

**MILLSTONE TOWNSHIP
OPEN SPACE PRESERVATION COUNCIL
THURSDAY, SEPTEMBER 22, 2022
215 Millstone Road, Millstone Twp.
MEETING MINUTES**

MEETING CALLED TO ORDER:

Chairperson Scott called the Meeting to Order at 7:31 p.m.

READING OF ADEQUATE NOTICE

The adequate notice was read by Secretary DeFelice: Let the minutes show that adequate notice of this meeting, as required by P. L. 1975, Chapter 231, has been provided by publication in The Asbury Park Press and The Times of Trenton, and posted on the Township bulletin board and filed with the Township Clerk on April 22, 2022.

ROLL CALL:

Present: (5) Blackwell, Butewicz, Riggin, Scott, Ziner

Absent: (4) Davis, Madeam, Morelli, Smith

PUBLIC COMMENTS: Chairperson Scott opened the public comment portion of the meeting at 7:32PM and closed at 7:33PM

TRAINING: Jena Cosimo, Director of Acquisitions -Monmouth Conservation Foundation, addressed the council regarding the process of open space land preservation. MCF is a non-profit land trust that seeks to protect and preserve open spaces in Monmouth County. They partner with NJ DEP Green Acres and the SADC. The only way to truly protect open space is through easements and purchases. Zoning laws are not always effective because they can be changed. Monmouth County has an open space grant program where municipalities can apply annually for up to a \$250,000 grant for acquisitions or park development. Other ways to preserve open spaces:

- Donations-Direct or Life Estates. Life Estates allow landowners to remain on the property during their lifetime. The purchase price is discounted based upon life expectancy.
- Bargain Sale – Purchase property at a reduced value. Landowner claims balance as a tax deduction using IRS Form 8283.
- Installment Agreement – The purchase price is spread over several years (not used very often).
- Option Agreement – Landowner gives the Municipality a Right of First Refusal

When a property is sold to Open Space, the landowner avoids real estate transfer fees and rollback taxes. Rollback taxes go back 2 additional years from the current year. These fees can come into play when competing for the purchase of a property.

Ms. Riggin asked if a farmer can lease land back after a sale to continue farming. Ms. Cosimo stated that Open Space property can be leased for farming but it must go out to bid unless an agreement was built into the contract of sale.

Mr. Blackwell asked where MCF gets its funding. Ms. Cosimo replied that MCF is a non-profit. Some of their funding comes from the State but most funding comes through fundraising and donations.

Ms. Butewicz asked what the ideal type of property would look like that would qualify for MCF funding. Ms. Cosimo noted that MCF does not target any specific type of property. MCF piggybacks off of what Monmouth County towns and the County are looking at. In some areas, it might be the

only small parcel left to acquire for recreation or open space. Any project can be presented to the MCF Board for approval.

Ms. Cosimo reviewed the purchase process for the Council. An application and Maps are sent to Green Acres for approval. If Green Acres approves, appraisals are ordered. Anything that is \$250,000 or above will require 2 appraisals. Appraisals are sent to Green Acres for review. Green Acres then provides a Certified Market Value (CMV). They will provide reimbursement of 50% of the CMV and 50% of the soft costs, excluding lawyer fees. The soft cost reimbursement is limited to 20% of the CMV. Qualifying municipalities receive funds through yearly funding rounds that they can draw down on for approved purchases.

Once the sales agreement is signed, the municipality orders title work, environmental survey and Preliminary Assessment Site Investigation (PASI). These ensure that the property is free and clear of environmental issues. Pesticide and arsenic levels sometimes cause problems. Green Acres will provide a waiver for passive recreation but active recreation has strict requirements for health reasons.

Ms. Riggan asked how the MCF is able to expedite the acquisition process. Ms. Cosimo replied that MCF is able to get appraisals completed quicker and can assist in handling the workload. MCF has an existing agreement with Millstone that allows them to hire and get reimbursed for appraisal work. Ms. Cosimo reviewed a recent study from Mercer County that did a benefit analysis on Open Space and Farmland Preservation purchases.

Presentation ended at 8:12pm

APPROVAL OF MINUTES: August 25, 2022

Councilperson Blackwell made a motion to approve the minutes from August 25, 2022 and Councilperson Riggan offered a second.

Roll Call: Blackwell, Riggan, and Scott voted in favor.

CORRESPONDENCE: NONE

OLD BUSINESS:

SPRING ROAD – Still on hold due to title issues. Requested to pause timeclock to complete deal until clear title is provided by seller.

BARNEGAT BAY PRESERVE – Parking issues resolved. Waiting on DEP for 100 year flood line delineation.

CHALLENGER PLAYGROUND – Millstone Elks donated \$10,000. Equipment arriving on site. Expect contractor to start soon.

MILLSTONE PARK PHASE II GRANT- Nothing has been done yet. Still waiting for Township to secure contract for baseball field work. Hard court still undergoing corrective measures to reduce puddling from poor asphalt application.

CLARKSBURG CULTURAL CENTER –Building will have 2 bathrooms. Outside bike repair area and parking .

LEIBOWITZ PROPERTY – Waiting for planning Board and Township Committee approvals for sign.

NEW BUSINESS:

WINDMILL AND GREENHOUSE – Millstone Township was able to obtain a 1905 windmill 12 years ago from the Rutgers Agricultural Museum. The Historic Commission is looking to install it at the

Baird Homestead. The intent is to get it refurbished in working condition. They are requesting to access Clambake funds for the windmill installation and repairs to an adjacent greenhouse. Councilperson Blackwell estimates approximately \$35,000 for the windmill. Permits were obtained years ago for the footings. With the greenhouse it is anticipated to be approximately \$45,000. An agrarian well is already in existence. A specialist will be brought in from Illinois that is familiar with the motor on the windmill and can get it working. A motion to allocate \$50,000 of clambake funds to refurbish and install the windmill and repair the adjacent greenhouse at the Thomas Baird House was moved by Mr. Blackwell. Ms. Scott offered a second. All voted in favor.

COMMITTEE REPORTS:

NEWSLETTER – The Council reviewed the rough draft of the newsletter with and without the background. The background was preferred. Mr. Ziner asked if an article on the tree ordinance was ever submitted. Secretary DeFelice noted that it was not. A suggestion was made to include an article for the Spring newsletter relating to the tree ordinance and issues related to clear cutting on properties. The Council suggested pushing to collect articles in February to make sure that the Spring newsletter can get mailed by April.

FUNDRAISING – Nothing to Report

GRANT WRITING – Nothing to Report

STEWARDSHIP – Ms. Scott will speak with Mr. Smith about the next trail that will need to be cleared and monitored.

PLANNING BOARD – The application from the property located on Millstone Road and Route 33 was taken off the table.

EVENTS:

Landowner Meet & Greet – Scheduled for Thursday, November 17th at Millstone Community Center. Speakers from County and State preservation programs attending.

Holiday Event – Currently scheduled at Baird House for Sunday, December 4th. Need to check with Business Administrator Abernethy regarding status of Township event.

At 9:08 p.m., Chairperson Scott made a motion to leave the regular session and enter into Executive Session. Councilperson Butewicz offered a second. By unanimous vote the Council left the Regular Session and entered into Executive Session.

At 9:43 p.m the Council returned to the Regular Meeting.

Seeing no further business, Chairperson Scott made a motion to adjourn and Councilperson Ziner offered a Second. Meeting adjourned at 9:43 p.m.

Respectfully Submitted
Andrew DeFelice, Open Space Preservation Council Secretary