

**Garden State Preservation Trust**  
**Oct 3, 2007 Meeting Minutes**

Chairwoman Rosenfeld called the meeting to order at 11:10 a.m. Ralph Siegel, executive director, read a statement certifying compliance with the Open Public Meeting's Act, and called the roll. Public members present were: Jan Rosenfeld, chair, Michael Murphy, vice chair; and Herbert Wegner. Ex-officio members present were Agriculture Secretary Charles M. Kuperus, Assistant Commissioner Amy Cradic (for DEP Commissioner Lisa P. Jackson), Assistant Treasurer Patrick O'Connor (for Acting State Treasurer Michellene Davis), and James Requa (for Department of Community Affairs Acting Commissioner Charles A. Richman).

Public member Robert DiVincent resigned in May. The board now has two vacancies.

**OPENING REMARKS**

Chairwoman Rosenfeld welcomed members and discussed the day's agenda and Public Question #3 on the Nov. 6 ballot seeking voter approval to provide \$200 million for Garden State Preservation Trust programs.

**APPROVAL OF MINUTES OF MAY 9, 2007, MEETING**

Chairwoman Rosenfeld asked for corrections or clarifications to draft minutes from the May 9 meeting. There were none.

Moved by Mr. Wegner  
Seconded by Mr. O'Connor  
Approved 7-0.

**RECEIPT OF GSPT ADMINISTRATION AUDITS FOR FY2005, FY2006**

Chairwoman Rosenfeld, who also chairs the Fiscal and Audit Subcommittee, briefed members on the recently completed audits, which were presented to them in their Meeting Books.

Chairwoman Rosenfeld said she has asked Treasury to review its procedures to see if a 2007 audit can be procured without a lengthy RFP process by extending the Tondah contract or selecting an auditor from an approved list of auditors without the need for new bidding.

**EXECUTIVE DIRECTOR'S FISCAL REPORT: GREEN ACRES**

Mr. Siegel said \$36 million was available for "Part B" of the Green Acres State Acquisition program for FY2008. He explained that the "Part A" appropriation of \$40 million was approved by the Trust in May, passed the Legislature and was signed into law by Gov. Corzine the previous week.

Mr. Siegel said the funds available for appropriation to the Green Acres program have improved since the last Trust meeting in May because of interest earnings that were

more substantial than had been forecast. He said the forecasts are cautious and conservative.

He explained \$76 million was available for the Green Acres State Acquisition program for FY2008, an increase of \$3 million as compared with \$73 million known to be available in May. With \$40 million appropriated already for FY2008, \$36 million remained available for appropriation.

Mr. Siegel said the Green Acres Local Grants program had \$14 million remaining available, an increase of \$2 million as compared with \$12 million known to be available in May.

Mr. Siegel asked when the Green Acres program would make its Local Grants recommendations. Green Acres program administrator John Flynn said he expected the recommendations to be made to the Trust in November or December.

### **PRESENTATION OF GREEN ACRES RECOMMENDATIONS FOR FY2008** **PART B GRANTS FOR STATE LAND ACQUISITIONS**

Administrator John Flynn and Green Acres State Acquisitions Chief Fawn McGee reviewed the \$33 million package of recommendations for block grants to 10 geographic areas.

Mr. Flynn said he was advancing a \$33 million recommendation because it had been planned for some time despite the fact new figures showed \$36 million now being available. He said the remaining \$3 million would be held for future appropriations.

On the Local Grants program, Mr. Flynn said the deadline for applications were Oct. 26 and would be processed to develop a package of recommendations as soon as could be done. He then turned the presentation over to Ms. McGee.

Ms. McGee said the Green Acres State Acquisition program has used Garden State Green Acres Preservation Trust funds to preserve 1,178 parcels at a cost of \$508 million, with 74 parcels preserved in 2007 totaling 5,000 acres at a cost of \$37 million. She noted the Green Acres program exceeded its expenditure targets for FY2007, and she said the program leverages its dollars with federal funds and lawsuit mitigation funds.

Ms. McGee said the recommended appropriation if approved by the Legislature would bring the Green Acres State Acquisitions total appropriation under GSPT to \$603 million. She said the governor's signature on the recent \$40 million appropriation brought funds into several geographic areas that had been depleted. She said her office was targeting 96 projects over the next 18 months that could total \$124 million.

Ms. McGee then presented a map showing the various project areas where the State Acquisition grants would go. She provided details on each geographic project area and then discussed some specific projects within those areas. She provided details on specific parcels in Princeton along the Stonybrook River, in Cape May near the Higbee Beach Wildlife Management Area, in Medford adjacent to the James Still historic site, a Lakehurst cranberry bog adjacent to a Navy facility, and a 270-acre parcel in Frelinghuysen Township that is a critical endangered species area.

Mr. Flynn thanked Mr. Siegel for his efforts on distributing information about the Nov. 6 ballot question to provide additional funding.

Mr. Siegel asked if the Ridge & Valley project area was separate from the Highlands project area. Ms. McGee said yes.

Mr. O'Connor asked how many acres were preserved in the 1,178 State Acquisition projects. Ms. McGee said it was 144,710 acres.

Mr. O'Connor asked about plans for camping access. Ms. McGee said work begins immediately when a project is identified for appropriate recreational uses including boat and fishing access, and camping.

