.

MR. NEIL: Uh-huh (affirmative response). Yes.

ASSEMBLYWOMAN OGDEN: It's three years, at least, I guess.

MR. NEIL: I guess I'm going back to the most recent history, but it is, you know-- In terms of leveraging dollars, I've had a theoretician of TDR, Bud Chavooshian told me that in theory, he feels even without a bank -- and I don't want to go so far as that; I'm uncomfortable with that -- that if people would accept it, including the opposition, farmers, and the builders, that's crucial to its success-- He feels that we could actually see it exceed market value of land for the TDR credits if people were willing to accept the premise of the

system. It does have a multiplier effect in that it's somewhat like Eastern Europe: If you have people fighting the development of the market and saying it just can't happen, once people accept it, it ought to approach market prices so that you do meet the equity problem. It's the uncertainty and fear that are holding us back. But, I think it is a complement to this, because we don't know where the final figures are going to come out and there are tremendous other competing needs going to be pressing in. So, the need for every penny that you've appropriated is there; no question about it.

ASSEMBLYWOMAN OGDEN: But it's also true the State needs other strategies. That's very true.

MR. NEIL: Yes, and we didn't want the fact that we came close before; that it was in the previous Bond Act to be overlooked and ignored. It's a kind of an unfinished agenda, and we just want to put that back on the table, today.

ASSEMBLYWOMAN OGDEN: Well, it was in the '89 Bond Act, but hasn't been spent.

MR. NEIL: Yes, and that makes some sense in the sense that it couldn't be or shouldn't be till the tools are given the legislative go-ahead. Is that your sense of it?

ASSEMBLYWOMAN OGDEN: Yes, it's tied into the pilot project in Burlington County.

MR. NEIL: Okay. Thank you.

ASSEMBLYWOMAN OGDEN: So, I think it's between Assemblyman Shinn and the Governor.

Any questions or comments? (no response)

Thank you.

MR. NEIL: Thanks.

ASSEMBLYWOMAN OGDEN: Is Eleanor Campbell here from the New Jersey Conservation Foundation?

E L E A N O R S. C A M P B E L L: I handed out some information in addition to a copy of my written comments that may be of interest to you. The Farmland Forum is a publication

that we put out -- part of our longstanding cooperation with the State Agriculture Development Committee and the county agriculture development boards, just to show statistics as to where that program is.

Good morning, and thank you for this opportunity to speak in support of the Open Space and Historic Preservation Bond Act of 1992. My name is Eleanor Campbell, Special Projects Coordinator for the New Jersey Conservation Foundation. The New Jersey Conservation Foundation is a private, nonprofit, charitable organization dedicated to the preservation of open space and the conservation of New Jersey's unique natural resources. With 5000 members, NJCF has helped preserve approximately 50,000 acres in New Jersey during the last 31 years.

The New Jersey Conservation Foundation strongly supports A-1151. This legislation is vital to New Jersey's continuing efforts to preserve its dwindling natural, agricultural, and historic resources for future generations. If New Jersey is to be a strong economic competitor in this country and worldwide, then providing amenity, open space, and ample opportunities for recreation, as well as maintaining rural character are essential.

Demand for Green Acres funding to preserve open space has been demonstrated repeatedly by the actions of New Jersey voters since the first bond referendum in 1961. Applications to the Green Trust for local land acquisition projects have consistently outstripped available funding. In the interest of brevity, let me skip my statistics there, as they have already been enumerated by Tom Wells.

I will go on to say similar support has been registered for preservation of farmland in New Jersey as evidenced by voter approval of bond referendums in 1981 and 1989. These statistics, I think, show the program's popularity. The State Agriculture Committee estimates it will

be able to purchase the development rights on about 6000 acres in 1992. Preserving those 6000 acres will exhaust current funding for the Farmland Preservation Program. However, it's estimated 450 farms encompassing 45,552 acres applied to sell their development easements in this round. Clearly, interest in preserving the land for agriculture in perpetuity through the sale of development rights exceeds available funding.

Let me put my emphasis on the nonprofit program which directly interests us. A new program for nonprofit conservation organizations, initiated with the 1989 Bond Act, is now generating even broader support for the highly effective Green Acres Program. This program provides for 50 percent matching grants to qualified organizations. It is a program which provides not only strong incentives to local organizations to get the best price possible for valuable conservation land, but stretches government money by matching it with private funds.

Last year, Green Acres approved 24 projects submitted by 19 nonprofit organizations, encompassing over 7344 acres in 12 counties. Projects include a stream corridor protection project in Hunterdon County, a riverfront park in Phillipsburg, large additions to migratory bird wetlands habitat in Salem and Cumberland Counties, and much needed recreational lands in Mercer County. The cost of these projects is estimated at \$29 million, of which Green Acres will fund \$10 million, the amount authorized under the 1989 Bond Issue. Thus, under this new program, State government is seeing its purchasing power almost tripled.

Without this bond issue to ensure the continuation of these programs beyond 1992, significant initiatives and momentum will be lost. We urge you to support this bill and ensure that these invaluable programs continue to be funded.

Thank you.

ASSEMBLYWOMAN OGDEN: Thank you.

Hermia Lechner from the South Branch Watershed Association.

H E R M I A L E C H N E R: Good afternoon. I'll be very brief because most everything has been said today.

I'm representing today the South Branch Watershed Association and also the Hunterdon County Conservancy -- the Heritage Conservancy. The Heritage Conservancy is an offshoot of the Watershed Association because we felt that preservation of land and open space was a big job, more than we would take on with our other programs, so the Hunterdon Heritage Conservancy now is in operation. As you probably know, when you start a new for nonprofit, they have projects, enthusiasm, and no money. So that's where we're at.

As I see it today, the first order of business is to get this bill passed and get it on the ballot for the referendum. The next thing is to get the referendum approved, and then the final thing is, of course, the implementation. We, of course, support getting this on the ballot and we will support working for the referendum.

I would like to point out that no matter how large a bond issue we put through, it will never buy all the land that we want to preserve in New Jersey. We just cannot buy it all, so we need other strategies and I think we should look at our bond in that fashion and, perhaps, we need some flexibility in the use of the money. I wouldn't know what it is, but I just throw that out as an idea; that we don't make it so structured that we limit what we can do.

We have recommendations, findings from the Governor's Council on the Outdoors. Your own council did an excellent report on open space; what is needed? Then we have the policies and objectives of the State Redevelopment Plan. All of these things mesh together, and somehow, I think, they need to have a common meeting ground with the people who implement these things, because we work in a diversified fashion. If you

talk about State government being compartmentalized, the private sector is equally so: one applies for a historic grant, somebody applies for farmland, somebody applies for something else. These things are all interrelated; everything is connected. We need to connect both the policy and the implementation of it.

I would ask that, perhaps, your Committee give some thought to that and it may be we need a brainstorming task force that addresses that kind of thing: How do we put it all together that we get the most mileage from what we have? I think the public private sector is working together very well but, again, you have some people over here doing some good things; some people over here have some great successes. They need to be put together so that those strategies become a form that you can work with. I think this is very important. Somehow, I see us all going in the same direction by different routes. There's nothing wrong with that, so long as we get a little bit more coordinated, I think both in the use of the money, the implementation, and in working together.

Farmland doesn't want to be called open space, and I don't blame them. If I had a farm and I'm working hard, I don't want that regarded as open space because somebody's going to run his left-footed feet over that thing; that's open space. But, it falls into the same category, and we can't be working here and here. We have to work together on this. I think one of the things happening in the Musconetcong Valley, I think, is something to look at. Where you have private, public, Federal, State looking at an area for the historic, the farmland, the open space, recreation, fish and wildlife, and the whole thing, so that coming up with a coordinated approach, and I think that wherever that can happen we should encourage it. Perhaps that's a good example we should watch and look at.

These are the things that I look at when I think of five-hundred-and-some million dollars in bond money. So people

aren't squabbling to get it, but they're working together to use it and get the most mileage from it.

Another aspect that comes to mind: We have a lot of open land out there owned by people who have a fondness for it. It's not agricultural land. One of these days they're going to lose it, because they're mortal and very often in order to settle the estate taxes, the land is sold and goes off into development. We need to take a look at that situation and see if there's some way that these people can fit into the program. We can't buy all this land; we could put easements on it. There's a lot of this land around that comes up to the Watershed Association and to the private organizations: "I have 100 acres," -- and the person's 80 years old -- "what am I going to do with it?" "What's going to become of it?" There should be a tax break of some sort on that kind of open land. I believe farmland, which is working land, should have the most, and you don't want to confuse the two, but there's a value there with our wooded ridge lands and the open land that we can keep.

These are about all I have to say: Some flexibility in the use of the funds so that we don't tie it down so when we come across things that we can do, that we're not able to put our hands on the money to do it. I think this happens to us sometimes.

The other thing: I think nonprofits very often, as you well know, can work to get land at a better price -- make different kinds of arrangements with people -- than State agencies can do, and people will work with them. So, they're out there looking for things and finding them, and I think this is where I say we have to work together on them. I think it's the next thing for us to look at.

In the meantime, let's get it on the ballot and get it passed.



ASSEMBLYWOMAN OGDEN: Hermia, when you're talking about more flexibility, are you talking about different allocations within the bond issue or you talking about "X" dollars that could be available if one particular area's money is all gone, or something?

MS. LECHNER: It comes in, I think, in using the money. It's not putting "X" dollars on it, but some things we have 50-50 grants; sometimes we might have 75-25. I think what we've brought out here in some of the testimony was using "in kind" for some of your match.

ASSEMBLYWOMAN OGDEN: That was for small historic preservation applications.

MS. LECHNER: Small historic things-- Maybe if you have historic combining with Green Acres or recreational or with farmland or whatever, that they get together on it and these funds can sort of be melded to do things. I don't know just how you would do it, but I think it needs investigation so that we can do that sort of thing.

ASSEMBLYWOMAN OGDEN: Maybe with what you said is going on and as a regional project in the Muskonetcong Valley would offer some guidelines.

MS. LECHNER: I think that's one where you have one group getting some easements on farmland, you have another group that's doing maybe an outright purchase and partial development, and the rest of the land set outside. I think the planning community is-- The local planning boards are just not with it when it comes to getting land reserved. One of the things-- We've made a recommendation to the State Plan that could go out to municipalities. We talk about Transfer of Development Rights, you don't have to worry about it. If you had three property owners who wanted their lands -- say they had 200 acres between them -- whatever the density is on those 200 acres could be mutually transferred to one point. Now, if the planning board will let them do a village kind of

development, in other words, half acre lots, then you go to alternative sewerage treatment. Instead of having one these palaces that you run it through, you put it through your lagoon system which is with a high degree of aeration -- which is a system, incidentally, which is coming to New Jersey, finally. You could have open land. You could irrigate your farmland, you see. This is the kind of thing I talk about -- when you put it together, and you begin to do things.

We have a project like that, incidentally, in my township. We have 500 acres and the planning board is willing to let them move all this stuff over. Here, again, the idea and everything, we need a little bit of money to move it, and it will move. But, I think you need a few examples like that around the State. That's why I say we should be flexible in how we --

ASSEMBLYWOMAN OGDEN: Hermia, you've always been in the forefront of imaginative land use planning. I'm glad you're still doing it.

MS. LECHNER: I'll tell you how to do it. (laughter) No, I got very interested-- I'm into sewage now, as you well know. But, in Illinois they're doing it there-- Roland Shaeffer put in -- they've been doing it for 10 years -- very deep lagoons 20 feet deep, aeration pipes three feet off the bottom. The whole thing takes air compressors, some pumps to pump the water out, and a thing they call the "muffin mixer" takes the sewage in. They treat it for, instead of for eight hours, for eight, 10, 14 days. It goes back on the land. You're putting out absolutely pure water, and that's all you're doing to it. If you're not adding chlorine, if you want to run it through a sand filter, you do. We've sold a couple of those now, and I think we finally got people from the top echelon in New Jersey to go out and see these things. So, you know, we can do them. That can be done.

These are the kind of things that come in to save land rather than just buying it.

ASSEMBLYWOMAN OGDEN: Yes. That's right.

MS. LECHNER: I would like to see us brainstorm some of those things sometime. See what happens.

ASSEMBLYWOMAN OGDEN: And tax incentives, too, for people to keep open space, other than just preferential treatment for the farmland. It's been an idea that's been in my mind, ever since I've been on the Environmental Commission in the early '70s. Whether it requires a constitutional amendment to do it or not, is something that we haven't resolved.

MS. LECHNER: I don't know-- That's not my bailiwick, but I think it would save-- You'd still have rollback tax if that land were sold for development--

ASSEMBLYWOMAN OGDEN: Currently for farmland; but only for farmland.

MS. LECHNER: No, the open space, too. I think if you gave them a tax break, then if it's taken out of that category and it's developed, put to commercial use, then I would say a heavy rollback, if you want to discourage that from happening.

Thank you very much. I wish you well.

ASSEMBLYWOMAN OGDEN: Thank you.

From the Passaic River Coalition, Ella Filippone. Before you start, Ella, I'd just like to take this opportunity to announce that David Kronick, Assemblyman on the Environment Committee, has just joined us. He's come all the way from Hudson County.

ASSEMBLYMAN KRONICK: Thank you, Madam Chairman

ASSEMBLYWOMAN OGDEN: We're sorry you missed the spokesman from Hudson County. Maybe he's still here, Dave, but we certainly appreciate you making the effort to come for part of the hearing.

New Jersey State Library

E L L A F. F I L I P P O N E, Ph.D: Chairman Ogden, members of the Committee, I'm Ella Filippone, the Executive Administrator of the Passaic River Coalition. We appreciate the opportunity to comment on A-1151, a bonding proposal for open space and historic preservation. We support the initiative for \$450 million and will do all we can to educate the public on the critical need for the acceptance for this bond act.

We, with others in the environmental community, have just concluded a whirlwind effort, seeking to save vital parcels of open space in the Highlands for the people of the State, which were sold on the auction block by the Resolution Trust Corporation on April 21.

For the past year, the U.S. Forest Service has been working on a report on the value of the New Jersey/New York Highlands. One of the primary recommendations, supported by the people of the State, is the acquisition of open space lands in the Highlands Province. Thus, two weeks ago, when we learned that the 13 parcels of raw, undeveloped land was to go on the auction block, we sought out the Governor and members of Congress to take these parcels off the auction block. In such a short period of time, the Governor, Senator Lautenberg, and Congressmen Torricelli, Gallo, Zimmer, and Roukema responded by requesting that these parcels be taken off the auction block. We all were unsuccessful.

The statistics are noteworthy: Of the raw, undeveloped lands in the Highlands, including one small parcel, the total assessed value was \$11.5 million. The auction price came to \$5 million, or 44 percent of the assessed value. For all raw, undeveloped land in the State of New Jersey, the total assessed value was \$29.8 million. The auction price came to \$14 million, or 47 percent of the assessed values. We have charts attached to our statement which will show you the assessed values and the auction block price, and the percentage

of the assessed value. The lowest was 17 percent. It was really a giveaway.

Before this Bond Act can go before the citizens of New Jersey, additional opportunities will be lost as other auctions will be held. Under the current process, RTC guidelines are not clear, and while we who are familiar with the open space sites which have been auctioned off were never notified, nor asked regarding whether they are environmentally sensitive land, RTC maintains that they have met their guidelines. A first turndown action, based on high assessments, has not been and could not be successful.

While we pursue a \$450 million bond issue, we strongly recommend that a process be established within the New Jersey Department of Environmental Protection and Energy to respond better to the RTC in order to obtain the large tracts -- or at least hold them -- which become available in such areas as the Highlands. In addition, we must have a more vigorous program to acquire lands around reservoirs, greenways alongside our rivers and streams, with a stronger emphasis on Category 1 waters, and wetlands within the floodplains of our major river systems. Furthermore, we must recognize that acquisition of lands in the public interest have many benefits, and such acquisition cannot and should not become part of the phony economics used by agencies of the Federal government to justify poorly conceived projects, such as the Passaic River Flood Tunnel. Good environmental stewardship should not be used to justify poor engineering.

We respectfully request that some amendment be added that states that Green Acres moneys not be used as matching moneys for any public work projects that have not been fully supported by the Legislature and the State of New Jersey. I think that it would be a great injustice to use Green Acres lands in the Passaic River Valley and Green Acres moneys that will be spent in the Highlands to justify a project that very

few people want, and if the Green Acres moneys are to be used for such a project, it should be put to a referendum before they are used for a match.

We are very fearful that a project that we strongly support, protection of our watershed lands -- the Highlands -- that those moneys that would be invested in the future will be used as matching moneys for this terrible flood tunnel. Therefore, we ask that some kind of language be included in this issue to safeguard the good stewardship of the intent of the people who support this kind of issue in a generic form, because while we are suffering and fighting against this flood tunnel, there will be other projects that could coop the intent of the Green Acres program and use it for match.

ASSEMBLYWOMAN OGDEN: Well, you're saying that you believe that Green Acres lands would be used as part of New Jersey's contribution to the overall Passaic River Tunnel.

