

MINUTES
OPEN SPACE COMMITTEE
Hopatcong Borough Hall, Hopatcong, NJ
February 11, 2010

CALL TO ORDER: Chairman Joan Reilly called the meeting to order at 7:30pm

CHAIRMAN'S STATEMENT: The Chairman stated that this meeting is held in accordance with the Open Public Meetings Act 10:4-1 et seq. Annual notice having been forwarded to the Jersey Herald and the Sunday Herald and posted on the bulletin board maintained in the Municipal Building for public announcements.

SALUTE TO THE FLAG: The Members joined in a salute to the Flag.

ROLL CALL PRESENT: Joan Reilly, Cliff Lundin, Sylvia Petillo, Mike Francis, Mike Rahill, Malcolm Piester, Elide Young, Cathy Bowen, Mary Louise Baker. Also attending was Megan Haidet from the Land Conservancy of New Jersey.

ABSENT:

MINUTES: By consensus, the Committee determined to hold off formal action on the minutes of December 3, 2009 pending further review.

REORGANIZATION:

- a) Election of Chairman: On Motion of Mayor Petillo, seconded by Michael Francis and the affirmative vote of all, Joan Reilly was elected Chairman for calendar year 2010.
- b) Election of Vice Chairman: On Motion of Mayor Petillo, seconded by Elide Young and the affirmative vote of all, Cliff Lundin, was elected as Vice Chairman for calendar year 2010.
- c) Meeting Schedule for 2010 – The attached Resolution was adopted on Motion of Lundin and Young. .

CORRESPONDENCE: A letter was read from the Land Conservancy relative to continued representation in 2010. Mayor Petillo indicated that the council had authorized the execution of the agreement.

Old Business:**Status Marx acquisition-2007 grant-Land Conservancy of NJ.**

Ms. Haidet reported that the closing had not been scheduled due to the need to remove excess garbage from the property. Mayor Petillo explained that various parties had been dumping on the property for years. When asked if it had anything to do with the \$10.00 charge for these items the Mayor said no. Mr. Marx's closing packet will be sent to the Sussex County Counsel as soon as the cleanup is completed. Chairman Reilly would like to see something with the next week.

Status Patel Acquisition-2008 grant Land Conservancy of NJ

Ms. Haidet reported that the Patel property is essentially in the same situation. Most of the encroachment issues have been resolved. Ms. Haidet intends on submitting a complete closing package to the Sussex County Counsel in the immediate future. Mrs. Reilly would like this paperwork sent out and hopes to have something within a week to have things finalized.

Status Francomacaro Application 2008 grant Land Conservancy of NJ

Ms. Haidet indicated that the Sussex County Counsel has had all of the materials for Francomacaro for months and just needs to complete the paperwork. Megan will call him again because of the grant related time issues. .

Outreach re Eves Sanctuary (Oberman) Ms. Haidet indicated that there are no new developments on this project. We are waiting to get title work and a survey done. A resident indicated that he knew the property owner and that there was a situation involving a family illness The Committee would hold off on any further action until the issue is resolved. The Oberman property borders the sanctuary on the southern side. Mr. Oberman had brought this from Mr. Marx. It appears that a portion of the existing trail may cross over the property. The exact extent of the encroachment is unknown. This property was originally approximately 20 lots and has frontage along about a third of a mile on Lakeside Ave. The committee authorized The Land Conservancy to approach Mr. Oberman relative to a possible sale or exchange of lands. We would also like to review his survey to determine the extent of the encroachment. Mayor Petillo asked if there was any way to relocate the existing trail. Cliff indicated it would be difficult due to the location of the wetlands. Megan explained that she had talked to the Attorney a while ago and one way to fix the situation is to get a lot line adjustment or purchase a small portion of that property. We only need a little piece to preserve the area around the Sanctuary. Megan had sent out proposals to have the land surveyed. The surveyor she approached

had also apparently performed a survey for Mr. Oberman. He cannot release the survey to us without the authorization from Mr. Oberman.