Mr. Wegner said many preserved farms have gaps between them made up of wetlands and woodlands. He asked if Green Acres looked for acquisitions of such wetlands or forest tracts adjacent to preserved farms. Ms. McGee said they did, and that they rely on local coordinators to concentrate on waterway and wetland corridors adjacent to prime-soil farms. She said the agencies "are getting a lot better" at coordinating with farmland preservation planners.

Mr. Siegel noted that most State Acquisition program purchases involve land that is adjacent to an existing park or refuge. Ms. McGee confirmed this as correct. Mr. Siegel asked further if regulatory change would be needed to permit acquisition of a parcel isolated from existing State-owned lands but adjacent to private, preserved farmland. Ms. McGee said such acquisitions were allowed without a change to statute or regulation.

Mr. Flynn added State Acquisition planning is done in coordination with the New Jersey Conservation Foundation's "Garden State Greenways" corridor planning effort. He said it is important to balance acquisitions with State ability to manage the acquired properties, and the acquisition of new, detached areas creates management problems.

#### **RESOLUTION # 07-011 APPROVING GREEN ACRES RECOMMENDATIONS FOR FY2008 PART B GRANTS FOR STATE LAND ACQUISITIONS**

Chairwoman Rosenfeld asked if members had questions. There were none.

Moved by Secretary Kuperus

Seconded by Mr. Wegner

Approved 7-0

#### **EXECUTIVE DIRECTOR'S REPORT:**

Mr. Siegel reported the five appropriations bills based on Trust approvals in the May meeting were signed into law six days earlier.

Mr. Siegel said heading into the Nov. 6 voter referendum on Public Question #3 the Trust was coordinating a public relations effort to educate the public about land conservation and historic preservation accomplishments. He said it was being coordinated between the Department of Environmental Protection, New Jersey Historic Trust and State Agriculture Development Committee. He explained the Trust cannot use public funds to advocate for the "yes" vote but is free to conduct public education.

Mr. Rones said individual board members have free-speech rights to express their views advocating support for the voter referendum but that the Garden State Preservation Trust board as a whole and as an agency could not advocate in favor of the measure.

Mr. Siegel said some opinion pieces for newspaper publication would be prepared and that he might ask board members to author them.

Mr. Siegel reported on the Expenditure Monitoring Program, explaining figures that showed record expenditures of \$229 million for FY2007, which was \$33 million above the target. He said the expenditure of \$105 million by the Farmland Preservation

Program was an all-time record for the program and probably a larger sum of preservation closings on farmland than in the rest of the country combined.

Mr. Siegel said part of the public education campaign was a plan to create a community award to recognize municipalities with exceptional preservation achievements. He said various criteria would be considered. He said the goal was to let the public know what is being accomplished and to help publicize the overall program.

#### **GARDEN STATE PRESERVATION TRUST CONSERVATION TAX BENEFITS SEMINAR PROGRAM**

Mr. Siegel referred board members to a report on the Conservation Tax Benefits seminars that had been conducted over seven months from December 2006 through June 2007.

Mr. Siegel said the series of seminars were intended to promote the use of the new federal tax deductions built into the Pension Protection Act of 2006, which was temporary. He said most questions he and the other instructors received concerned a broad range of tax matters, and he proposed making the seminar program ongoing with emphasis on the full range of tax benefits for conservation donations.

#### **RESOLUTION # 07-012 TO ESTABLISH ONGOING GARDEN STATE PRESERVATION TRUST CONSERVATION TAX BENEFITS SEMINAR PROGRAM**

Moved by Secretary Kuperus

Seconded by Mr. Wegner

Approved 7-0

#### **RESOLUTION # 07-013 APPROVING GARDEN STATE PRESERVATION TRUST OFFICE BUDGET FOR FY2008**

Mr. Siegel noted the funds for the Garden State Preservation Trust had been appropriated by the Legislature and signed by the Governor. He said the budget proposal seeks board approval to authorize the sub-categories within which the funds would be expended.

Moved by Mr. Requa

Seconded by Ms. Cradic

Approved 7-0

#### **SUBSTANTIAL APPROVAL OF MEETING MINUTES FOR TRANSMITTAL TO THE GOVERNOR'S OFFICE.**

Mr. Siegel requested "substantial approval" of the minutes of actions taken at the meeting so the Green Acres grant recommendations to be converted into appropriations legislation now without waiting for the next GSPT meeting to verify and act on the minutes.

Chairwoman Rosenfeld asked for a motion for substantial approval of the Oct. 3 meeting minutes.

Mr. Rones asked for a roll call vote.

Moved by Secretary Kuperus

Seconded by Mr. Wegner

Approved 7-0.

**TRUST MEMBER COMMENTS**

Chairwoman Rosenfeld asked if there were additional comments by Trust members. There were none.

**PUBLIC COMMENTS**

Chairwoman Rosenfeld asked if there was anyone from the public who wished to address remarks to the Trust members. There were none.

**ADJOURNMENT**

Chairwoman Rosenfeld called to adjourn the meeting.

Moved by Secretary Kuperus

Seconded by Mr. O'Connor

Unanimously approved by acclamation.

Respectfully submitted

Ralph Siegel  
executive director  
board secretary  
January 29, 2008

Others in attendance representing agencies:

GSPT DAG Cliff Rones  
John Flynn, Office of Green Acres  
Fawn McGee, Office of Green Acres  
OLS staff member Carrie Anne Calvo-Hahn  
OLS staff member Lucinda Tiajolloff  
Legislative staff member Thea Sheridan  
Joanne Wolaver, NJ Audubon Society  
Patrick O'Connell, Evergreen Capital Advisers  
Assorted Legislative staff aides