DR. FILIPPONE: Yes. We have substantial moneys that have been invested in the Great Piece Meadows in Fairfield, the Troy Meadows in Parsippany, Troy Hills, West Essex County, Morris County parklands, which Green Acres moneys have been used over the years throughout all these many bond issues. And the way the approach is going at this point in time, it looks as though even lands in the Highlands and in the highest areas of Morris County could be used to be part of the matching program. In our opinion, that is not in the public interest, and is not what the Green Acres Program originally meant to be. Moneys that we now have obtained, that we would use as a nonprofit organization to acquire environmentally sensitive lands, could also be used as a match for a big public works project, and you must recognize that the cost of that project is now at \$2 billion. They haven't started it yet, and New Jersey's share is either in money, or in kind, of \$500 million. So, if you begin to take the Green Acres investments over the past 15 years, some of that land -- and the

appraisals, I understand are going on now -- could be used as a match. I don't think that was ever the intent of the Green Acres Program. It certainly isn't the intent of people who have voted for these programs over the years. If a public works project has merit, it should stand on its own feet and have a value for its own purposes and not bring in the programs, such as the Green Acres Program.

ASSEMBLYWOMAN OGDEN: Thank you.

Questions, comments? (no response)

Thank you very much.

Is there a spokesman here for the Pinelands Commission? (no response) The Sierra Club?

T I M O T H Y D I L L I N G H A M: Good morning, Assemblywoman Ogden, and members of the Committee. My name is Tim Dillingham. I'm the Chapter Director of the New Jersey Chapter of the Sierra Club, representing 18,000 members in the State.

I'd just like to commend the sponsors of this bill for this initiative. This bill, in creating a viable ongoing funding source for open space, farmland, and historic resource preservation provides an important, perhaps even critical tool in our efforts to protect the character and future of the communities in New Jersey.

The acquisition of critical areas is a fundamental element in a land use strategy for New Jersey which would help to protect our economic base, hedge against the spiraling public costs associated with urban sprawl and protect those critical areas essential to our quality of life.

The other elements of this strategy must include thoughtful planning and efficient and appropriate regulation. Adequate funding of land acquisition will complement the objectives of the State Development and Redevelopment Plan and relieve some of the burden from the regulatory programs which are currently under attack.

I'd just like to reiterate the points that have been made by many speakers this morning that from a business perspective, now is an opportune time to take advantage of the current real estate market. We need to be smart shoppers and not miss the deals available, especially the ones that the Federal government seem so happy to offer.

Finally, I'd just like to commend the aspects of the bill for the practical tools that it establishes to meet its objectives; the provisions of low interest loans, while will greatly enhance the buying power of municipalities and reduce the financial burdens of acquisition, helps us to avoid the dilemma of watching our open spaces disappear and become yet more development with its accompanying public costs on schools, sewers, and services because of the fear of increased bonded indebtedness.

Likewise, the provision for the transitional payments in lieu of taxes, I think, directly addresses one of the paramount concerns of local governments in open acquisition. So, I'd just like to say that the Club's very happy to see this initiative. I agree with the other speakers this morning, and members of the Committee. This is timely and one of probably the most important issues facing us at this time.

Thank you.

ASSEMBLYWOMAN OGDEN: Thank you.

From Cranbury, we have Betty Wagner with the Historic Preservation Society.

B E T T Y   W A G N E R: Thank you, Madam Chairman, and members of the Committee. I'm Betty Wagner, Chairman of Special Projects of the Cranbury Historical Society. We have been a recipient of \$40,000 for the restoration of the grist miller's house, dated about 1860, under the second round of matching grants by the New Jersey Historic Trust.

When Cranbury was designated a State and national historic district, it was described as the best preserved 19th



century community in Middlesex County and was cited for its outstanding street scape. The Grist Miller's house is a part of that street scape, and was threatened by the demolition. For us, in addition to its financial assistance, the grant added credibility to our project and increased our ability to raise funds in support of the project, and garner volunteers and local support. The State's recognition of the validity and historic value of our preservation endeavor have been pluses, and we are grateful that the State has aided us in preserving a part of historic Cranbury's street scape which might otherwise have been lost.

Our Society wholeheartedly supports Assembly Bill 1151, the Open Space and Historic Preservation Bond Act of 1992.

Thank you.

ASSEMBLYWOMAN OGDEN: Thank you.

Did you want to say something?

ASSEMBLYWOMAN WRIGHT: I just want to observe that this is my Main Street where I grew up, and I'm very proud of the work that Betty Wagner does. She's one of our outstanding volunteers in points of light in District 14.

Thank you.

ASSEMBLYWOMAN OGDEN: We have several comprising a delegation from Bergen County in terms of historic preservation: Schuyler Warmflash who is from Teaneck with Preservation New Jersey and the Bergen County Historic Sites Advisory Board, Virginia Mosley, Borough Historian from Tenafly. Let's see, Robert Miller, is he here also?

VIRGINIA T. MOSLEY: (speaking from audience) Mr. Miller did not come today.

ASSEMBLYWOMAN OGDEN: Oh. Florence Leon from The Hermitage of Ho-Ho-Kus? Is there anyone else from Bergen County who would like to be a part of this delegation and speak? (no response)

**S C H U Y L E R   W A R M F L A S H:** My name is Schuyler Warmflash and I represent not only the Historic Sites Advisory Board of Bergen County, but Preservation New Jersey, which is the statewide preservation organization. We take a position of strong support of all of the components of this bill, and I would like to address the historic preservation element with which I have some expertise.

When you are the 25th speaker, you don't have much new to say. I think that a lot of good points have been made here. I'm very pleased to see that the three speakers within the past half hour or so, have pointed out the relationship between this bill and the State Development and Redevelopment Plan. The second section of the bill indicates that there are opportunities to implement the New Jersey Statewide Comprehensive Outdoor Recreation Plan, and I just offer for your consideration the possibility that you might include that this bill would promote implementation of the State Development and Redevelopment Plan, which has very strong environmental components in historic preservation, open space, and preservation of agricultural lands.

I served on the committee that advised the Historic Trust on capital needs assessment, and I had an opportunity to really see firsthand what the need out there is. The number \$400 million was mentioned as a capital need. I would like to point out that that is just a portion of the need because it was based upon a survey, not upon an inventory. Also, we're talking about limited eligibility; we're not talking about privately held sites, we're talking about nonprofits and governmentally owned and also sites on the National and State Register. Beyond that you could take a multiplier, orders of magnitude, and you can go up to really large numbers.

The 1987 funding bill was a start. I think that we were hopeful at that time that it would only be a first step, and we're very pleased that this is the second step along the way.

I would like to say, insofar as Bergen County is concerned, there are four organizations that have received in the order of around \$600,000 in grant awards, and that has permitted projects to go forward that otherwise might have had an uncertain future. We are most appreciative of that. Included were the Bergen County Courthouse, the Little Red Schoolhouse in Lyndhurst, the Hermitage, and the Tenafly Railroad Station.

I'd just like to repeat our support for the bill and urge you to support it and push it through as you can, and I turn this over to Virginia Mosley.

MS. MOSLEY: Madam Chairman, I'm Virginia Mosley. I'm Borough Historian for Tenafly, and I'm also Chairman of the Tenafly Historic Preservation Commission. I'm also on the County Historic Sites Advisory Board.

I'm wearing my little donkey to make me remember that not everybody knows what a Borough Historian is. My high school class had a reunion and didn't put in that I've been Borough Historian since 1953. They couldn't imagine anyone who would want to be a historian to a four-legged animal. I think many people look on historic preservation as a four-legged animal. So, as Borough Historian for 40 years, I've tried to add to the education of the people in our community. My alma mater, the University of Colorado, has this saying: "He who knows only his own generation remains always a child." I think we all hope we mature. I have copies of bookends for you. This is of the railroad station. On the back table there are six other different bookends, including one for the Palisades, which is a National, Historic and Natural Landmark.

Thanks to the Green Acres funding of the 1960s, Tenafly was able to purchase 273 acres on the back side of the Palisades. When the Department of the Interior evaluated the Palisades as a natural landmark, I was one of the nominators, and I had the privilege of taking a representative around to see what is involved in becoming a natural landmark. We have

protected a fragile slope there in Tenaflly, and I'm sure you're all aware of what is happening to the north of Tenaflly, with the attempt of people to get the land for development as against those who want to save it for recreation purposes.

When the railroad station came up for purchase by the borough, I was involved in that one and helped place it on the national register. Tuesday night we had a meeting about the restoration of the railroad fund because, thanks to the Green Acres Project under round two, we got a matching grant from the Green Acres Fund. We would like to say thank you for that. We are proceeding on restoring our railroad station.

I have a statement I would like to read. You have a copy of the paper that it came from, " Historic Preservation and the Environment:" Just as a tree has roots, so does historic preservation. It can provide the basis for our manmade environment. Our environment encompasses our surroundings, manmade and natural. Our buildings are mostly made from natural products. If a four-room house needs 11 trees, two feet across by 120 tall, think how many more trees would be cut down for an 8-room house. If by saving eight bricks you save the equivalent of a gallon of gasoline, think what else historic preservation could do in saving a brick house. Think of that space saved at the dumps." And, that is all I will read of that.

This is for you.

ASSEMBLYWOMAN OGDEN: Thank you.

MS. MOSLEY: And the public can pick up the leaflets from the back.

ASSEMBLYWOMAN OGDEN: Thank you very much for coming.

ASSEMBLYMAN KRONICK: Madam Chairman, may I say something?

ASSEMBLYWOMAN OGDEN: Surely.

ASSEMBLYMAN KRONICK: I would just like to say, Ms. Mosley, if you have any time I'd like to get you involved in

Hudson County. I'm trying a piece of the Palisades, and I think you have a lot of experience. We need somebody like you.

MS. MOSLEY: My grandfather was born in Hoboken.

ASSEMBLYMAN KRONICK: Well, you have roots, you see?

MS. MOSLEY: Yes.

ASSEMBLYMAN KRONICK: I'll be in touch with you.

ASSEMBLYWOMAN OGDEN: You've got another ally, Dave.

ASSEMBLYMAN KRONICK: Thank you. I need everyone I can get.

F L O R E N C E L E O N: That's a tough act to follow.

Assemblywoman and Committee members, my name is Florence Leon, and I'm the Executive Director of the Hermitage in Ho-Ho-Kus, New Jersey. It's a very small site, and when I hear of some of the very large figures that have been bandied about here today I realize it only demonstrates, I think, the scope of something like these grants we're talking about, because they can take care of, very adequately, something as small as ours and something as large as some of the others.

I did participate in the meetings that went on, years ago now, before the '89 Act was on the ballot, in the Trust Needs Assessment which I thought was a fabulous job that the State Historic Trust did to collect from the entire State. The needs, of course, are much greater as has been explained, but it was a very, very nice document and one, I think, I've kept and referred to many, many times.

When the grants were made available, I applied for one for the Friends of The Hermitage. Friends of The Hermitage is the private, nonprofit organization which is responsible for the operation of a State site. It makes us a little different than many of the others in the State, and I like to think that we're -- and I know that we are -- very proud that we have maintained a good feeling and a cooperative venture between the private and the public in everything that we have done so far, and we hope to continue that.

We are a national landmark on the National Register. We received a grant of \$76,000 in support of our plans for our landscape restoration. That was significant as has also previously been mentioned. It really builds when you have the State support. You find that in addition to the money that you have to raise to match that, you are able to raise more money.

It also attracted the attention of the Garden Conservancy, a very -- rather new national organization which is involved in saving important U.S. gardens. As a result of information, actually from Harriet at the Trust, I made contact with this organization. They were very interested to know that historic gardens were a category they really had not been involved in. Since that time they have produced a national symposium on our behalf and they are now interested in historical gardens across the United States, and I'm very glad to say that our very small place was able to play a role in that.

We have a constituency of many, many volunteers and a organization that is small but very active. The other wonderful thing that happened as a result of our getting a grant was that it provided just the impetus for our capital fund drive. We have never had one before; we are now embarked in one. It would never have happened had we not received the grant from the State Historic Trust.

The only other thing that I want to say, and this is not strictly in my department, but it's something I have thought a great deal about, because we are owned by the State-- I am very well aware that the State properties that have been struggling for all kinds of needs that they have; they are vast and there are many, many things to be done. I know also that the State properties were able to apply for grants. The thing that would seem to me to be ideal if it could possibly be worked out would be, if they would not have to match the grants, if the State properties, when they apply,

did not have to match their grants again. It's something that I have no idea of what it would involve, but I know the need, and I just put that in because I visit State properties and I know that there are many, many conscientious people working without the capital planning money that they have had in the past. They very, very much need any of the support that they can get from any of us in any way.

I enthusiastically support your bill. I'll do anything that I can to obtain voter support for it when it comes down to that point. Thank you very much.

ASSEMBLYWOMAN OGDEN: Thank you. It's very nice to hear the local success stories.

Is a spokesman here from the Meadows Foundation from Franklin Township?

A N N S U Y D A M: I'm Ann Suydam and I have been working with--

Good afternoon everyone, Madam Chairman. I've been working with The Meadows Foundation for 16 years. We have five properties. We have four that are owned-- No, one that's owned by Franklin Township, one that's owned by the State of New Jersey, and three that are owned by Franklin Township. These properties are all leased to The Meadows Foundation, and we have the responsibility of restoring, maintaining, and programming. We have had our start with a \$40,000 grant from Green Acres 16 years ago, and we are the happy recipients of round two of New Jersey Historic Trust money. We're looking forward to that very soon.

We wholeheartedly endorse what is being done, and we want to help. We think it's a great impetus.

Our programming carries on the Dutch heritage, environmental work, cultural work. We try to meet all the spectrums. We have school children and every third-grader knows Franklin Township history and we have done our best to meet every need of our community in central New Jersey.

We thank you very much and we're looking forward to a very successful program for your bill.

Thank you very much.

ASSEMBLYWOMAN OGDEN: Thank you.

From North Plainfield, the manager from Main Street.

S H E I L A D I A M O N D: Good afternoon. My name is Sheila Diamond. I'm the Project Manager for the Main Street in North Plainfield; that's North Plainfield, Somerset County.

I'd like to say that North Plainfield is the home of a Green Acres Program, the Certified Local Government, and the Main Street Program. Even though I'm from the Main Street Program, I would like to say that the Certified Local Government established the historic district of the Washington Park which is centrally located in North Plainfield and is listed on the New Jersey and the National Register.

The district members are committed to renovating homes and increasing public awareness of historically significant architecture. The Historic Commission has established to enhance and preserve the heritage of the borough through preservation of buildings of specific historic, architectural, aesthetic, and cultural significance.

The Main Street Program is a nonprofit grass-roots downtown revitalization program committed to improving the economic vitality of North Plainfield through historic preservation and business development. Our motto is: "A Past to Preserve, A Future to Create." Our unique relationship with the historic commission allows us to impress upon our residents and business owners the importance of design assistance and of historic preservation as a part of economic improvement for the entire community, and that the preservation of the built and natural environment are integral to the existence of culture and heritage in North Plainfield.

Right now, downtown structures in desperate need are Spencer Hall of 1850, the Railway Express horse stables from



the late 19th century, the Old Silk Mill on the Green Brook from 1880s; all threatened by neglect, lack of funds, insensitive development. These properties and more, could benefit greatly from funds from this Bond Act, directed specifically for historic preservation, public improvements, brick and mortar allotments -- funds which we do not have as an organization that is only one year-old.

Thank you very much. Are there any questions for our Program?

ASSEMBLYWOMAN OGDEN: No. Thank you.

Is there a representative here from Short and Ford, an architectural firm specializing in historic preservation?

MATTHEW CHALIFOUX, A.I.A.: Yes.

ASSEMBLYWOMAN OGDEN: In fact, you did the State House, didn't you? In Trenton?

MR. CHALIFOUX: Yes, I've been living there for the past six years. (laughter)

Good afternoon. My name is Matthew Chalifoux and I'm here today to speak in favor and support of the Assembly Bill 1151. I'm here to talk specifically of the provision of the bill that would allocate funding for the Historic Preservation Grants Program.

First, I'd like to briefly explain my interest in this subject. I am a licensed architect who specializes in the preservation and conservation of historic buildings, structures, and sites. For the past seven years, I've worked with Short and Ford and Partners, which is an architecture firm located in Princeton, New Jersey. We employ approximately 45 people. Approximately 50 percent of the projects that our office works on, involve existing structures, typically historic structures located in the State of New Jersey.

In the past two years, we have been fortunate to be involved in five projects that were recipients of approximately \$1.1 million in matching grant funds through the grant program

currently administered by the New Jersey Historic Trust. There are many benefits with grant programs of this type. Perhaps the most obvious benefit is the jobs that are created within the construction industry. This grant program is unique in that it offers funding for what is referred to as bricks and mortar work. Most grant programs are limited in their scope to planning, work, or studies. The grants that are administered through the New Jersey Historic Trust can be and have been used for both studies and construction.

I don't have to tell you what the status of the construction industry has been over the past few years. If there is any sector of the economy that is viewed as a barometer of economic trends, it is the construction industry. What most people forget, however, is that slumps in construction activity affect more than just electricians, carpenters, and masons, but their suppliers and the design community as well.

As a member of the design profession I can say that our industry has not seen economic times this difficult in almost 20 years. This is where the Historic Preservation Grant Program is having a truly positive effect. The proposed \$25 million that are included in the proposed bill may not seem like much when it's spread over the entire State, but because it is a matching grant program it is, in effect, producing more than twice that amount of work; work that has been critical to architects, landscape architects, historians, engineers, and planners, over the past two years.

Creation of job opportunities is the most tangible short-term benefit, but I would also like to briefly point out some of the more long-term benefits that all the citizens of our State will share in. This investment of State funds in the historic preservation projects is an investment in our past, as well as our future. The State has taken a dramatic step in the process of recognizing the role we must play in conserving our

built environment. These historic buildings and sites are crucial in telling us the story of our history, who we are and where we came from. We all share the responsibility of stewardship for this valuable asset and the Historic Preservation Grant Program recognizes this responsibility.