Outreach to Gallo – The Committee previously authorized The Land Conservancy to send a letter to Mr. Gallo inquiring as to his interest in selling the property to the Borough. A letter was sent and no formal answer was received. Apparently, Mr. Gallo upon his receipt of the inquiry letter called the Administrator and accused the Borough of denying his prior land use applications so that the Borough could buy the land. As a result of that incident, the Administrator has directed the Land Conservancy to change its procedure. In the future all inquiry/interest letters must first be approved by the Administrator or by the Mayor and Council. The Mayor indicated that the prior Land Use applications had not proceeded since the tract had inadequate access to water and sewer. In lieu of purchasing the property, Mr. Lundin suggested that the Borough might seek to acquire an easement across the property for a trail. He briefed the committee on the activities of the Tri-Municipal Trail Committee and showed how the Gallo tract was critical to a trail connecting Hopatcong population centers with the trails of the other municipalities. The Gallo property goes from Durban to Flora Ave through the Heights. Cliff and Malcolm did do a GPS on the property. No further action will be taken relative to the Gallo property at this time.

STATUS OF THE TRAILS COMMITTEE EFFORT-PIESTER

Mr. Piester indicated that portions of the Kellogg properties that were previously open for hiking had now been closed. He indicated that discussions are underway with the Highlands Trail representatives relative to a possible relocation of the Highlands Trail through Hopatcong. The proposed route would start by Firehouse No. 2 on Indian Trail and extend along Squaw Trail and Brooklyn Mt. Road to Sparta Stanhope Road. From there it could cross the street and possibly wind its way into Byram and Stanhope. A second option would be from Columbia Trail to Brooklyn Mt. Rd., to Vassar, to Carteret, to look at the power lines over by the Durban Ave School, and then down to Sparta Stanhope Road. This would need a crossing of the Gallo property. A third option could locate a trail along the rear of the Bedford Woods development. That project is going in front of the Planning Board next week to try and get an extension of his approval. Mr. Lundin explained that the bulk of all the lots in the back are a conservation easement about 200 feet behind the houses. The easiest solution would be to see if they would consider a trail on the easement while skirting that property from Sparta Stanhope Road to the power lines which already has the 25 feet necessary. The Planning Board will discuss this at the next meeting.

Trails for the Borough Website

Mayor Petillo asked how close we are to getting a brochure of the trails. Cliff responded that the weather has to break to do a GIS map for the website.

Tri-Municipal Trail Grant Application with Byram and Stanhope

Cliff Lundin said that the next meeting is schedule for Tuesday February 23, 2010, at 7:30. Meeting will be held at the Byram Municipal Building.

2010 Municipal Tax Rate-Letter to Council

Mayor Petillo responded that it is about \$10,000 a year and because of the economy it will not be raised. As per the CFO, Kelley McGann there is \$209,130.15 remaining in the fund. That is what is in the account as of Feb. 17, 2010. This is what is left before any outstanding bills are paid.

Natural Area Preserve outreach- Letter to Council

Mayor Petillo responded that the town is not taking on any new properties at this time due to revenues being down. Megan spoke of the Thompson Lot and is waiting for a response from Councilman Bunce on this.

NEW BUSINESS:**Presentation re Council Real Estate Committee re sale of properties:**

Mayor Petillo spoke to the members about a parcel of land owned by the Borough. This 2-acre piece of land in which Megan and the Mayor observed had 3 dilapidated buildings on it. They did not have water or heat but did have power, which was seen from a pole not far from the dwellings. This property is between Tufts Trail and Geneva Trail and had been inhabited since the early 80's. The Borough now owns the property due to foreclosure. This property is hidden and the Mayor wanted to find out if there were any more of these properties that the town did not know about. She found that the town property has an assessed value of \$50 million, which could be sold. To do this a letter has to be written and submitted to the Mayor and Council and then the Borough puts the property out for auction.

She would like to see these parcels sold where the conservation and trails would continue throughout the town. There were pamphlets handed out (enclosed). This would be under a natural area preserve. Megan said that a model easement to advertise was advised. Cliff Lundin spoke about title searches on the properties. Mayor Petillo asked for a list of non-profit organizations in and outside of the state. Megan would look into that. Cliff spoke about the Nature Conservancy not wanting it at this time. Mike Francis would like a list of organizations to help Megan. Mayor Petillo spoke about the endangered species in the Borough, trails for the elderly, trails for animal owners, trails for mountain biking. The Committee talked about the Easement proposals and that they wanted to look them over before deciding.

Easement Special Meeting: March 4, 2010 at 7:00pm at Borough Hall in the Mayors conference room. Megan explained the specifics that we are looking for.

TLC Proposal for 2010: None

Other:

Open to Public: None was forthcoming.

ADJOURNMENT:

MOTION: Motioned by Cathy Bowen, seconded by Elide Young.

The meeting was adjourned at 9:25 p.m.

Laura Burns, Secretary