

THE MORRIS COUNTY PARK COMMISSION
TUESDAY, JANUARY 8, 2019
WORKSHOP AGENDA
TENTATIVE

PURSUANT TO N.J.S.A. 10:4-6 et seq., THE MORRIS COUNTY PARK COMMISSION hereby notifies the public that a Park Commission Workshop meeting will be convened at 9:30 a.m. prevailing time on Tuesday, January 8, 2019 at the Cultural Center, 300 Mendham Road, Morristown, New Jersey. The following items are included on the Agenda for the meeting:

1. Call to Order – 873rd Meeting
2. Reading of Meeting Notice
3. Roll Call
4. Salute to the Flag
5. Committee Reports
 - A. Finance & Budget Committee
 - B. Promotion and Business Activities Committee
 - C. Cultural and Educational Committee
 - D. Park Development Committee
 - E. Recreational Trails/Park Maintenance Committee
6. Report of Executive Director

In accordance with N.J.S.A. 10:4-6 et seq., the following items will be discussed in closed session from which the public will be excluded, since these items may touch upon material disclosures which may constitute an unwarranted invasion of individual privacy; may affect employee relations; may affect receipt of funds from superior government echelons; the acquisition of other relations in respect to real property; and may affect matters concerning attorney-client privilege.

7. Executive Session
 - A. Land Acquisition Committee
 - B. Personnel & Safety Committee
 - C. Report of Counsel

Continuation of Public Session

8. New Business
 - A. Consideration of Executive Session Business
 - B. Consideration of Resolutions (**attachments**)
9. Adjournment



David D. Helmer
Executive Director

**THE MORRIS COUNTY PARK COMMISSION
WORKSHOP MEETING
JANUARY 8, 2019
[TENTATIVE]**

Resolution No.	Description
No. 01-19	Places the Park Commission in Executive Session pursuant to the pertinent provisions of the Open Public Meetings Act.
No. 02-19	Adopts Resolution No. 03-19 through No. 09-19.
No. 03-19	Lists the meeting times and location for workshops and regular Park Commission Meetings for the Morris County Park Commission for the year 2019.
No. 04-19	Allows for temporary appropriations until the approval of the 2019 budget within the first 30 days of 2019 in the amount of \$8,064,755.21, which is 26.25% of the total proposed 2019 budget.
No. 05-19	Authorizes the Assistant Director of Historic Sites to apply for a Preservation Assistance Grant provided by the National Endowment for the Humanities with a matching portion of \$2,490.00 funded by PIT Q 741.
No. 06-19	Updates the Park Commission Policy titled “Control of Smoking in Morris County Park Commission Parks, Facilities, Buildings, Properties, and Vehicles.”
No. 07-19	Awards a professional services contract through a non-fair and open process and without formal competitive bidding to Linett & Harrison, Inc., of Montville, New Jersey to provide “Video Production Services for the Morris County Park Commission” for a fee of \$20,500.00.
No. 08-19	That the Chief of the Park Police and the Morris County Park Commission recommend that Joseph Abrusci, subject to all employment requirements, be retained as a Class II Police Officer from January 1, 2019 through December 31, 2019.
No. 09-19	That the Chief of the Park Police and the Morris County Park Commission recommend that Timothy Williamson, subject to all employment requirements, be retained as a Class II Police Officer from January 1, 2019 through December 31, 2019.

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MORRIS COUNTY PARK COMMISSION
RESOLUTION NO. 01-19

BE IT RESOLVED, by the Morris County Park Commission on this 8th day of January 2019, that:

1. Prior to the conclusion of this regular meeting of the Morris County Park Commission, which regular meeting has been opened to the public, the Morris County Park Commission shall meet in Executive Session, from which the public shall be excluded, to discuss personnel matters, land acquisition, and report of counsel, as permitted pursuant to N.J.S.A. 10:4-12 (5), (6), (7), and (8), the pertinent provisions of the “Open Public Meetings Act.”
2. The time when the matters discussed pursuant to paragraph #1 hereof can be disclosed to the public is as soon as practicable after the final resolution of the aforesaid matters.