It's also our responsibility to ensure that future generations have the opportunity to share and experience these sites, to learn from them as we have. Unfortunately, this role of caretaker has not in the past always been executed properly. We have lost forever many valuable sites and there are still many that are threatened.

The citizens of the State should take great pride in the fact that through the Historic Preservation Grant Program and the New Jersey Historic Trust, endangered sites have not only been saved, but have been made available to the public once again so that everybody can share in the important lessons they have to offer.

In conclusion, I would like to say that the Historic Preservation Grant Program has been thoroughly successful and is the envy of members of the preservation community throughout the country. I think that this type of investment is a strong, positive statement by the citizens of New Jersey about the pride they have in our State and its history.

I urge you and I hope that the Legislature and all the citizens of the State will support the Open Space and Historic Preservation Bond Act of 1992 and will appreciate the benefits, short- and long-term that it has to offer. And I can say that members of the private community, of the architecture community, the engineering community, will do everything they can to get citizen support behind this bill when it comes up for a vote.

Thank you very much.

ASSEMBLYWOMAN OGDEN: Thank you.

The city engineer of New Brunswick, is he here?

UNIDENTIFIED SPEAKER IN AUDIENCE: No.

ASSEMBLYWOMAN OGDEN: No. All right. Is James Papandrea, who's President of Water Troll? (no response)  
James Berliner of Chatsworth? (no response)

M A R Y A N N E T H O M P S O N, ESQ.: I apologize, Madam Chairman. I'm not Mr. Berliner, but I'm Mary Anne Thompson, and I also apologize for not having a written statement. I just found out last night I was to be here, but I'm delighted to be here as I present a mixture of very personal and professional interest in your bill. I wish to point out that I practice in Burlington County. My family was in agriculture since the 1860s, and they were among the first people to be able to expand their farm buying land that had been owned by a developer who had sold his easements and they were able to buy this land after the developer sold the farm easements to expand their farm and stay in agriculture.

I, myself, am an attorney and I represent numerous individuals, groups, and grass-roots organizations and nonprofits who are very interested in historic preservation, open space, and farmland preservation. I also am President of Chatsworth Club II which is a nonprofit organization in the Pine Barrens. It is organized to preserve the history and culture of New Jersey's Pine Barrens. For that reason, we've been working on historic preservations since 1982 and recently were awarded a grant by the New Jersey Historic Trust to rehabilitate and restore the White Horse Inn in Chatsworth, the capital of the Pine Barrens.

Now, Chatsworth is a little town of 200 people, and this grant is extremely important to us because it is not only an important historic site -- which of course provides aesthetic and perspective for the sense of place and educational benefits -- but one of the things I'd like to emphasize are some of the spin-off benefits. As you know, the Pine Barrens is a restricted area. We're restricted by State

and Federal law. Therefore, our activities are restricted in the area, and in some ways our economy is restricted. As a result of our efforts towards historic preservation in the Pine Barrens, we formed a Chatsworth Cranberry Festival which, over two days draws 50,000 people into the area, provides numerous tourism opportunities, not only in the Pine Barrens but also along the shore areas which are adjacent. We receive requests in the mail of, I'd say, approximately 6000 written requests of where to stay in the area for the Pine Barrens weekend. People come into the area, and they provide revenue for tourism. They provide revenue to the stores. They provide revenue to the area. They also learn to appreciate these natural and historic resources for the area.

Also, in the Pine Barrens, one of the main things that we also gain from the Historic Preservation Grant are actually jobs. We have many carpenters, and we have people in the area who can directly benefit from Historic Preservation Grants in the area. It is also the only area that we know that is recognized nationally and statewide for its historic importance and its ecological value. And because of that, it's also one of the areas where actually historic preservation and natural areas are often one and the same.

So, our organization is concerned about protecting open space in the Pine Barrens, as open space in the Pine Barrens is also protecting our historic areas, such as the Forked River Mountains, the Long-a-Coming Trail which comes from Berlin down through Camden County. We're interested in Bear Swamp. We're interested in the place names, Blue Hole, Gifford Pinchot's historic recreation area. It's the one area in New Jersey where historic resources and natural resources actually combined, so we feel that it's very important that we support this bill.

We're also very interested in Piney culture. If we eliminate the Pines or the open space in the Pine Barrens, we

don't have anything to protect. We eliminate the word "Piney," "pine" -- pine and Piney.

One of the things that we feel is extremely important is that these benefits -- the spin-off benefits -- of these projects, the economic development and the tourism for the area from this bill be recognized.

We also wish to point out that our festival has set up a market for arts and crafts. It promotes agriculture. It promotes indigenous products and food and other activities in the area.

If I may, I'd like to comment on some of the comments from a former speaker who was talking about changing the infrastructure ratio in the bill. While we are not an expert at all on the need for urban infrastructure in the parks, we can tell you what happened to the Pine Barrens last time they had extra money for infrastructure. In the assigned region they stuck toilets in the wetlands without permits. They paved over a historic indian burial ground for a parking lot. They widened and eliminated historic trails for paving, and they built themselves offices all at the same time. In the Wharton tract we have numerous historic buildings which they have abandoned in a policy of emptying these buildings, leaving them stand for vandals. They have existing historic preservation infrastructure in the Wharton Forest which we are very concerned about. So, if you're going to be looking at infrastructure ratios, we ask you to very carefully ask them, at least in the Pine Barrens area, where this money is going; because they have existing infrastructure, a historic infrastructure that we're very concerned and worried about.

On another note, I also think it's an extremely important thing to get this bill through now because it's the same time that the Federal government has passed the Surface Transportation Act, which means over the next few years at least 20 percent of that money will be going for historic

preservation or trails or other possible enhancements which would link with the Department of Transportation. So you actually could be getting extra assets linked with the programs that this bill would fund. It would be important to have money to link up with that Federal money coming into the State.

In the meantime, the Cranberry Festival is the third weekend in October and we'd all love to have you come down and have a good time. If you need any information we'll be sure and send it to you with our written statement.

Thank you very much.

ASSEMBLYMAN WARSH: Thank you.

Is Ilona English here?

I L O N A E N G L I S H: Yes, I am.

ASSEMBLYMAN WARSH: Okay.

MS. ENGLISH: Good afternoon. My name is Ilona English. I'm probably a true hybrid in the sense that I have a business degree from the Wharton School and worked in real estate development for 12 years. I also have a master's in historic preservation, and believe in that cause. It causes a great deal of consternation of professionals on both sides that I work with, but I believe they can be married.

In 1986, the Federal Tax Act revisions clearly removed many of the economic incentives for real estate. While those involved in development have over that time made every effort to make clear their plight with respect to changes and depreciation, passive/active provisions in the tax laws, clearly the true victim in these revisions was historic preservation. Special requirements for historic preservation often make these projects, on a cost comparative basis, less attractive to both lenders and investors. While projects had previously found a viable niche in those investors who had an interest in the aesthetics and quality of projects, passive/active provisions have provided clear disincentives to this lender segment.

As the industry wallows now in a trough of recession and faces a future of clearly redefined lending practices and guidelines, historic preservation is barely held together by the various governmental and nonprofit efforts which this fund will assist. Projects, it should be noted, no longer reflect the pickling of homes of the wealthy which is often associated with historic preservation in the past. Rather, the true commitment is now to the populace at large, and the focus on projects which provide viable rehabilitation and ultimately much needed vitality to many local communities is now seen.

The impact is broad reaching. As projects spread throughout the State and impacts all areas from the cities to the older suburbs to towns and villages and rural settings, the grass-roots involvement that these projects bring with them results in a multitude of benefits to the localities involved. Such intangibles as community pride and spirit, interaction and involvement of various social segments, as well as the guiding light for other privately funded projects reflects an economic return far beyond the initial bond investment.

Rehabilitation and community involvement provide economic stability and vitality. Clearly this encourages a growth which occurs within an existing built environment rather than that which spirals away from existing built locations and forces an intrusion into those previously nonbuilt areas better preserved in open space and farmland.

Certainly this investment in recycling at a very major scale -- which by the way, has not been brought up in any of the testimony today; historic preservation is a recycling of an existing built environment. We are not using anything-- We're not creating anything new. It's like aluminum cans; we're using it all over again. Certainly this investment in recycling at a major scale deserves recognition for its far-reaching benefits.



As Assemblywoman Ogden stated, this really is a win/win situation. The investment on the part of the State of New Jersey taxpayers provides tactile results that most citizens realize in their daily lives and activities. Oftentimes, open space and farmland preservation efforts are criticized because they aren't where people can relate to them; they aren't where some people can see them, and in some sense, some people feel they don't directly benefit them. Rather, historic preservation projects are visible, and they remain within the existing fabric of the communities. They touch the lives of those burdened with the cost of supporting the debt undertaken by these commitments. Additionally, each dollar committed to these projects reflects a dollar, and probably more, matched. It also reflects many people who are committed to making the project succeed.

Few private real estate projects bring with them such a foundation of support, and for that reason I would not only support this Bond Act, but additionally encourage an adjustment in the amount committed to historic preservation to a much larger sum. Not to diminish the importance of open space preservation and farmland retention which I do support -- they stand soundly on their own merits -- but more importantly to clarify that historic preservation deserves equal footing with these other issues. If it's given equal footing in the title of the Bond Act, I think it should clearly be given equal footing in the body of the bill, itself, and in the funds involved.

Historic preservation, in fact, is a critical part of successful land planning and growth management and its success relates to the issues of open space preservation and farmland retention. The window of opportunity as previously stated is clearly here when real estate values are low, interest rates are low, and, additionally, trade costs are at an all time low, so the work that can be done in rehabilitation is right now --

you're getting a lot more bang for your buck. I just can't say it any other way.

The investment on the part of the Legislature is certainly defensible. Its advisable, and the return is unlimited in scope.

I thank you. I know it's late in the day.

I would like to add one other comment not related to historic preservation. I think it's inadvisable for farmland retention to give farmland preservation money to known developers. I say this from the standpoint that most of the individuals -- and I live in a very rural community which had many farms preserved -- the active farmers who receive money for farmland retention have, for the most part returned that money to acquiring more land or to the farming activities themselves. We did have two farms purchased from the largest developers in the State, within our township, which I object to because, truthfully, it's highly probable that money will be turned around to again come and go at our side by providing development incentive to that person. It provides them with ready funds, and I really see sort of a conflict there, that we're providing money to someone who will, in most cases, probably turn around and use it for something we're trying, in effect, to deter.

So, I think very high preference should be given to working farmers who own the land and who will continue to work the land. The rating system does not reflect that, and it seriously should. It just seems inadvisable. I know from a development standpoint. Most developers will use funds to go into development, not to buy more farmland.

Any questions?

ASSEMBLYWOMAN OGDEN: That's a good point.

MS. ENGLISH: Thank you.

ASSEMBLYWOMAN OGDEN: Thank you.

The last person that we have signed up is Ray Kalainikas.

R A Y K A L A I N I K A S: I essentially would like to simply go on record. I, obviously, as indicated, oppose this particular bill.

I'd like to ask some questions to begin with, if I may? I see a few people I have not seen before: new Assembly people. And perhaps Maureen can give me an answer to this question. It speaks State general obligation bonds in the principal amount of \$450 million. My understanding is the taxpayer will pay that back with interest. Would I be correct in stating that? Perhaps we're talking \$900 million that will be coming out of the taxpayers' pocket somewhere down the line once the payments start coming back. Ernest, would I be correct in saying that?

ASSEMBLYMAN OROS: I defer to the Chairman on this.

MR. KALAINIKAS: Maureen, would I be correct in saying that?

ASSEMBLYWOMAN OGDEN: If--

MR. KALAINIKAS: We're talking, perhaps, double the amount general obligation bond.

ASSEMBLYWOMAN OGDEN: Ray, if you would like to present comments and present your views, you certainly may, but this is not a forum in which you ask questions of the members of the Committee.

MR. KALAINIKAS: Well, then let me state it as I've heard before from other people who speak about bonding.

Generally I would say when the taxpayer goes into the voting booth and looks at, say, \$450 million, in terms of bonding, very few people, it seems to me, are aware that it will come essentially out of the taxpayers' pocket, twice, perhaps three times before it's all done and over with. So, it's a tax. I think that's important to understand. For many voting sessions I've been often perplexed, how the people could

actually vote themselves a tax until listening to 101.5 one day. I'm sure you're all familiar with John. John stated that 752,000 people in the State of New Jersey work in government, and we're talking about Federal, county, State, municipal. Add to that all the relatives, and it becomes comprehensible how bonding issues pass in the ballot box.

But what I would like to say, the reason I'm opposed essentially -- and I've stated this before -- is if you're going to preserve farmland, it must be done by elucidation of land use rights, not by stealing money from the citizens in the form of taxation. And, I would hold taxation is legal theft. It is immoral on the basis of Christian law; perhaps not Judaic law, but on the basis of Christian law, taxation is legal theft. It's immoral.

I'm looking at all of you up there and I suspect-- And I'm looking at the Assembly people, and you get \$35,000 out of the take of stolen money. Now I don't know what you pay back in terms of sales tax and income tax. Subtract that from the \$35,000 and that's what you steal from the rest of us.

ASSEMBLYMAN KRONICK: Madam Chair, I have problems with this commentary.

MR. KALAINIKAS: Why?

ASSEMBLYMAN KRONICK: It has no relevance to this bill, what you're talking about.

MR. KALAINIKAS: The relevance is, sir -- if I may add -- the relevance is essentially what you're doing is you're asking to take money out of our pockets for farmland preservation, historic preservation. I'm saying that's not the way to do it.

ASSEMBLYWOMAN OGDEN: Ray, Assemblyman Kronick is correct.

MR. KALAINIKAS: How is he correct?

ASSEMBLYWOMAN OGDEN: You are off the subject here in terms of what the electorate will do in November. If they wish

to vote against it, they can. And you certainly have the right to oppose it at that time. You have the right to speak against it now, but please talk about the bond issue itself as opposed to our salaries as legislators or what this means in terms of the total amount.

MR. KALAINIKAS: Well, the whole issue of bonding, in effect, I'm saying if taxation is legal theft, this is part of the process of legal theft. And I want to make you aware of that because very few people make you aware of that, Maureen. Most people come up here and pat you on the back, say you're doing a wonderful thing. I do not think you're doing a wonderful thing, at all.

ASSEMBLYWOMAN OGDEN: You could say all mortgages are legal theft. Any long-term borrowing involves interest payments.

MR. KALAINIKAS: No, that's not the case. That's not the case. This is not the same thing as tax-- It's not the same thing as taxation where the government takes money, in effect, out of your pockets.

ASSEMBLYWOMAN OGDEN: May I remind you that this is going to be put to a vote before the voters. They will have the final say.

MR. KALAINIKAS: I understand it will be put to the vote, before the voters. But there are many of us-- But when it comes to taxation, even if you're putting it to a vote, those who recognize taxation is wrong, you're stealing out of their pockets. Some people may vote yes and say you can tax me, but others will be opposed to that. And I think I've said this before, and I'm going to use an example: I know an individual down in Ocean County who participated in the Farmland Preservation Act, the way it's been going. He has 138 acres, and he indicated to me he was given \$6300 per acre under the Farmland Preservation Act. So, he gets something like eight-hundred-and-something thousand dollars, which is really

tax money. And he still keeps his farm, and he said to me, "I can still sell it as long it's going to be used for farmland use. I can still sell it and make money again." Now, I'm often thinking of the gentlemen farmers who have no intention of ever selling their land and perhaps use it for farming purposes and figure, "Well, I'm going to make an easy buck. I'm going to enter this program and I'm going to collect in the thousands." From who? From the taxpayer. What I'm saying to you is this: If you really want to preserve farmland, elucidation of land use rights-- Every human being has a right to an agrarian way of life. And we all recognize in our society and throughout the world that five acres is the basis for farmland assessment. So, I'm saying in effect, that if you take farmland, you can elucidate land use rights and begin zoning, and not take money out of taxpayers pockets, by simply saying the smallest piece of property you can sell is a six acre contiguous plot and only one contiguous acre can be used for the homestead or home industry or whatever you want. That's beginning to deal with elucidation of land use rights.

That's only one example. Then you have to deal with buffer zones around rivers and lakes, and so forth, and common land that can be used by all of us in a community. But if someone were to begin to recognize in our society that six acres should be the smallest piece of private property or any other kind of property that's owned by an individual -- that's the smallest piece -- we wouldn't have to worry about the environmental degradation as we are currently being concerned about. You look at Edison and drive through Edison. We've basically violated the rights of land use in this whole area. There is nowhere where I can go in the nearby vicinity and actually grow food for myself because it's basically all paved over, over here. This is a violation. That's where the issue is: elucidation of land use rights and not in taking money out of the taxpayers' pocket.

ASSEMBLYMAN KRONICK: Excuse me. Ray, your dialogue is really very interesting. It's really not appropriate at this time.

MR. KALAINIKAS: Why not?

ASSEMBLYMAN KRONICK: You're off the bill.

MR. KALAINIKAS: Why am I off?

ASSEMBLYMAN KRONICK: We're not talking about what constitutes farmland. I think you have some very good points, it's not at this forum, though. This is we're passing on this bill today, out of this Committee, having to do with the funding for this worthwhile legislation.

MR. KALAINIKAS: This is not worthwhile because you're talking taking money out of--

ASSEMBLYMAN KRONICK: You've expressed it. You'll have the opportunity when it comes up for a vote. And I think that you should talk to all the people that you know to, you know, have an influence at the ballot, but not here, Ray. And I think maybe talking to the people putting together the master plan, that's the place for what you're talking about. Not here. Not at this time.

MR. KALAINIKAS: Okay. What I would like to see done with regard to this whole bill is I want to see it clearly expressed on the ballot exactly what it's going to cost the taxpayer and that it will cost the taxpayer. I speak to many people that I deal with in business who are unaware of what the bonding issue involves and where the money comes from, and who is really going to pay. That's sad, but it's true.

I would hope Maureen would have the common sense -- and courtesy to all the taxpayers -- to say this is going to cost nine hundred plus in terms of millions of dollars, put it on that ballot and say it's coming out of your pocket. You're going to pay for this.

ASSEMBLYWOMAN OGDEN: Ray, what you're talking about with this bill is the same thing with all bond issues, whether

they're put forward by State government, county government, or local government. They are bonding issues. Of course they're going to cost more in the long run because you have the use of the capital now and you're going to start putting it to use. So, therefore, as with anything that has a-- Whether a mortgage or anything else that has a long-term aspect of it and you don't have the ready dollars, you have to finance it. That is a basic premise on which this society operates. You don't agree with it? You have a right to disagree with it, but I think that if there's nothing more that you have to add to your previous comments that all of us certainly on this Committee understand what you're saying. You have the right to be critical, and we accept your comments.

MR. KALAINIKAS: The only other comment is historic preservation -- when I think about historic buildings and so forth -- that most clearly should be done with private dollars. Please do not put your hand in the taxpayers' pockets for something of that nature. It's absurd.

Thank you.

ASSEMBLYWOMAN OGDEN: I thank you for being here. I should just add that in terms of historic preservation, these are structures or sites owned by the public or nonprofit organizations and they are matched by either private or public dollars.

MR. KALAINIKAS: Four hundred million still comes out to thievery.

ASSEMBLYWOMAN OGDEN: At this time I'd like to thank everyone who has been here and stayed with us the whole time, and the Committee members, as well. Is there anyone else who wanted to speak before I close the hearing? (no response)

We have received a number of comments and suggested amendments by people here today, so what we would like to do is to review them and have the bill for the second, and I believe final hearing on whatever the first Monday in May is. I think



it's the 4th of May when we have our regular Committee hearing.

ASSEMBLYMAN KRONICK: Madam Chairman, I hope you'll give some consideration to Dr. Filippone's comments having to do with the land for purposes of, you know, on the Passaic Tunnel. Please consider that.

ASSEMBLYWOMAN OGDEN: Yes.

ASSEMBLYMAN KRONICK: Thank you.

ASSEMBLYWOMAN OGDEN: There being no further business to come before the Committee, we stand adjourned.

(HEARING CONCLUDED)



APPENDIX



## TESTIMONY

### On behalf of the New Jersey Historic Trust before the Assembly Environment Committee

I am Arijit De, Chairman of the Trust, and Associate Director of the City of Camden Redevelopment Agency. I am pleased to be here this morning to discuss the Trust and its work on behalf of historic preservation, and to ask for your continued support of our mission.

Let me briefly describe the Trust for those members who may not know us. Created by the Legislature in 1967, the Trust was given wide-ranging powers to promote the cause of New Jersey's many historic sites. Its powers include accepting and managing gifts of real and personal property, appropriations and easements. The statute also encourages the development of public and private partnerships to foster preservation.

Although endowed with a grand vision and an urgent mandate by far-sighted law makers, the Trust was given neither staff nor money. The State of New Jersey's historic treasures deteriorated rapidly while the Trust struggled to find the resources which would enable it to carry out its mission.

With the overwhelming approval of the State's first capital preservation fund in late 1987, life changed dramatically for the Trust. The 1987 Quality of Life bond Act provided an unprecedented \$22 million in bond funded matching grants to save New Jersey's historic sites and named the Trust to establish and administer the program. The program, now entering its final grant cycle, was oversubscribed from the outset. By the end of the second grant round, more than 200 applications requesting \$65 million in matching grants had been submitted -- nearly three times the total available for these projects.

The dramatic level of need is not surprising. Prior to the implementation of the historic preservation bond fund, at the request of the Legislature, the Trust surveyed nearly 2,000 organizations across the state which own or operate historic sites. The response was startling. We received descriptions of capital needs totaling nearly \$400 million. These responses were vivid testimony to the effects of decades of underfunding and neglect.

Although the bond program has made progress toward meeting a desperate need for funding, the message is clear -- more money is needed, and quickly, if New Jersey's proud legacy is to survive into the 21st century.

That is why we ask your support for an omnibus bond issue (A.1151) which will provide another \$25 million in funds for historic preservation. Although the historic preservation bond program represents a giant step forward, there is still a tremendous backlog of need for funds.

We know that historic preservation is absolutely essential to New Jersey's quality of life. We also see that it yields important short and long-term economic benefits. Two years into this program, we are happy to point out that the preservation activity we fund is not only helping to rescue our cultural treasures, but is providing economic stimulus as well. The \$10 million in grant funds awarded by the Trust in the first grants cycle is leveraging an additional \$62 million in capital spending on historic preservation by New Jersey government agencies and non-profits. That means that every dollar of grant money helps to leverage six more dollars.

Historic preservation is "labor intensive." Because our projects place a premium on careful planning and high level craftsmanship, the program generates work for the design and building trades professions. A survey of funded projects indicates that every \$10,000 we award employs one person in the design field or con-

struction trades. This compares very favorably to the New Jersey Economic Development Authority's figures, which show one job generated for every \$33,000 funnelled into commercial and economic development.

These figures on the economic and employment spinoffs of preservation do not take into account the revitalizing effect that preservation has had on New Jersey's cities and urban neighborhoods and the private investment this represents. This effect is no doubt substantial. Much of the State's urban area was built in the late 19th and early 20th centuries; and the origin of these cities goes back to the earliest colonial settlement of the State. It is not surprising, then, to discover that the wealth of the State's historically valuable architecture is found in these older cities. Public funding for preservation has spurred private investment in urban neighborhoods as people rediscover these neighborhoods' unique and irreplaceable character. To underscore this point, the Conservation Foundation conducted a study which concluded that no more potent an economic tool has been found for urban revitalization than preservation.

We know that over half of the 57 historic projects funded by this program would not have happened had these grant funds not been available. And over half of our projects rescued buildings that were either closed or uninhabitable before a local effort was made to save them.

We have been deeply impressed by the tremendous grass roots response to the bond program. If our experience over the past two years is any indication, an amazing mix of historic preservation projects exists in New Jersey that cuts across all economic and social boundaries.

We ask your help in carrying forward the momentum for preservation which you have helped to initiate. Thank you.



## New Jersey Historic Trust

### Historic Preservation Bond Program

#### Fact Sheet

##### **The Historic Preservation Bond Program**

The Historic Preservation Bond Program came into existence because the New Jersey Legislature determined that many significant properties owned or controlled by non-profit organizations and public agencies required major repairs and restoration. On November 3, 1987, NJ voters overwhelmingly approved by referendum the Green Acres, Cultural Centers, and Historic Preservation Bond Act (P.L. 1987, C. 265), which established the program.

The act provides up to \$22 million for a competitive grants program to assist in "bricks and mortar" preservation projects. Because support is to be provided through matching grants, the Bond Program will actually generate \$44 million in investments in New Jersey's historic resources. It is the first major state-funded capital grants program of its type in New Jersey's history, and one of the first in the country.

##### **Benefits of the Bond Program**

As proven in other states, historic preservation encourages increased tourism, provides unparalleled opportunities for education, and plays a significant role in downtown and neighborhood revitalization efforts. Because one of the objectives of the Bond Program is to ensure an equitable statewide distribution of funds, communities throughout New Jersey will benefit. Dollar-for-dollar matching grants assist in the restoration, stabilization, rehabilitation, and improvement of historic properties. Nonprofit organizations and units of state, county and municipal government are eligible to apply. Properties must be listed, or be eligible for listing, in the National and State Registers of Historic Places.

In the two grants rounds conducted so far, 57 properties received matching grants ranging from \$10,000 to \$1.1 million. Over \$14 million has been awarded so far. The deadline for the third grants round is June 1, 1992.

##### **The New Jersey Historic Trust**

Created by state law in 1967, the New Jersey Historic Trust is a non-profit historic preservation organization within the Department of Environmental Protection & Energy. The Trust is comprised of an eleven member board of trustees. Eight members are citizens appointed by the Governor; three members serve ex-officio, representing the Commissioner of the D.E.P.E., the New Jersey Historical Commission, and the State Treasurer.

The Trust promotes preservation of the state's historic resources by encouraging cooperative efforts between public and private agencies. The Trust initiated the first statewide historic preservation easement program, which ensures the preservation of historic properties in perpetuity through the use of deed restrictions. It also operates an emergency assistance grant and loan fund for endangered properties.



Historic Preservation Bond Program  
Round One Grant Awards

County	Property Name	City	Name of Organization	Grant Award
Atlantic	Estellville Glassworks	Estell Manor	Atlantic County Parks Division	\$37,500
Bergen	Hermitage	Ho-Ho-Kus	Friends of the Hermitage	\$76,000
Bergen	Little Red Schoolhouse	Lyndhurst	Lyndhurst Historical Society	\$26,500
Burlington	Kirby's Mill	Medford	Medford Historical Society	\$51,250
Burlington	Pemberton United Methodist Church	Pemberton	Pemberton United Methodist Church	\$10,000
Burlington	Whitesbog Village	Browns Mills	State of NJ/DEP, Parks and Forestry	\$228,000
Camden	Champion School	Collingswood	Newton Union School Society, Inc.	\$26,875
Camden	Gabriel Davies Tavern	Blackwood	Township of Gloucester	\$16,000
Camden	Solomon Wesley United Methodist Church	Blackwood	Gloucester Twnp/Solomon Wesley Church	\$10,500
Essex	Ballantine House	Newark	Newark Museum	\$115,328
Essex	Krueger Mansion	Newark	City of Newark	\$436,875
Essex	Minnie Lucey School	Glen Ridge	Montclair Child Development Center	\$35,000
Hudson	Hoboken Station	Hoboken	New Jersey Transit/State of New Jersey	\$400,000
Hunterdon	Locktown Baptist Church	Flemington	Friends of Locktown Stone Church	\$29,025
Hunterdon	Prallsville Mills	Stockton	Delaware River Mill Society	\$146,426
Mercer	Bainbridge House	Princeton	Historical Society of Princeton	\$217,258
Mercer	Old Barracks	Trenton	State of NJ/Old Barracks Assoc.	\$800,000
Mercer	State House	Trenton	State of New Jersey/State House	\$530,450
Middlesex	Guest House	New Brunswick	City of New Brunswick	\$122,193
Monmouth	Applegate Farmstead	Freehold	State of NJ/DEP, Parks and Forestry	\$150,000
Monmouth	Casino and Carousel Building	Asbury Park	City of Asbury Park	\$750,000
Monmouth	Wainford Park	Upper Freehold Twnp.	Monmouth County Parks System	\$1,051,075
Morris	Fosterfields Living Historical Farm	Morristown	Morris County Park Commission	\$46,815
Morris	Friends Meeting House	Randolph Township	Friends Meeting House Association	\$23,363
Morris	Hilltop School	Mendham	Mendham Bor. Board of Education	\$69,500
Morris	Mead Hall (The Forest)	Madison	Drew University	\$743,750
Ocean	Barnegat Lighthouse	Barnegat Light	State of NJ/DEP, Parks and Forestry	\$123,823
Ocean	Double Trouble - Packing Sorting House	Berkeley and Lacey	State of NJ/DEP, Parks and Forestry	\$408,000
Ocean	Double Trouble - Sawmill	Berkeley and Lacey	State of NJ/DEP, Parks and Forestry	\$295,782
Ocean	Georgian Court College	Lakewood	Georgian Court College	\$64,675
Passaic	Barn C-5, Animal Quarantine	Clifton	City of Clifton, Recreation Dept.	\$29,532
Passaic	Belle Vista (Lambert Castle)	Paterson	Passaic County	\$1,100,000
Sussex	High Breeze Farm	Veron Township	State of NJ/DEP Parks & Forestry	\$441,702
Sussex	Village of Waterloo	Stanhope	Waterloo Foundation	\$775,500
Union	Feltonville Historic District	Berkely Heights	County of Union	\$281,940
Warren	Shippen Manor	Oxford	Warren County Cultural & Heritage Com.	\$400,000

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Historic Preservation Bond Bond Program  
Round Two Grant Awards

County	Property Name	Loc.	Grant Recipient	Grant Award
Bergen	Bergen County Courthouse Complex	Hackensack	County of Bergen	400,000
Bergen	Tenafly Railroad Station	Tenafly	Borough of Tenafly	133,700
Burlington	Batsto Village	Batsto	Div. of Parks & Forestry/DEP	516,182
Burlington	Spring Garden Street Complex	Palmyra	Palmyra Board of Education	134,500
Burlington	White Horse Inn/Shamong Hotel	Chatsworth	Chatsworth Club, Inc.	114,049
Camden	Champion School	W. Collingswood	Newton Union School Society, Inc.	99,625
Camden	Tabernacle of Faith	Camden	Tabernacle of Faith Church	114,048
Cape May	Cape May Point Lighthouse	Lower Township	Mid-Atlantic Center for the Arts	20,638
Cumberland	Clyde A. Phillips	Leesburg	Schooner Clyde A. Phillips, Inc.	215,000
Essex	St. Columba's Church	Newark	St. Columba's Roman Catholic Church	100,000
Hudson	Barrow Mansion	Jersey City	Barrow Mansion Development Corp.	311,375
Hudson	Hoboken Terminal	Hoboken	NJ Transit	300,000
Hudson	Loew's Jersey Theatre	Jersey City	Jersey City Economic Development Corp.	1,000,000
Middlesex	Buccleuch Mansion	New Brunswick	City of New Brunswick	213,627
Middlesex	Gristmillers House	Cranbury	Cranbury Historical & Preservation Society	40,000
Middlesex	Kearny Cottage	Perth Amboy	City of Perth Amboy	18,250
Morris	Craftsman Farms	Parsippany-Troy Hills	Township of Parsippany-Troy Hills	100,000
Passaic	Long Pond Ironworks	W. Milford Twp.	Div. of Parks & Forestry/DEP	268,703
Salem	Fort Mott	Salem	Div. of Parks & Forestry/DEP	150,000
Somerset	Hageman Farm	Somerset	Meadows Foundation	64,580
Union	Deserted Village of Feltville	Berkely Heights	County of Union, Dept. of Parks & Recreation	220,000

Count: 21

Total: 4,534,277

**HISTORIC PRESERVATION BOND PROGRAM  
INFORMATION AND FACT SHEET**

The Bond Program provides critically needed restoration funds to historic properties owned or operated by government agencies and non-profits throughout the state. A survey of capital needs of publicly owned or operated historic properties conducted by the Trust in late 1989 showed funding needs totalling nearly \$400 million.

Grant requests for the first two rounds have exceeded available funds by approximately eighty percent. The projects requesting funds represent an investment of more than \$387 million in New Jersey's history.

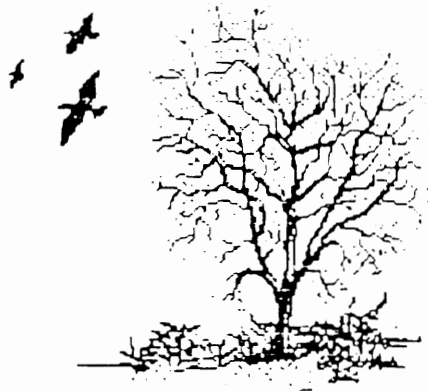
The application deadline for the third and final round of the Historic Preservation Bond Program is June 1, 1992.

- Number of rounds completed: two
- Number of rounds remaining: one
- Grant funds committed: \$14,604,914
- Number of projects funded to date: 57
- Number of applications received to date: 218
- Total amount requested to date: \$67,148,105
- Dollar value of all preservation projects applying for funds: \$386,943,886
- Matching funds leveraged through funded projects: \$149,892,758

# The Jersey Conservators

P.O. Box 774

Netcong, NJ 07857



Jeffrey T. Climpson  
Assembly Environmental Committee

April 23, 1992

The Jersey Conservators' philosophy is that a balance between economic and environmental concerns must be struck in order that both may flourish. Currently, when attention across the State is focused on economic needs, it is extremely important to remember this balance. While growth is important, properly managed growth is always balanced with adequate preservation of open space. The environment and the economy are inseparably connected and both are essential for a healthy State of New Jersey. Jersey Conservators supports the open space bond issue.

Suzanne D. MacDowell  
Secretary/Spokesperson

Testimony Before Assembly Environment Committee  
Edison Twp. Municipal Bldg., Thursday, 4/23/92  
Green Acres Board Referendum A-1151  
By James J. Truncer, Secretary-Director  
Monmouth County Park System  
Newman Springs Road  
Lincroft, NJ 07738  
908/842-4000, Ext. 215

1. Our State's Green Acres Program is a success story.

Our State's Citizens since 1961 have recognized that the Green Acres Program provides an essential infrastructure investment in our state and its Communities, not unlike roads, sewers, and schools.

2. We in Monmouth County believe, as others also believe, that public and private funds invested in our public parks, open space, farmland and historic preservation is necessary to our economic future and well-being.

The decision as to where people wish to live will more and more depend on the quality of life that our state and its communities are able to provide. It is becoming more and more evident that businesses will locate where their employees wish to live.