January 8, 2019

MORRIS COUNTY PARK COMMISSION

Barbara Shepard
President

_____, I, David D. Helmer, Executive Director of the Morris County Park Commission, do hereby certify that the above is a true and correct copy of a resolution adopted by the Morris County Park Commission at a meeting held on January 8, 2019 at the Park Commission offices, 300 Mendham Road, Morristown, New Jersey.

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MORRIS COUNTY PARK COMMISSION
RESOLUTION NO. 02-19

BE IT RESOLVED, by the Morris County Park Commission on this 8th day of January 2019, that the following resolutions be adopted in the form attached:

Resolution Nos.

Resolution No. 03-19 through Resolution No. 09-19

January 8, 2019

MORRIS COUNTY PARK COMMISSION

Barbara Shepard
President

_____, I, David D. Helmer, Executive Director of the Morris County Park Commission, do hereby certify that the above is a true and correct copy of a resolution adopted by the Morris County Park Commission at a meeting held on January 8, 2019 at the Park Commission offices, 300 Mendham Road, Morristown, New Jersey.

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MORRIS COUNTY PARK COMMISSION
RESOLUTION NO. 03-19

WHEREAS, the Morris County Park Commission is required to comply with N.J.S.A. 10:4-6 et seq. the Open Public Meetings Act, **NOW THEREFORE**

BE IT RESOLVED, by the Morris County Park Commission on this 8th day of January 2019 as follows:

1. During the coming year, the regular meetings of the Morris County Park Commission shall be held at 7:30 p.m. prevailing time on the fourth Monday of each month, except in the months of May, August and December, unless otherwise designated herein. There shall be no regularly scheduled meeting in August, and the December 2019 meeting will begin at 6:00 p.m. Workshop meetings are convened quarterly at 9:30 a.m. on the second Tuesday of the month. The established meeting dates are as follows: January 28, 2019, February 25, 2019, March 25, 2019 April 9, 2019 (Workshop), April 22, 2019, May 20, 2019, June 24, 2019, July 9, 2019 (Workshop), July 22, 2019, September 23, 2019, October 8, 2019 (Workshop), October 28, 2019, November 25, 2019, December 16, 2019 and January 14, 2020 (Workshop), and January 27, 2020.
2. All said, regular and special meetings at which formal action may be taken will take place at the Morris County Park Commission Headquarters, at the Park Commission offices, 300 Mendham Road, Morris Township, New Jersey, unless otherwise advertised pursuant to the provisions of N.J.S.A. 10:4-6 et seq.
3. At any of the above-scheduled meetings where an agenda is to be used, said agenda shall be furnished to all persons in attendance at the meeting.
4. All persons are invited to attend all of the meetings here before set forth.
5. The Morris County Park Commission may convene an Executive Session during conference, regular, or special meetings, as allowed by the Open Public Meetings Act, from which Executive Session the public shall be excluded.
6. The Executive Director is directed to prominently post and maintain posted throughout the year upon the bulletin board in the Morris County Park Commission Administration Building at the Park Commission offices, 300 Mendham Road, Morris Township, New Jersey. In addition, the Executive Director is directed to mail forthwith a certified copy of this Resolution for publication in the designated official newspapers as follows:
 - A. *Daily Record*
 - B. *The Star-Ledger*
7. This Resolution is being adopted in order to comply with N.J.S.A. 10:4-6 et seq., the "Open Public Meetings Act."
8. This Resolution shall take effect immediately.

January 8, 2019

MORRIS COUNTY PARK COMMISSION

Barbara Shepard
President

_____, I, David D. Helmer, Executive Director of the Morris County Park Commission, do hereby certify that the above is a true and correct copy of a resolution adopted by the Morris County Park Commission at a meeting held on January 8, 2019 at the Park Commission offices, 300 Mendham Road, Morristown, New Jersey.

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MORRIS COUNTY PARK COMMISSION
RESOLUTION NO. 04-19

WHEREAS, 40A:4-19 Local Budget Law provides that where any contracts, commitments or payments are to be made prior to the final adoption of the 2019 Budget, temporary appropriations be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of 2019, and

WHEREAS, the total appropriations in the 2018 Budget were \$30,722,877.00, and

WHEREAS, twenty-six and twenty-five hundredths of one percent (26.25%) of the total appropriations in the 2018 Budget is \$ 8,064,755.21, **NOW THEREFORE**

BE IT RESOLVED, by the Morris County Park Commission that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the County Budget Director and the Treasurer for this record, and

BE IT FURTHER RESOLVED, that the foregoing appropriations shall be inserted in the annual budget for the year 2019 as required by law.