3. Since 1961 through the passage of (7) seven successful Green Acres Bond Issue Referendums, Monmouth County and its municipalities have preserved over 10,000 acres and provided additional recreation opportunities. To date, this represents an investment in Monmouth County of over 73 million dollars in Green Acre Funds.

4. Monmouth County envisions in its adopted Park, Recreation and Open-Space Plan:

- a. The Preservation in County Ownership of 7% of the developed or developable land in County Parks and Open Space for a total of approximately-----19,000 acres
- b. Current County Parks and Open Space totals approximately-----7,400 acres
- c. Currently the County is in the process of acquiring approximately-----2,000 acres
- d. Balance of lands to be preserved approximately--9,600 acres

5. The Board of Chosen Freeholders of Monmouth County has recognized (3) three major issues facing the future of our county.
  - a) Potable water supply
  - b) Solid waste disposal and
  - c) Preservation of Parks, Open Space, Farmland and Historic Preservation

I would like to quote a portion of the introduction to Monmouth County's Park, Recreation and Open Space Plan -

Imagine beaches, nature preserves, ball fields, and marinas permanently protected from development and open to the public.

Imagine streams, ponds, and rivers whose banks are accessible to the public, whose waters are stocked with fish, and which are protected from erosion and flooding by sensitive land practices.

Imagine a trail near your home where you can walk for leisure or exercise, or where your child can ride a bike safely to school.

Imagine a public golf course with a waiting time of only fifteen minutes.

Image showing your grandchildren the farm where you were raised or the woods where you played as a youngster, instead of telling them what was there before the houses.

We respectfully request the legislature and the Governor to again look favorably on allowing the voters of our state to decide on the continued funding of this successful program.

# The Future of the Dismal Swamp Is In Our Hands

by Robert Spiegel

EDISON WETLANDS ASSOCIATION NEWS UPDATE: SPRING EDITION 1992

We Need Your Help!!! The Dismal Swamp is in danger of being destroyed due to development. Approximately 300 of the 465 acres at the site have been mapped as wetlands by the US Fish and Wildlife Service, making the area extremely important for water purification and flood control.

In addition, it is estimated that 165 bird species use the site annually and several NJ Department of Environmental Protection and Energy Endangered, Threatened or Declining bird species have been observed.

Also, eight species of reptile and amphibians, one Endangered, and nine species of mammals have been observed.

As the developer's plan to construct 1,045 homes in the Dismal Swamp gains momentum, the federal government has begun a study of the property that may ultimately save some, if not all, of the swamp from destruction. In January, the US Army Corps of Engineers began a study of the 465-acre swamp to determine whether its preservation would minimize flooding in the Green Brook Flood Plain. This study will not be finished until this summer. The Army Corps has stated that there are considerably more wetlands than are listed on the developer's wetlands maps. However, they cannot

keep the developer from filling in the wetlands or destroying streams because the NJ DEP has granted the developers exemptions to the Fresh Water Wetlands laws which would have protected the Dismal Swamp.

The swamp property is located north of intersection 287 on the Metuchen, Edison, and South Plainfield borders.

**WHAT CAN YOU DO TO HELP SAVE THE DISMAL SWAMP ???** Write a letter to Governor Florio! In the letter, request that the State DEPE grant an administrative bearing on the exemptions that were given from the Fresh Water Wetlands Act. Tell the Governor that you want this pristine forest left intact. Furthermore, state that just because he owns a piece of land does not give him the right to destroy it. We are only custodians of the Earth for future generations. In your letter, include that you want the state to grant a suspension of construction until the bearing.

The developer began construction of the Dismal Swamp on February 3, 1992. They have moved in heavy machinery and have begun work on the road which has included: The filling in of wetlands and the clearing of forests. Time is of the essence!!!!!!

Send your letters to:

Governor Jim Florio  
State House, Trenton, NJ 08625

We all must be environmentalists because we all have a stake in the future

**NEW JERSEY RECREATION & PARK ASSOCIATION**

**STATEMENT ON A-1151  
"OPEN SPACE AND HISTORIC PRESERVATION BOND ACT OF 1992"  
AND PROPOSED REVISIONS**

**ASSEMBLY ENVIRONMENT COMMITTEE  
APRIL 23, 1992**

The New Jersey Recreation and Park Association has long been an advocate for the continuation of the State's critically important Green Acres Program. Today we are faced with a repeat of an all too familiar situation in the history of this program - exhausted funding levels. Quite literally - the Green Acres program will shut down in 1992, save for minor funding amounts available from loan repayments.

This is a situation which we believe the public will not tolerate and our State should not permit to occur. This bill represents the best opportunity now proposed before the legislature to refocus public support for dramatic environmental preservation. It also has the potential for dramatic public investment infrastructure improvement. We support this funding level proposed in this bill not because we are only concerned with open space acquisition and park development issues, but because these public's continued investment in these programs has the greatest impact for environmental preservation for future generations. We also note that these funding amounts are consistent with the needs identified and recommendations made in the 1991 Annual Report of the Governor's Council on New Jersey Outdoors. Our Association stands ready to coordinate a full scale grassroots lobbying effort to ensure that an appropriately funded Green Acres and open space funding program, such as the one envisioned in this legislation, reaches the voters this November.

The membership of our organization, the administrators of public parks and recreation systems and the volunteers who serve on related park commissions and advisory boards have debated the allocation of funds in this program since the inception of the Green Trust loan program. While we continue to be aggressive advocates of permanent open space preservation, both in the Green Acres Program and also in the Farmland Preservation Program, we also must be accountable for the public's need to use these spaces for outdoor recreation pursuits today. We have watched as the appropriations for Green Acres development projects have dwindled from an approximate 2:1 ratio (acquisition to development) to a 5:1 ratio in the 1991 appropriations bill. While this curtailing of development funding has been a response to the land use pressures of the 1980's; we believe the balance of appropriation categories in this bill must reflect the needs of



the 1990's for greater emphasis on outdoor recreation facility construction and renovations, particularly in urban and suburban park systems.

We ask the Committee today to reflect upon Green Acres as investment a community facilities and also as an investment in the local economy. A typical public park improvement project can provide more jobs and a greater variety of jobs than a similar investment in a roadway, sewerage or drainage project. Beginning with engineers and architects, a park construction contract may involve heavy equipment operators, masons, carpenters, electricians, plumbers, paving contractors, fencing contractors and landscapers. We think it makes sense to use the opportunity presented in this legislation provide stimulation to the State's economy by reserving a greater portion of the available funding for infrastructure improvement.

We propose the reservation a minimum of 25 percent of the State Green Acres project funding and approximately 30 percent of the local Green Acres funding for development purposes, a total of \$92,500,000. When compared to the totals proposed for open space preservation through Green Acres, state, local and non-profit organization aid, and the funding for farmland preservation. our recommended amount for development funding is less than 22 percent of the total.

We are also proposing a new element be added to the Green Acres program which would be funded through the amounts reserved for development projects. As of January 26, 1992 our State and local governments began assessing the impact of the American's With Disabilities Act, including the retrofit needs for public park and recreation facilities to insure full access for disabled residents. The assessments, while still in progress, are uncovering millions of dollars of potential expense for retrofitting and redesigning these facilities. From resurfacing playgrounds to replacing rest rooms to resurfacing trails; governmental units must begin a full scale effort to make appropriate improvements. We propose that within the Green Acres Program, as the State's only consistent source of outdoor recreation funding, a program to assist State parks, forests, historic sites and fish and wildlife management areas be established to begin complying with ADA responsibilities, and that a matching grant program for similar local government needs be created.

NEW JERSEY RECREATION & PARK ASSOCIATION

Proposed revisions to Section 5 of A-1151

a. \$ 125,000,000 (\$ 150,000,000) for the acquisition and development of lands by the State for recreation and conservation purposes, of which amount not less (more) than \$ 31,250,000 (\$ 37,500,000) shall be for the development of such lands, and of which amount \$3,000,000 shall be used for the improvement of State outdoor recreation facilities to provide for barrier free access by disabled visitors.

b. \$ 175,000,000 (\$ 150,000,000) for State grants and loans to assist local government units to acquire and develop lands for recreation and conservation purposes, of which amount, not less than \$ 55,000,000 shall be for the development of such lands, and of which amount, \$ 20,000,000 shall be for grants for up to 50% of the cost of acquisition or development of lands by local government units eligible to receive State Aid pursuant to P.L. 1978, c.14 (C.52:27D-178 et seq.), and of which amount \$7,000,000 shall be for grants up to 50% of the cost of improvements to outdoor recreation facilities to provide barrier free access by disabled visitors; and

c. no change

Submitted By:

William Foelsch  
Executive Director  
N.J. Recreation & Park Association  
2 Griggstown Causeway  
Princeton, NJ 08540  
(908) 281-9212

# *New Jersey Conservation Foundation*

300 Mendham Road, Morristown, N. J. 07960

201-539-7540

Testimony before the Assembly Environment Committee on A-1151

"Open Space and Historic Preservation Bond Act of 1992"

April 23, 1992, Edison

Good morning and thank you for this opportunity to speak in support of the "Open Space and Historic Preservation Bond Act of 1992." My name is Eleanor Campbell, Special Projects Coordinator for the New Jersey Conservation Foundation (NJCF). The New Jersey Conservation Foundation is a private, non profit, charitable organization dedicated to the preservation of open space and the conservation of New Jersey's unique natural resources. With 5,000 members, NJCF has helped preserve approximately 50,000 acres in New Jersey during the last 31 years.

The New Jersey Conservation Foundation strongly supports A-1151. This legislation is vital to New Jersey's continuing efforts to preserve its dwindling natural, agricultural and historic resources for future generations. If New Jersey is to be a strong economic competitor in this country and worldwide, then providing amenity, open space and ample

opportunities for recreation as well as maintaining rural character are essential.

Demand for Green Acres funding to preserve open space has been demonstrated repeatedly by the actions of New Jersey voters since the first bond referendum in 1961. Applications to the Green Trust for local land acquisition projects have consistently outstripped available funding. For example, in 1989, Green Acres received applications for land acquisition and development projects in the amount of \$199 million, and was able to provide funding in the amount of \$103 million. In 1990, applications totalled \$164 million and \$70 million was funded. In 1991, despite notifications that the Green Acres Program was out of money, \$88 million in proposed projects was received!

Similar support has been registered for preservation of farmland in New Jersey as evidenced by voter approval of bond referendums in 1981 and 1989. The State Agriculture Development Committee (SADC) estimates it will be able to purchase the development rights on about 6,000 acres in 1992. Preserving those 6,000 acres will exhaust current funding for the farmland preservation program. However, an estimated 450 farms encompassing 45,552 acres applied to sell their

development rights in this round! Clearly, interest in preserving land for agriculture in perpetuity through the sale of development rights exceeds available funding.

A new program for non profit conservation organizations, initiated with the 1989 bond act, is now generating even broader support for the highly effective Green Acres Program. This program provides for 50 percent matching grants to qualified organizations. It is a program which not only provides strong incentives to local organizations to get the best price possible for valuable conservation land, but stretches government money by matching it with private funds.

Last year, Green Acres approved 24 projects submitted by 19 non profit organizations, encompassing over 7,344 acres in 12 counties. Projects include a stream corridor protection project in Hunterdon County, a river-front park in Phillipsburg, large additions to migratory bird wetlands habitat in Salem and Cumberland counties, and much-needed recreational lands in Mercer County. The cost of these projects is estimated at \$29 million, of which Green Acres will fund \$10 million, the amount authorized under the 1989 Bond Issue. Thus, under this new program, state government

NJCF, p.4

is seeing its purchasing power almost tripled!

Without this bond issue to ensure the continuation of these programs beyond 1992, significant initiatives and momentum will be lost. We urge you to support this bill and ensure that these invaluable programs continue to be funded.

Thank you.



# FARMLAND FORUM

a survey of local efforts to  
promote agriculture in New Jersey

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*Written by Eleanor S. Campbell*

*Edited by Patricia J. Baxter*

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## NEW JERSEY FARMLAND PRESERVATION PROGRAM PARTICIPATION

The following is an overview of New Jersey's farmland preservation activities through December 31, 1991. The data represents cumulative figures since the inception of the state Farmland Preservation Program in 1984. Numbers are rounded.

The New Jersey Conservation Foundation (NJCF) is grateful to the staffs of the 16 County Agriculture Development Boards (CADBs) and the State Agriculture Development Committee (SADC) for providing this information.

The figures and concepts presented below assume a familiarity with the Farmland Preservation Program. For those not familiar with this program, a "Guide to the Farmland Preservation Program" is available through the SADC by calling 609-984-2505, or through NJCF.

Both SADC and CADB meetings are open to the public and you are welcome to attend, but be sure to call ahead as schedules often change!

### NEW JERSEY

#### Update

The SADC gave final approval to easement purchase on 35 farms in 1991, and granted preliminary approval for easement purchase to 78 farms, choosing from over 200 applications. It held a series of roundtable meetings for CADB staff to exchange ideas and information about improving adminis-

trative processes and meeting future needs. The SADC and NJCF cosponsored a workshop in October on agricultural easement monitoring.

#### Program Participation

Easement Purchases Completed: 85 farms/11,868 acres

Fee Simple Purchases Completed: 2 farms/524 acres.

In 1991, the SADC purchased two farms outright, one in Cumberland County and one in Salem County,\*retired the development rights and sold the deed-restricted land at auction.

Easement Donations Received: 1 farm/141 acres

Average Easement Cost Per Acre: \$6,229, excluding donations and fee simple purchases

Total State Easement Funds Spent to Date in All Counties: \$44,312,647. This figure does not include fee simple purchases.

Total County/Municipal Funds Spent to Date: \$29,615,693

Easement Purchases Pending: 28 farms/4,865 acres

Easement Purchases Granted Preliminary Approval with Eligibility for State Cost-Share: 78 farms/11,754 acres

State Easement Funds Available: In 1989, New Jersey voters approved an additional \$50- million bond issue to fund farmland preservation activities. In 1991, the state legislature authorized expenditure of a portion of these funds for easement purchases. It is anticipated that the legislature will authorize

expenditure of the remaining funds for purchase of easements on farms granted preliminary approval.

County/Municipal Easement Funds Available: Funding for farmland preservation varies widely among the 16 participating counties. Some counties require municipal contributions; some have a dedicated funding source; e.g., Cape May, Mercer and Somerset. Others rely on yearly appropriations or periodic bond issues. For this reason, funding comparisons among counties are not completely accurate. See below for individual county information.

Eight-year Program Participation: 322 farms/36,078 acres

SADC Staff: Donald Applegate, Executive Director/  
Robert Baumley, Agriculture Retention Program  
Manager, state Department of Agriculture, CN-  
330, Trenton 08625; 609-984-2504/609-633-2593

## ATLANTIC

### Program Participation

Easement Purchases Pending: 1 farm/183 acres

State Easement Funds Authorized: \$160,967

County Easement Funds Available: \$55,239

Eight-year Program Participation: 90 farms/5,836 acres

CADB Staff: Robert G. Brewer, County Department  
of Regional Planning and Development, 1333  
Atlantic Ave., Atlantic City 08401; 609-345-  
6700.

CADB Chair: Edward Wuillermin Jr., 881 S. Second  
Rd., Hammonton 08037

CADB Meetings: Third Wednesday, 7 p.m. winter  
and 8 p.m. summer; Cape-Atlantic Soil Conser-  
vation District Office, 1800 W. Harding Hwy.,  
Mays Landing

## BURLINGTON

### Update

Burlington County's Office of Land Use has centered its activities around preservation of farmland and improving municipal and regional planning. Activities included:

- 1) Easement purchase

- 2) Establishment of a pilot Transfer of Development Rights (TDR) program. Chesterfield Township's Planning Board has voted to move forward on its TDR master plan. Other townships considering TDR include Mansfield, Springfield, North Hanover, Florence, Lumberton and Southampton. With funding from NJCF, the Land Use Office is also writing a TDR handbook for distribution to rural municipalities.
- 3) Consensus planning, a process by which municipal officials from regions within the county meet to discuss land-use strategies and the cumulative impacts of each municipality's individual actions and zoning.

The CADB recently coordinated and hosted a workshop for CADB members and staff regarding policies on Residual Dwelling Site Opportunities (RDSOs) approvals, division of deed-restricted land and agricultural labor housing.

### Program Participation

Easement Purchases Completed: 32 farms/5,529 acres

Average Easement Cost Per Acre: \$4,692

State Easement Funds Spent to Date: \$15,705,422

County Easement Funds Spent to Date: \$8,528,357

Municipal Easement Funds Spent to Date: \$2,457,235

Easement Purchases Pending: 4 farms/745 acres

Easement Purchases Granted Preliminary Approval  
with Eligibility for State Cost-Share: 7 farms/  
1,512 acres

State Easement Funds Authorized: \$2,093,375. *No state funds have yet been authorized for farms which have received preliminary approval.*

County Easement Funds Anticipated: \$2,059,312 to cover pending easement purchases as well as easement purchase on farms which have received preliminary approval.

Municipal Easement Purchase Funds Anticipated: \$2,059,312 anticipated to cover pending easement purchases as well as easement purchases on farms which have received preliminary approval.

Eight-year Program Participation: 60 farms/10,464.5 acres



CADB Staff: Susan Craft/Chuck Gallagher, County Land Use Office, Room 355, 49 Rancocas Rd., Mount Holly 08060; 609-265-5787

CADB Chair: William Pettit Sr., Huff'n Puff Farm, Box 216, Juliustown 08042

CADB Meetings: Second Thursday, 8 p.m.; Freeholders Conference Room B, County Office Building, 49 Rancocas Rd., Mount Holly

## CAMDEN

### Program Participation

Eight-year Program Participation: 5 farms/417 acres

CADB Staff: Robert Dobbs, Soil Conservation District, 59 S. White Horse Pike, Berlin 08009; 609-767-6299

CADB Chair: Dennis Donio, RD 7, Old Forks Road, Hammonton 08037

## CAPE MAY

### Update

In 1989, Cape May voters approved a farmland/open space preservation tax at a rate of one cent per \$100 of assessed valuation. To date this tax has generated approximately \$2.5 million, of which \$36,590 was used towards purchase of development rights on the 110-acre Mason Farm in Dennis Township. Two boards, an Open Space Preservation Board and a Farmland Preservation Board, make recommendations to the freeholders on land and easement acquisitions.

### Program Participation

Easement Purchases Completed: 1 farm/110 acres

Easement Cost Per Acre: \$850

State Easement Funds Spent to Date: \$56,570

County Easement Funds Spent to Date: \$36,590

Easement Purchases Granted Preliminary Approval with Eligibility for State Cost-Share: 4 farms/421 acres

Eight-year Program Participation: 4 farms/910 acres

CADB Staff: Barbara Ernst, County Planning Board, DN-309, Library Building, Cape May Court House 08210; 609-465-1081. Dan Strombom, Agricul-

tural Agent, DN-703, Cape May Court House 08210; 609-465-5115

CADB Chair: Jonathan F. Sayre, 1043 Seashore Rd., Cape May 08204

CADB Meetings: Last Monday of every other month, 7:30 p.m.; Extension Education Center, Dennisville Road, Cape May Court House

## CUMBERLAND

### Update

With a grant from NJCF, the Cumberland CADB prepared a comprehensive report on the feasibility of establishing Agricultural Enterprise Districts (AED) in Cumberland County. These proposed districts are modeled after the existing Urban Enterprise Zone program. The AED report has been completed and is being circulated throughout the state. The CADB has formed a Legislative Steering Committee to develop legislative parameters necessary to implement the AED program. It is also involved in developing practical sludge management policies.

### Program Participation

County Easement Funding to Date: None, but county has funded \$182,000 in ancillary costs.

Easement Purchases Pending: 4 farms/650 acres

Easement Purchases Granted Preliminary Approval with Eligibility for State Cost-Share: 9 farms/852 acres

State Easement Funds Authorized: \$924,488. *No state funds have yet been authorized for farms which have received preliminary approval.*

County Easement Funds Available: \$537,322 plus the remainder of a \$1-million county bond issue in anticipated funding for future easement purchases.

Municipal Easement Funds Available: \$20,000 (Upper Deerfield Township) plus \$10,000 per year commitment from Upper Deerfield for future easement purchases.

Eight-year Program Participation: 36 farms/3,085 acres

CADB Staff: Timothy Brill, County Department of Planning and Development, 800 E. Commerce St., Bridgeton 08302; 609-453-2175. Ginny Davis,

CADB, RD 1, Box 319-B, Morton Avenue,  
Millville 08332; 609-451-2800

CADB Chair: Albert Johnson, P.O. Box 65, Deerfield  
08313

CADB Meetings: Third Tuesday, 7:30 p.m. winter  
and 8 p.m. summer; County Extension Service  
Complex, RD 1, Box 319-B, Morton Avenue,  
Millville

## GLOUCESTER

### Program Participation

Easement Purchases Completed: 1 farm/164.5 acres

Easement Cost Per Acre: \$3,000

State Easement Funds Spent to Date: \$394,685

County Easement Funds Spent to Date: \$98,671

Easement Purchases Pending: 1 farm/200 acres

Easement Purchases Granted Preliminary Approval  
with Eligibility for State Cost-Share: 2 farms/525  
acres

State Easement Funds Authorized: \$456,000. *No state  
funds have yet been authorized for farms which have  
received preliminary approval.*

County Easement Funds Anticipated: \$114,000 ±

Eight-year Program Participation: 13 farms/947 acres

CADB Staff: Morris K. Bayer, CADB, County Office  
Building, Clayton 08312; 609-863-6661

CADB Chair: Russell Marino, Vestry Road, RD 2,  
Box 32, Swedesboro 08085

CADB Meetings: First Thursday; County Office  
Building, Clayton

## HUNTERDON

### Update

The Hunterdon CADB recently established a com-  
mittee to develop four major projects to be pur-  
sued in 1992:

- 1) A public relations program, to include a public  
forum where residents can ask questions and share  
thoughts and concerns with CADB representa-  
tives.
- 2) A presentation to municipal planners and officials

about land-use planning to complement farmland  
preservation efforts, as part of a municipal out-  
reach program.

- 3) A procedure for accepting donations of easements,  
including bequests.
- 4) Several local easement purchase programs that  
could be implemented at the county level. Estab-  
lishment of an easement monitoring program will  
also be considered.

### Program Participation

Easement Purchases Completed: 18 farms/2,518 acres

Average Easement Cost Per Acre: \$5,840

State Easement Funds Spent to Date: \$9,237,186

County Easement Funds Spent to Date: \$4,326,372

Municipal Easement Funds Spent to Date: \$1,326,372

Easement Purchases Pending: 1 farm/150 acres

Easement Purchases Granted Preliminary Approval  
with Eligibility for State Cost-Share: 8 farms/  
1,268 acres

State Easement Funds Authorized: \$471,000. *No state  
funds have yet been authorized for farms which have  
received preliminary approval.*

County/Municipal Easement Funds Available:  
\$235,680 combined funds available for pending  
easement purchase.

Eight-year program participation: 33 farms/3,058 acres

CADB Staff: Linda Black Weber, CADB, County  
Administration Building, 1 E. Main St., Flemington  
08822-1200; 908-788-1490

CADB Chair: Walter Hill, RD 2, Box 420, Ringoes  
08551

CADB Meetings: Third Thursday, 8 p.m.; Freeholder  
Conference Room, County Administration Build-  
ing, Victoria Plaza, 1 E. Main St., Flemington

## MERCER

### Update

Mercer County now has a dedicated tax for open space  
and farmland preservation. The CADB is repre-  
sented on the County Open Space Preservation  
Board, which presents outright and easement  
acquisition priorities to the county executive.

The county sought and received a large corporate donation from the Mobil Foundation towards purchase of development rights on the 145-acre Niederer Farm in Hopewell Township. This donation, combined with installment purchase financing, has made this particular acquisition viable.

#### **Program Participation**

Easement Purchases Completed: 3 farms/196 acres

Average Easement Cost Per Acre: \$11,320

State Easement Funds Spent to Date: \$1,494,374

County Easement Funds Spent to Date: \$720,934

Easement Purchases Pending: 1 farm/145 acres

Easement Purchases Granted Preliminary Approval with Eligibility for State Cost-Share: 2 farms/254 acres

State Easement Funds Authorized: \$793,563. *No state funds have yet been authorized for farms which have received preliminary approval.*

County Easement Funds Available: \$491,525

Eight-year Program Participation: 6 farms/853 acres

CADB Staff: Leslie R. Floyd, County Planning Division, 640 S. Broad St., P.O. Box 8068, Trenton 08650-0068; 609-989-6545

CADB Chair: Nancy Tindall, c/o New Jersey National Bank, P.O. Box 8233, Trenton 08650

CADB Meetings: First Monday, 8 p.m.; 2d Floor Conference Room, County Extension Service Building, 930 Spruce St., Trenton

#### **MIDDLESEX**

##### **Update**

The Middlesex CADB has discussed alternative funding methods for purchasing development rights, reviewed new concepts and invited experts to its meetings for further analysis. It also established a subcommittee to review RDSOs, division of deed-restricted lands and agricultural labor housing in the county.

##### **Program Participation**

Easement Purchases Completed: 1 farm/90 acres

Easement Cost Per Acre: \$22,000

State Easement Funds Spent to Date: \$1,593,195

County Easement Funds Spent to Date: \$398,300

Easement Purchases Pending: 3 farms/278 acres

Easement Purchases Granted Preliminary Approval with Eligibility for State Cost-Share: 3 farms/340 acres

State Easement Funds Authorized: \$2,520,000. *No state funds have yet been designated for farms which have received preliminary approval.*

County Easement Funds Available: \$908,000

Municipal Easement Funds Available: \$54,200

Eight-year Program Participation: 2 farms/112 acres

CADB Staff: William J. Kruse/Linda Busch, County Planning Board, 40 Livingston Ave., New Brunswick 08901; 908-745-3016 (Bill)/745-4014 (Linda)

CADB Chair: Peter A. Cantu, 11 Beechtree Lane, Plainsboro 08536

CADB Meetings: Third Wednesday; Cranbury Municipal Building, 23A N. Main St., Cranbury

#### **MONMOUTH**

##### **Update**

The Monmouth CADB, in cooperation with the County Planning Office, is conducting a TDR feasibility study for Upper Freehold Township, which includes a wastewater treatment and water supply facilities study.

A Study Review Committee has been established with members of the township committee, the chairs of the planning board, zoning board and health department, a landscape architect and a wastewater technician. In addition to TDR, discussions at future meetings will include limited term easements, installment purchase and dedicated funding sources.

##### **Program Participation**

Easement Purchases Completed: 11 farms/1,463 acres

Average Easement Cost Per Acre: \$7,450

State Easement Funds Spent to Date: \$5,494,125

County Easement Funds Spent to Date: \$5,611,200

Easement Purchases Pending: 3 farms/450 acres

Easement Purchases Granted Preliminary Approval with Eligibility for State Cost-Share: 11 farms/1,651 acres

State Easement Funds Authorized: \$1,926,169. *No state funds have yet been authorized for farms which have received preliminary approval.*

County Easement Funds Available: \$792,572 excluding ancillary costs

Municipal Easement Funds Anticipated: A dedicated tax in Upper Freehold Township of 0.01 cents per \$100 of assessed valuation is expected to generate \$100,000 over five years.

Eight-year Program Participation: 15 farms/2,088 acres

CADB Staff: Karen C. Fedosh, County Planning Office, P.O. Box 1255, Freehold 07728; 908-431-7460

CADB Chair: K. Edward Jacobi, 7 Lippincott Rd., Little Silver 07739

CADB Meetings: Third Monday (except January and February), 7:30 p.m.; Planning Office Conference Room, 2d floor, Hall of Records Annex, Freehold

## MORRIS

### Update

With help from a grant from NJCF, the Morris CADB is investigating the installment purchase method of farmland preservation. It is also considering the AED concept and hopes to begin an easement monitoring program.

### Program Participation

Easement Purchases Completed: 8 farms/541 acres

Average Easement Cost Per Acre: \$16,710

State Easement Funds Spent to Date: \$4,996,551

County Easement Funds Spent to Date: \$4,046,979

Easement Purchases Pending: 3 farms/245 acres

Easement Purchases Granted Preliminary Approval with Eligibility for State Cost-Share: 5 farms/488 acres

State Easement Funds Authorized: \$680,000. *No state funds have yet been authorized for farms which have received preliminary approval.*

County Easement Funds Anticipated: A \$2-million capital bond ordinance will fund the three pending purchases. Another \$2-million capital bond ordinance will fund the purchases that have received preliminary approval.

Municipal Easement Funds Available: \$250,000 (Washington Township)

Eight-year Program Participation: 18 farms/1,255 acres

CADB Staff: Roberta C. Lang, CADB/Planning Board, P.O. Box 900, Morristown 07963-0900; 201-829-8120

CADB Chair: Loren Peifer, Red Gate Road, Morristown 07960

CADB Meetings: Second Thursday, 8 p.m.; County Planning Board, 300 Mendham Rd. (Route 24), Morris Township

## OCEAN

### Program Participation

Easement Purchases Completed: 1 farm/139.52 acres

Easement Cost Per Acre: \$6,300

State Easement Funds Spent to Date: \$685,122

County Easement Funds Spent to Date: \$182,432

Easement Purchases Granted Preliminary Approval with Eligibility for State Cost-Share: 4 farms/737 acres

State Easement Funds Pending: *No state funds have yet been authorized for farms which have received preliminary approval.*

County Easement Funds Anticipated: \$1.5 million

Municipal Easement Funds Available: \$100,000 (Plumsted Township)

Eight-year Program Participation: 1 farm/117 acres

CADB Staff: David J. McKeon, County Planning Board, CN- 2191, 119 Hooper Ave., Toms River 08754-2191; 908-929-2054

CADB Chair: William Fox, 81 Dallas Drive, Jackson 08527

CADB Meetings: Second Wednesday, 8 p.m.; County Agricultural Extension Office, 2d Floor, Toms River

## SALEM

### Update

The CADB is pursuing implementation of a county installment purchase program. In September, the Local Finance Board issued a letter of no negative findings on the innovative program. The freeholders passed a resolution supporting the installment purchase concept with funding not to exceed \$500,000 per year for 30 years and must now decide whether to appropriate money to fund the program.

The CADB is also working with the Division of Fish, Game and Wildlife to purchase the development rights of some farms in the Mannington Meadows area, important wintering and feeding habitat for waterfowl and other migratory birds.

It is working in conjunction with the Salem Board of Agriculture and the various municipalities on the State Development and Redevelopment Plan.

### Program Participation

Easement Purchases Pending: 5 farms/1,392 acres.  
The CADB will also cost-share on 318 acres of farmland being purchased with Green Acres funding through the Division of Fish, Game and Wildlife.

Easement Purchases Granted Preliminary Approval with Eligibility for State Cost-Share: 7 farms/1,452 acres

State Easement Funds Authorized: \$640,386. *No state funds have yet been authorized for farms receiving preliminary approval.*

County Easement Funds Available: \$2-million bond issue at 20 percent county cost-share.

Eight-year Program Participation: 17 farms/4,328 acres

CADB Staff: Rita Shade Simpson, Box 605, RD 2, Woodstown 08098; 609-769-3108/769-4028

CADB Chair: Jay Perry, RD 1, Box 244, Pedricktown 08067

CADB Meetings: Fourth Wednesday; 1000 East Building, Woodstown

## SOMERSET

### Update

The Somerset CADB is interested in installment purchase, TDR, dedicated funding and soliciting donations to complement existing farmland preservation efforts in the county. It is also conducting an economic study and update of investment opportunities. Last year, it received 78 applications to sell development rights comprising 5,200 acres.

### Program Participation

Easement Purchases Completed: 4 farms/220 acres

Average Easement Cost Per Acre: \$8,923

State Easement Funds Spent to Date: \$1,021,866

County Easement Funds Spent to Date: \$944,883

Easement Purchases Pending: 1 farm/253 acres

Easement Purchases Granted Preliminary Approval with Eligibility for State Cost-Share: 6 farms/975 acres

State Easement Funds Authorized: \$1,898,098. *No funds have yet been authorized for farms which have received preliminary approval.*

County Easement Funds Available: \$759,239

Municipal Easement Funds Anticipated: \$500,000 (Montgomery Township)

Eight-year Program Participation: 5 farms/226 acres

CADB Staff: Anthony V. McCracken Sr./Theresa Matteis, County Administration Building, P.O. Box 3000, Somerville 08876; 908-231-7000, ext. 7540

CADB Chair: Thomas Everett, 258 Beekman Lane, Somerville 08876

CADB Meetings: Second Monday; 4-H Center, Milltown Road, Bridgewater

## SUSSEX

### Program Participation

Easement Purchases Completed: 2 farms/121 acres

Average Easement Cost Per Acre: \$6,147

State Easement Funds Spent to Date: \$570,184  
 County Easement Funds Spent to Date: \$170,891  
 Eight-year Program Participation: 4 farms/406 acres  
 CADB Staff: Donna M. Traylor, County Planning  
 Department, 55-57 High St., Newton 07860; 201-  
 579-0500  
 CADB Chair: Andrew Borisuk, Box 427, Vernon  
 07462  
 CADB Meetings: Second Monday; County Admini-  
 stration Building, Don Bosco College, Newton

## WARREN

### Update

The Warren CADB is exploring alternative farmland  
 preservation methods such as AED and TDR. It  
 has 45 applications representing five project areas  
 on file and in need of funding.

### Program Participation

Easement Purchases Completed: 4 farms/ 914 acres

Average Easement Cost Per Acre: \$5,283  
 State Easement Funds Spent to Date: \$3,384,994  
 County Easement Funds Spent to Date: \$1,448,798  
 Easement Purchases Pending: 2 farms/172 acres  
 Easement Purchases Granted Preliminary Approval  
 with Eligibility for State Cost-Share: 6 farms/461  
 acres  
 State Easement Funds Authorized: \$533,397. *No state  
 funds have yet been authorized for farms which have  
 received preliminary approval.*  
 County Easement Funds Available: \$364,512  
 Eight-year Program Participation: 14 farms/1,978 acres  
 CADB Staff: Duane Copley/Phyllis M. Semanchik,  
 Soil Conservation District, Stiger Street, Hack-  
 ettstown 07840; 908-852-2579  
 CADB Chair: Elliot D. Fox Jr., Maple Lane, Asbury  
 08802  
 CADB Meetings: First Thursday, 10:30 a.m. Novem-  
 ber-April and 7:30 p.m. May-October; Agricul-  
 ture Service Center, Stiger Street, Hackettstown

**New  
 Jersey  
 Conservation  
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## HISTORIC PRESERVATION AND THE ENVIRONMENT

by  
Virginia T. Mosley

What is the relationship of Historic Preservation to the environment? What is environment? Historic preservation? What is the role of man in relation to both? How does legislation pertain to both?

What is environment? Using a dictionary, environment is whatever environs or encompasses. The word 'environ' means roundabout in all directions. When we rephrase the question to 'what is our environment' we make whatever surrounds us a part of us, of our life.

If we then consider the word 'preservation', we are charged with keeping something safe from destruction, death, loss or detriment; to maintain intact or unimpaired, keep in the same condition; save from decay, prepare so as to resist decomposition or change; to retain as in use or memory. There are also other definitions which are not applicable at this moment.

If we further limit the word 'preservation' by adding 'historic', there are numerous definitions. The most pertinent would be "relating to the past; pertaining to things as known by testimony or purely as matters of fact."

In today's world, we are faced with choices, but many times we are given no choice in relation to our surroundings. Developers are changing the environs by demolition of structures, by hacking down trees, by leveling hills, or filling in marshlands. Some communities have kept control of these activities by having adequate legal ordinances which can control such activities. State enabling legislation has made it possible for an individual community to preserve buildings which meet definite standards.

First the governing body establishes by ordinance an historic preservation commission. It may be made up of five, seven or nine members. One must be knowledgeable in architecture or construction; one must know history. Either of these may reside outside the community. The other members must reside in the community, but hold no office except for membership on the Planning Board or Board of Adjustment. In Tenafly, we have an architect, an historian, three other members, plus two alternates. No one is from any <sup>other</sup> board. Terms are prescribed, and rules established. Funding is provided by the governing body, and the commission may hire experts.

Duties include the preparation of a survey. (Tenaflly was fortunate in that the county had done a survey in 1983, part of which had been incorporated in the Master Plan.) The HPC makes recommendations to the Planning Board in relation to the Master Plan, and the inclusion of historic sites in capital improvement programs. They also advise the Planning Board and the Board of Adjustment on applications for development, make written reports where pertinent on the application of the zoning ordinance provisions regarding historic preservation, and carry out other functions in advising, educating and informing so as to promote historic preservation. There are other provisions that go into greater detail.

When Tenaflly passed their ordinance in February of 1988, it provided only for certain features of the state enabling act. For recommendations of the HPC to have effect in actually preserving an historic site, these sites have to be so designated by an ordinance. This we found out when we made recommendations on the property at 132 Tenaflly Road, and were challenged by their attorney. The Tenaflly Borough Attorney is in the process of preparing a second ordinance. As you can imagine, any new commission is viewed with suspicion by any board as to where their authority is going to be challenged, and the Tenaflly Historic Preservation Commission has been compared to a new kid on the block. Until this second ordinance is passed in regard to historic preservation, it is impossible to protect historic structures or open spaces. The Commission must also be aware of the rights of the individual in making any recommendations.

But what is the value of an historic structure or an open space? Our life in Tenaflly is richer because of our parks. Would we want to see Huyler Park or Roosevelt Common, Davis-Johnson Park or the East Hill covered with buildings? What of historic structures? What does a house that is 200 years old mean to us unless we live in it? Why should a 100 year old or a 50 year old dwelling have meaning for us? Doesn't today's generation have a right to be represented in structures they design and erect? Just as not all individuals like pizza, not everyone likes the same style of architecture. Isn't our life richer for seeing houses of different time periods designed by different architects?



## THE TENAFLY RAILROAD STATION

The Stone Station, the second railroad station in Tenaflly, was erected because of the desire of a group of Real Estate promoters for a depot that was a credit to the community. When the Northern Railroad of New Jersey began service in 1859, Tenaflly was a stop for trains, and a frame building was the station.

After the Civil War these men decided to promote the development called Highwood Park Villas east of the railroad tracks. The Highwood Hotel had been built east of County Road, and summer visitors were coming from Brooklyn and other places.

It was soon proposed that a stone station be erected. Land was given by George Huyler, who also gave one-third of the costs. (He had given the land for Huyler Park.) Contributions for a second third of the costs were given by many individuals; the Railroad gave the remainder.

The frame station was moved north of Jay Street; the stone station, designed and built by Daniel Topping Atwood, became a reality. It opened to passengers in 1874, and remained in use until 1966. Meanwhile Atwood was designing and building homes in Tenaflly in the vicinity of Serpentine Road.

In 1962 the Borough of Tenaflly purchased the station so that its use could be controlled. An Agent for the railroad had an office. In 1966 passenger trains stopped running; the building became available for use by the Borough. Because of the condition of the overhang, it was removed. The future use of the building was then evaluated. Could it be headquarters for the Recreation Commission or a historic museum? Were there other uses? The station had been identified in the Historic American Buildings Survey.

The National Trust for Historic Preservation was asked for suggestions. A revenue-producing use was suggested, considered, and accepted. The station was offered for rent after being rehabilitated. A dress store was the first tenant, followed by an art gallery.

The Station was placed on the State Register of Historic Places on November 27, 1978. Because of its significant place in the history of Tenaflly, it was put on the National Register of Historic Places on January 25, 1979. The station had been the meeting place for residents who came to collect their mail before home delivery or who commuted to work or for pleasure. From 1912 to 1938 the area was the northern terminal of the trolley which turned around here before going south to make connections with the ferries on the Hudson River.

The station is related to the history of transportation and commerce in the Borough. It is associated with World War I when Camp Merritt was located partially in Tenaflly, Bergenfield, Cresskill and Dumont. It is associated with World War II, as troop and supply trains used the tracks. It is remembered by the many students from the Sending Districts to the north of Tenaflly who rode the train to attend Tenaflly High School. It is also important because of its architecture.

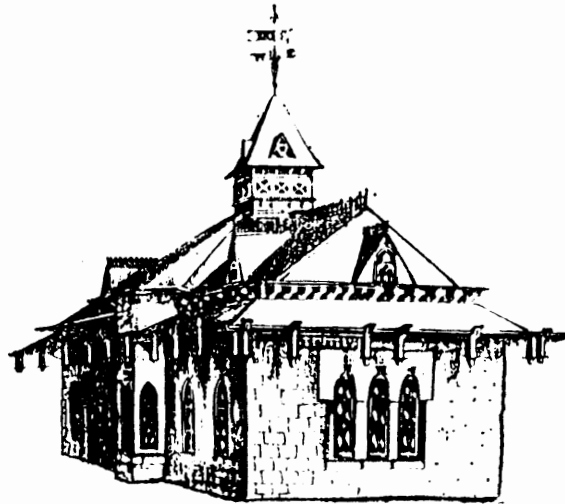
This High Victorian Gothic Railroad Station, while similar to the Demarest Station designed by J. Cleveland Cady, was designed by a less well-known Architect, D.T. Atwood. It was probably built of stone indigenous to the area. The unusual shaped windows with stained glass squares at the top, and the tower with its weather vane contribute to the interesting architecture.

Because of the station's proximity to the downtown area, and to Huyler Park where the Memorial Day Exercises are held, people are aware of the Station. Christmas lights provided by the Lions' Club add interest. During the Bicentennial a movement was started to restore the second roof. A model of the station with the overhang rebuilt stands in the Borough Hall.

\*\*\*\*\*

Artwork by Rigney; text by Mosley.

.... about the  
location of the  
Railroad Station  
in Tenafly.



**TENAFLY NJ  
RAILROAD STATION  
1874**

*Tenafly  
Historic Preservation  
Commission*

*Virginia Mosley, Chairman  
George Steinhardt, Vice Chairman  
Glenn Goldman  
Alice Rigney  
Kevin Tremble  
Robert Courtwright, Alternate  
Virginia Slowe, Alternate*

... about a  
Railroad Station  
in Tenafly, New Jersey

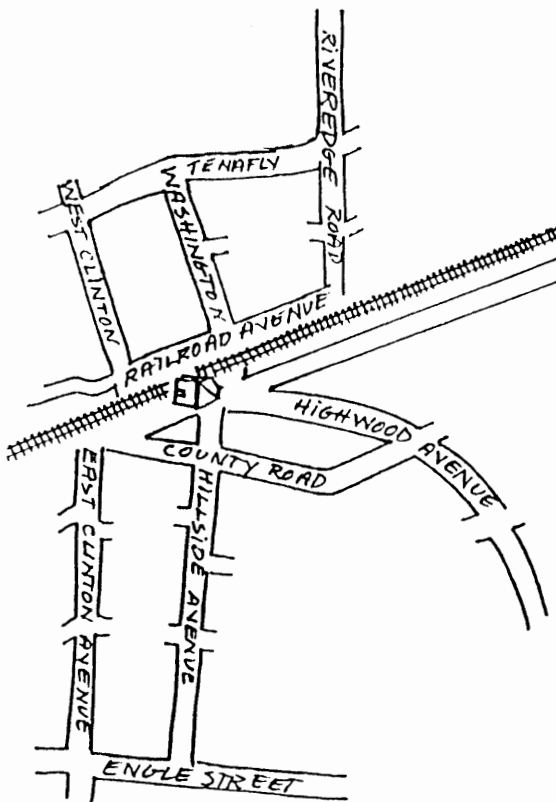
.... on the  
National Register of  
Historic Places

.... on the  
State Register of  
Historic Places

... in the  
Historic American  
Buildings Survey

... protected by  
local Ordinances

*Publicly owned*



# *Tenafly Historic Preservation Commission*

## HISTORIC PRESERVATION AND OUR ENVIRONMENT

Just as a tree has roots, so does Historic Preservation. It can provide the basis for our man-made environment. Our environment encompasses our surroundings, man-made and natural. Our buildings are mostly made from natural products. If a four room house needs 11 trees, two feet across by 120 feet tall, think how many more trees would be cut down for an eight room house. If by saving eight bricks, you save the equivalent of a gallon of gasoline, think what else Historic Preservation could do in saving a brick house. Think of that space saved at the dumps!

Did you know that Tenafly has a Historic Preservation Commission? that seven citizens give their time and efforts to serve on this Commission? that a State Law exists that enables the Mayor and Council to enact local ordinances to promote the work of the HPC? that even though a house or property is on the National and State Registers of Historic Places, that property is not protected until a local ordinance based on state law is enacted?

Do you know that Tenafly has two properties that are National Landmarks? They are the Elizabeth Cady Stanton House on Highwood Avenue, a Historic Landmark; and the Palisades, a Historic and a Natural Landmark.

Do you know there are four stone houses and the railroad station which are on the State and National Registers?

If you want to learn more about Historic Preservation, you are welcome to attend the Commission meetings on the third Tuesday, each month, 7:30 p.m. at the Administration Building.



TENAFLY NJ  
RAILROAD STATION  
1874

## *Tenafly Historic Preservation Commission*

*Virginia Masley, Chairman  
George Steinhardt, Vice Chairman  
Glenn Goldman  
Alice Rigney  
Kevin Tremble  
Robert Courtwright, Alternate  
Virginia Stowe, Alternate*



11 Hardscrabble Road, P.O. Box 693, Bernardsville, NJ 07924 (908) 766-5787 / Fax: (908) 766-7775

April 23, 1992

STATEMENT OF THE NEW JERSEY AUDUBON SOCIETY TO THE MEMBERS OF THE  
ASSEMBLY ENVIRONMENT COMMITTEE, PUBLIC HEARING ON A-1151, "OPEN  
SPACE AND HISTORIC PRESERVATION BOND ACT OF 1992."

New Jersey Audubon Society appreciates the chance to testify  
before this committee on this Preservation Bond Act of great  
importance to the people of our State.

We come before you to both think outloud and endorse the  
tremendous need for a substantial bond issue to preserve our open  
spaces, wildlife habitats, and historical heritage.

Without a blink of the eye we can say that the entire sum on  
the table here, \$450 million, could be used to purchase the  
150,000 to 250,000 acres of private, unprotected, forested  
watershed habitats in the New Jersey Highlands alone. But we  
know as well that most municipalities, and especially urban ones,  
have pressing recreation and sheer "breathing room" needs in  
areas throughout the rest of the state. So even this sum pales  
before the growing logjam of state and local projects.

But we know as well that powerful political and economic  
forces have their own competing projects and needs to address,  
such as for sewage infrastructure problems from the distant past  
and to accommodate future growth. We need to make sure that old  
problems are cleaned up but that the allocation for future  
expansion follows the guidelines and logic of the State Plan.  
Some of these needs are closely tied to existing environmental  
protection missions, such as that of the New Jersey Pinelands  
Commission, which needs some 30 million dollars to treat the  
wastewater that will be generated by construction in their  
designated growth areas.

This is part of the constraining context in which the  
request for 450 million will have to compete with other issues  
and that, so we were repeatedly told in 1989, has a total upper  
cap limit of 500 million in any given year for all bonding  
purposes.

And certainly the two great variables and ultimate constraints are the mood of the voters and the financial situation of the state and country in the fall of 1992.

Having put this Preservation Bond Act in that perspective, we also must say that this is a good time in a thrifty consumer, "stretch the tax dollar" sense, to purchase open space - at the very bottom of the real estate market.

But given this tremendous unmet need and demand for the purposes of this bill, and the constraints that are sure to crowd in and try to reduce this sum, we are therefore mindful that acquisition tools need other allies in the cause.

The words of the 1973 Task Force Report Sponsored by the Rockefeller Brothers Fund (The Use of Land: A Citizens' Policy Guide to Urban Growth) put acquisition in the proper perspective:

Since it is neither feasible nor acceptable for governments to acquire the vast agricultural and natural areas that ought to be conserved within future urban regions, mechanisms to protect privately held open space are essential. Without such mechanisms, even moderate objectives of protection programs are unlikely to be achieved.

The land market, as it operates today, is the principal obstacle to effective protection of private open space. (pages 20-21)

This report was edited by the current head of the EPA, William K. Reilly, and endorsed by, among others, Pete Wilson, current Governor of California, and James W. Rouse, who was, in 1973, Chairman of the Board of the Rouse Company.

We cite this Report because, remarkably, these thoughts were written down before the concept of Transfer of Development Rights (TDRs) had wide circulation. And, remember - we did earmark some 20 million dollars in our 1989 state Green Acre Bond Act for a state-wide TDR bank, which has not been appropriated because the Assembly has failed to pass a state-wide TDR bill. So as we consider the great demand for and the scale of the appropriation before us today, we need to remember that wherever political reality sets the final appropriation figure, that the TDR system is the best way to leverage tax dollars and save open space because the TDR market itself raises additional money through the intensified demand for the TDR credits. It is the logical and necessary complement to Green Acres Bond issues.

And one closing thought. Our Green Acres Bond Acts are by necessity, driven to address a pretty piecemeal approach to small

or supplementary conservation goals. Except where they can extend the area of already existing large tracts of open space, this piecemeal approach will not do the job, alone, of saving large, special, environmentally important areas, such as watersheds, nor will the state plan, entirely. So we invite both parties of the legislature to work with us and the conservation community to pass the TDR tools to complete the picture and support the soon to be released Skylands Task Force report and the work-in-progress of the Highlands Work Group now chaired by Christopher Daggett.

Respectfully submitted,

*William R. Neil*

William R. Neil  
Assistant Director  
of Conservation



# PASSAIC RIVER COALITION

246 MADISONVILLE ROAD, BASKING RIDGE, NJ 07920 (201) 766-7550

Statement before the Hearing on A. 1151, Open Space and Historic Preservation Bond Act of 1992, Assembly Environment Committee, Edison, New Jersey, April 23, 1992.

Presented by Ella F. Filippone, Executive Administrator

The Passaic River Coalition appreciates the opportunity to comment on A. 1151, a bonding proposal for open space and historic preservation. We support the initiative for \$450 million and will do all we can to educate the public on the critical need for the acceptance of this bond act.

We with others in the environmental community have just concluded a whirlwind effort, seeking to save vital parcels of open space for the people of this state which were sold on the auction block by the Resolution Trust Corporation on April 21st.

For the past year, the U.S. Forest Service has been working on a report on the value of the New Jersey/New York Highlands. One of the primary recommendations, supported by the people of the State, is the acquisition of open space lands in the Highlands Province. Thus, two weeks ago, when we learned that thirteen parcels of raw/undeveloped land was to go on the auction block, we sought out the Governor and Members of Congress to take these parcels off the auction block. In such a short time, the Governor, Senator Laurenberg, and Congressmen Torricelli, Gallo,

Zimmer, and Roukema responded by requesting that these parcels be taken off the auction block. We all were unsuccessful.

The statistics are noteworthy: Of the raw/undeveloped lands in the Highlands (including one small parcel), the total assessed value was \$11,576,000; the auctioned prices came to \$5,072,500 or 44 percent of the assessed values. For all raw/undeveloped lands in New Jersey, the total assessed value is \$29,787,210; the auctioned prices came to \$14,027,500 or 47 percent of the assessed values.

Before this bond act can go before the citizens of New Jersey, additional opportunities will be lost as another auction will be held. Under the current process, RTC guidelines are not clear, and while we who are familiar with the open space sites which have been auctioned off were never notified nor asked regarding environmentally sensitive lands, RTC maintains that they have met their guidelines. A first turn-down action, based on high assessments, has not been and could not be successful.

While we pursue a \$450 million bond issue, we strongly recommend that a process be established within the N.J. Department of Environmental Protection and Energy to respond better to the RTC in order to obtain the large tracts which become available in such areas as the Highlands. In addition, we must begin a more vigorous program to acquire lands around reservoirs, greenways alongside our rivers and streams (with a strong emphasis on



maintaining Category 1 waters), and wetlands within the flood plains of our river systems. Furthermore, we must recognize that acquisition of lands in the public interest have many benefits, and such acquisition cannot and should not become part of the "phony economics" used by agencies of the federal government to justify poorly conceived projects, such as the Passaic River flood tunnel. Good environmental stewardship should not be used to justify poor engineering.

Thank you.

RESULTS OF  
UNIMPROVED & RAW LAND IN HIGHLANDS PROVINCE, NEW JERSEY  
AUCTIONED ON APRIL 21, 1992

<u>RTC No.</u>	<u>Name</u>	<u>Municipality</u>	<u>Acres</u>	<u>Appraisal</u>	<u>Finance Category</u>	<u>Auction Price</u>	<u>Percent of Value</u>
6.	Williamsburg	West Milford	72.38	\$2.2M	B	\$375,000	17%
7.	Apple Acres	"	104.84	\$ 735,000	A	\$210,000	29%
8.	Valley Ridge	"	26.83	\$ 215,000	A	\$115,000	53%
10.	Chester Tract	"	45±	\$ 350,000	A	\$140,000	40%
11.	Prospect Ridge	"	17.51	\$ 305,000	B	\$ 85,000	28%
12.	TWM Tract	"	57.63	\$ 170,000	A	\$160,000	94%
13.	Melody Lake (former rec. site)	"	52.8	\$ 400,000	A	\$270,000	68%
15.	Tory Estates	Ringwood	311.4	\$ 841,000	A	\$460,000	55%
18.	Forest Ridge	Independence	52.92	\$ 345,000	B	\$190,000	55%
19.	Highlands	"	1.13	\$ 50,000	A	\$ 67,500	135%
22.	Dixon Pond	Boonton & Peckaway Twp.	145.3±	\$1.3M	A	\$660,000	51%
23.	Clinton Point	Clinton	21.73	\$1,626,000	E	\$540,000	33%
25.	Shannon Farms	Bernards Twp.	109±	\$3,030,000	B	\$1.8M	59%

RTC = Resolution Trust Corp.

A = Raw Land

B = Approved and Unimproved Land

38X

## RESULTS OF

UNIMPROVED &amp; RAW LAND AUCTIONED BY RTC ON APRIL 21, 1992

RTC No.	Name	Municipality	Acrest	Appraisal	Finance Category	Auction Price	Percent cf. Value
1.	EmeraldGreen	Thompson, NY		\$ 389,500	B	\$ 80,000	20%
3.	Lake Shore Drive West	"	4±	\$ 191,000	A	\$ 70,000	37%
4.	Essex Park	Staten Island NY	1.33±	\$1,500,000	A	\$400,000	27%
5.	Prospect & Arnold	"		\$ 890,000	A	\$260,000	29%
6.	Williamstown	West Milford	72.38±	\$2,200,000	B	\$375,000	17%
7.	Apple Acres	"	104.84±	\$ 735,000	A	\$200,000	27%
8.	Valley Ridge	"	26.63±	\$ 215,000	A	\$115,000	53%
10.	The Chester Tract	"	45±	\$ 350,000	A	\$140,000	40%
11.	Prospect Ridge	"	17.51±	\$ 305,000	B	\$ 85,000	28%
12.	TWM Tract	"	57.63	\$ 170,000	A	\$160,000	94%
13.	Melody Lake	"	52.8	\$ 400,000	A	\$270,000	68%
15.	Tory Estates	Ringwood	311.4	\$ 841,000	A	\$460,000	55%
16.	Far Dale Manor	Mahwah	3.73	\$ 580,000	B	\$280,000	48%
17.	Change Bridge	Montville	2.38	\$ 340,000	B	\$240,000	71%
17A	North Bergen	North Bergen		\$ 225,000	B	\$190,000	84%
18	Forest Ridge	Independence	52.92	\$ 345,000	E	\$190,000	55%
20	Crest at Panther Valley	Allamuchy	5	\$ 191,000	B	\$ 72,500	38%
22	Dixon Pond	Boonton & Rockaway	145.3	\$1,300,000	A	\$660,000	51%
23	Clinton Hunt	Clinton	21.73	\$1,626,000	B	\$540,000	33%
25	Shannon Hill Farms	Bernards	109.	\$3,030,000	B	\$1.8M	59%
26	Spring Hill Road	Montgomery	3	\$ 115,000	A	\$ 82,500	72%
27	Mont Tract	"	33	\$ 625,000	A	\$445,000	71%
28	Castle Chase I	"	46.92	\$ 938,000	B	\$370,000	39%

39X

404

ETC No.	Name	Municipality	Acres±	Appraisal	Finance Category	Auction Price	Percent Of Value
30	Heritage Village	Allentown	39.29	\$1,175,000	A	\$355,000	30%
31	Kimberly Woods	Middletown	19.37	\$1,500,000	A	\$385,000	26%
32	Summit At Durand Park	Freehold	67.15	\$1,368,000	B	\$1.45M	106%
34	Colony at Mill Hill	Trenton		\$ 231,000	B	\$ 52,500	40%
35	Omni Community Center	Hamilton	116.93	\$4,500,000	B	\$2.175M	48%
36	Rt.33 at Paxson Ave.	"	5.49	\$1,013,210	A	\$500,000	49%
38	Mill Run	Medford		\$ 565,000	B	\$225,000	40%
34	Hidden Creek	"		\$ 292,500	B	\$140,000	48%
40	Wood Haven Estates	"	14.29	\$ 665,000	B	\$395,000	59%
41	Mansfield Farm Colony	Mansfield	51.17	\$ 470,000	B	\$300,000	64%
42	Cedar Ave & Platt St.	Berkeley		\$ 120,000	B	\$ 70,000	58%
43	Rose Bank Village	Lakewood	4.87	\$ 387,500	B	\$120,000	31%
44	Laurelton Woods	Brick	11.82	\$ 594,000	A	\$200,000	34%
44A	Madison Avenue	Manchester		\$ 30,000	A	\$ 30,000	100%
46	Weygate Woods	Biggsboro	41.97	\$1,430,000	B	\$500,000	35%
47	Ocean Colony	Atlantic City		\$ 500,000	A	\$185,000	37%
47A	Bay Acres Drive	Middle Township		\$ 165,000	B	\$100,000	61%
48	Fries Mill Plaza	Gloucester	2.54	\$ 250,000	B	\$130,000	52%
49	Independence	Easton Forks TWP	28.8	\$ 630,000	B	\$200,000	32%
50	Oxford Valley Road	Lower Wakefield	5.73	\$ 105,000	B	\$ 72,500	69%
51	Trent Manor II	W. Norriton	21.46	\$2,268,000	B	\$1.55M	68%
53	Gallows Hill	Nockamixon PA	105	\$1,825,000	B	\$355,000	19%
54	Hansel Woods	Buckingham PA	107.41	\$3,160,000	B	\$1.55M	49%
58	Dillworthtown	Thornbury Twp PA	2.22	\$ 123,000	A	\$ 85,000	69%
59	Mallard Property	Chester Co., PA	9.15	\$ 350,000	A	\$350,000	100%

RTC = Resolution Trust Corp.

A = Raw Land

B = Approved and Unimproved Land



A Past to Preserve ... A Future to Create

Assemblywoman Maureen Ogden, Chair  
New Jersey State Legislature  
Assembly Environment Committee  
266 Essex Street  
Milburn, N.J. 07041

OFFICE OF  
LEGISLATIVE SERVICES  
APR 30 10 47 AM '92

April 30, 1992

Dear Assemblywoman Ogden,

Thank you for the opportunity to testify on behalf of Main Street Communities in New Jersey, in regard to the Open Space and Historic Preservation Bond Act of 1992.

As a Main Street and Certified Local Government community we are certain that the funds provided through the bond act would greatly intensify historic preservation projects. However, we request an amendment be added that calls for 10% of the funds be used specifically for The Office of New Jersey Heritage Main Street and CLE programs. This percentage would not only provide the necessary funds but would send a message to the municipalities of the importance of commitment to preservation.

I thank you for considering our request and wish you luck in this endeavour.

Sincerely,

Sheila McElroy Diamond  
Project Manager

cc. Jeff Climpson

Main Street North Plainfield, Inc.  
A Non-Profit Corporation

172 Somerset Street North Plainfield, NJ 07060 908-756-7665

4/X



Office of the Director

OCEAN COUNTY PARKS & RECREATION  
ADMINISTRATIVE OFFICES

1193 Bandon Road • Toms River, New Jersey 08753 • 201-426-1000

OFFICE OF  
LEGISLATIVE SERVICES  
RECEIVED

APR 22 1 11 PM '92

April 22, 1992

Dear Mr. Jeff Climpson:

Regarding the Green Acres Bond Referendum, Bill A1151 public hearing to be held on April 22, 1992 at the Edison Municipal Building, unfortunately I will be unable to attend. I do wish to have my written testimony included into the record regarding this very important and essential legislation.

In past years, these Green Acres Bonds have been overwhelmingly supported by the general public. This public funding program has allowed for the continued conservation of lands and recreational opportunities for all citizens and has been the 'lifeblood' of the Parks and Recreation program in New Jersey.

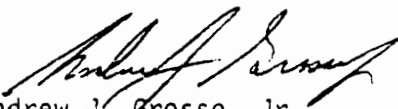
The residents of Ocean County as well as other areas of New Jersey have benefited greatly from this funding process. It has been the catalyst that has allowed our great park system to prosper, as well as to protect the beaches and waterways of our County.

It is essential that open lands continue to be preserved for ourselves and our posterity, so that the quality of living in New Jersey may continue to improve.

As a regional coordinator I have attached a sheet of those support groups who have wholeheartedly pledged support for this Green Acres Bond Referendum.

I thank you for your time and attention to this request.

Sincerely,

  
Andrew J. Grosso, Jr.  
Director Parks & Recreation

AJG:gk

## ENVIRONMENTAL ORGANIZATIONS

Ocean Nature and Conservation  
Society  
21 Winding River Drive  
Toms River, NJ 08755  
C/O Mrs. Jan Larson

Ocean County Citizens  
Conservation Council  
220 Virginia Dr.  
Brick, NJ 08723  
C/O Robert Anstett

Jersey Shore Audubon  
1916 Kennelworth Ct.  
Toms River, NJ 08753  
C/O Don & Karen Bonica

Energy Spectrum  
P. O. Box 592  
Forked River, NJ 08731

Izaak Walton League  
1093 Barnegat Lane  
Mantoloking, NJ 08738  
C/O Marie Hogan  
908-295-5919

- (1) Ocean County Library System  
Washington St.  
Toms River, NJ 08753  
ATT: Stella Kern
- (2) Outdoor Club Of South Jersey  
209 Lindsey Avenue  
Runnemede, NJ 08078
- (3) Monaco Canoe Club  
ATT: FRANK B. CANCELLIEST  
861 Colts Neck Road  
Freehold Twp. NJ 07728
- (4) Wetlands Institute  
Stone Harbor Blvd  
Middle Twp. NJ 08247
- (5) Cape May Bird Observatory  
PO Box 3  
Cape May Point, NJ 08212
- (6) Forsythe National Wildlife Refuge  
Great Creek Road Box 72  
Oceanville, NJ 08231
- (7) Weis Ecology Center  
150 Snake Den Rd.  
Ringwood, NJ 07456
- (8) Barnegat Bay Decoy & Baymen's  
Museum  
Att: Tom Gormley  
Marine Street  
Tuckerton, NJ 08087
- (9) The Jersey Paddler  
1748 Rt 88  
Bricktown, NJ 08723
- (9) The Jersey Paddler  
1748 Rt 88  
Bricktown, NJ 08723
- (10) NJ Conservation Foundation  
300 Mendham Road  
Morristown, NJ 07960





April 22, 1992

Assemblywoman Maureen Ogden  
Chairwoman  
Assembly Environment Committee  
266 Essex Street  
Millburn, New Jersey 07041

Re: A-1151 "Open Space and Historic Preservation Bond Act  
1992"

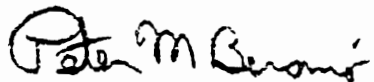
Dear Assemblywoman Ogden;

Englewood is one of six New Jersey Main Street communities actively involved in economic development programs as historic preservation as a centerpiece for our activities. As a community dedicated to the revitalization of our existing downtown we strongly support the efforts of the state to provide incentives to local governments for the purposes of encouraging the rehabilitation of historic properties. To that end we would like to suggest that ten percent (10%) of historic preservation bond funds be allocated to municipalities which participate in the Main Street New Jersey or Certified Local Government Program.

In our struggling New Jersey downtowns we do our best to preserve our built environment and keep development projects confined to areas where existing infrastructure systems are in place. The intent of the bond act is consistent with the Main Street philosophy of refueling our existing downtowns as an alternative to expanding our business districts into areas that are dedicated to parks, wooded areas or other open spaces.

Obviously the added incentive of grants and loans from the act would be helpful. Any attention to this request would be a boost to New Jersey's downtowns.

Sincerely,

A handwritten signature in cursive script, appearing to read "Peter M. Beronio".

Peter M Beronio  
Executive Director  
Englewood Main Street



association of new jersey  
environmental commissions

27 April 1992

The Honorable Maureen Ogden  
Chairwoman  
Assembly Environment Committee  
Office of Legislative Services  
CN-068  
Trenton, New Jersey 08625-0068

Dear Ms. Ogden:

The Association of New Jersey Environmental Commissions (ANJEC) strongly supports bill A-1151, the "Open Space and Historic Preservation Bond Act of 1992." Each of the State programs sustained by this bill -- Green Acres, farmland preservation, and historic preservation -- is an integral part of New Jersey's progressive and successful approach to resource protection for the public good, and must be provided with funds to continue.

New Jersey's Green Acres program has consistently received overwhelming public support throughout its 31-year history. What has been achieved through the program is an impressive inventory of recreational and open spaces, from municipal ball fields to county and state parks, for the use and benefit of our people. New Jersey's Green Acres program is noted nationally as an example of forethought and action to protect and provide for its citizens a rapidly dwindling resource - open space.

The rapid development and urbanization in the past 40 years of New Jersey's farmland -- some of the most prime arable land in the nation -- has startled even the most jaded forecasters. 50% of our farmland, 830,000 acres, was lost between 1950 and 1985, with the rate of annual loss doubling in the last five years. New Jersey's prosperous farming economy has been severely compromised and curtailed by farmland loss. The State's efforts to protect farming and farmland have been widely supported by the public in previous farmland preservation bonds; recent Eagleton Institute and Center for Analysis of Public Issues polls show that, more than ever, the people of New Jersey want farmland and open space preserved in our state.

New Jersey enjoys an amount and quality of natural resources -- surface waters, soils, climate -- that made it a desirable location for some of the earliest settlements in our nation. We are rich in these historic resources as well. From prehistoric Native American villages to Quaker and Dutch colonial settlements, from Revolutionary War sites to early iron and glass works, our state holds numerous and varied sites of historical importance. Such a resource should not be squandered, but protected and maintained for generations to come; the State's historic preservation program wisely provides for such protection.

We urge the committee to approve A-1151, the "Open Space and Historic Preservation Bond Act of 1992."

Sincerely,



Sally Dudley  
Executive Director

# PRESERVATION SALEM, INC.

P.O. Box 693, Salem, NJ 08079

April 21, 1992

Hon. Maureen Ogden, Chairperson  
Assembly Environment Committee  
266 Essex St.  
Milburn, NJ 07041


Dear Assemblywoman Ogden:

Salem, NJ is a 17th century city which instituted historic preservation into its zoning in 1975, 300 years after its founding. This year should see the revision of Salem's ordinance and application for Certified Local Government status. The opportunity for grants under the CLG program will play a large role in getting the ordinance passed.

Preservation Salem supports another referendum for an Historic Preservation Bond. We also support the specification that CLG's and Mainstreet communities receive 10% of the funding. Such a designation will provide an incentive for communities to do preservation planning and incorporate protection of historic resources into their local laws. Such an "economic carrot" will lead to more CLG's, which will lead to more widespread preservation education and protection of New Jersey's historic resources.

Thank you for your consideration.

Very truly yours,

  
Janet Sheridan  
President

**Krueger-Scott Mansion**  
*Cultural Center*  
CATHERINE J. LENIX-HOOKER  
*Executive Director*



City Hall, Rm. 204  
920 Broad Street  
Newark, N.J. 07102  
(201)733-3748

20 April 1992

Members of the Assembly Environment Committee,  
Legislative Office Building, CN-068  
Trenton, New Jersey 08625-0068

RE: Bill #A 1151, Open Space and  
Historic Preservation Bond  
Act of 1992

Dear Committee Member:

The award of grant funds from the previous Bond Act have been instrumental in enabling the City of Newark to preserve the Krueger-Scott Mansion, built in 1888. This 28-room Baroque "High Victorian" house is on both the State and National Registers of Historic Places and is slated to be the premier facility in the State for the study and interpretation of African-American arts and culture.

The support from the State has not only added to the vitally needed dollars to restore this site, but also gave this project a level of credibility that, in no small way, has encouraged the public and private sectors to donate their resources and talents.

I feel that the business of preserving our historic places is a timely, expensive yet very worthwhile one. They revitalize our cities and our citizens. In Newark, this site will create new avenues of employment, recreation and educational opportunities for its multi-cultural communities.

On April 23, 1992, I do hope that you will not only support the bill to earmark \$25 million for historic preservation, but consider doubling this amount!

Thanking you in advance for your every consideration.

Sincerely,

Catherine J. Lenix-Hooker

cc: Willie B. Brown  
Jackie R. Mattison  
Ronald L. Rice  
Wynona W. Lipman  
Alex Boyd

50X