January 8, 2019

MORRIS COUNTY PARK COMMISSION

Barbara Shepard
President

_____, I, David D. Helmer, Executive Director of the Morris County Park Commission, do hereby certify that the above is a true and correct copy of a resolution adopted by the Morris County Park Commission at a meeting held on January 8, 2018, at the Park Commission offices, 300 Mendham Road, Morristown, New Jersey.

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MORRIS COUNTY PARK COMMISSION
RESOLUTION NO. 05-19

WHEREAS, it is advisable and in the public interest to apply for a Preservation Assistance Grant provided by the National Endowment for the Humanities (NEH); for the purpose of engaging the services of a qualified museum consultant to prepare an environmental assessment plan to manage buildings containing collections in structures with limited or no HVAC systems, located at multiple sites across the Morris County Park Commission, and

WHEREAS, Image Permanence Institute of Rochester, New York has submitted a proposal to create an Environmental Assessment Plan for selected buildings located at The Frelinghuysen Arboretum, Fosterfields Living Historical Farm, and the Cooper Gristmill for a fee of \$12,490.00, and

WHEREAS, the partnership between the Image Permanence Institute and the Morris County Park Commission is essential in creating industry standards for improved preservation, as well as energy-savings and sustainability in collection storage areas without HVAC systems, and

WHEREAS, Image Permanence Institute's proposal, dated November 30, 2018, will be submitted as part of the Morris County Park Commission's application to the NEH' Preservation Assistance Grant, and

WHEREAS, funding is available from the Morris County Park Improvement Trust Fund Account 66-216-55-Q04741-940 titled "Fosterfields Renovations" in the amount of \$2,490.00 as matching funds toward the anticipated \$10,000.00 grant award from the NEH' Preservation Assistance Grant, **NOW THEREFORE**

BE IT RESOLVED, by the Morris County Park Commission on the 8th day of January, 2019, as follows:

1. The Morris County Park Commission authorizes the Assistant Director of Historic Sites to apply for a Preservation Assistance Grant provided by the National Endowment for the Humanities.
2. That funds in the amount of \$2,490.00 be encumbered for this project in Morris County Park Improvement Trust Fund Account 66-216-55-Q04741-940 titled "Fosterfields Renovations" as a match towards the anticipated grant.
3. That this Resolution be effective immediately.

January 8, 2019

MORRIS COUNTY PARK COMMISSION

Barbara Shepard
President

_____, I, David D. Helmer, Executive Director of the Morris County Park Commission, do hereby certify that the above is a true and correct copy of a resolution adopted by the Morris County Park Commission at a meeting held on January 8, 2019, at the Park Commission offices, 300 Mendham Road, Morris Township, New Jersey.

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MORRIS COUNTY PARK COMMISSION
RESOLUTION NO. 06-19

WHEREAS, the Morris County Park Commission deems it appropriate and in the public interest to establish policies to guide the effective operation of its facilities and programs, **NOW THEREFORE**

BE IT RESOLVED, by the Morris County Park Commission on this 28th day of January 2019 that the appended policy titled “ Control of Smoking in Morris County Park Commission Parks, Facilities, Buildings, Properties, and Vehicles” originally adopted June 1, 2001 is adopted in the form attached, effective immediately on a prospective basis.

January 8, 2019

MORRIS COUNTY PARK COMMISSION

Barbara Shepard
President

_____, I, David D. Helmer, Executive Director of the Morris County Park Commission, do hereby certify that the above is a true and correct copy of a resolution adopted by the Morris County Park Commission at a meeting held on January 8, 2019 at the Park Commission offices, 300 Mendham Road, Morristown, New Jersey.

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MORRIS COUNTY PARK COMMISSION

Policy and Procedure

Subject: Control of Smoking in Morris County Park Commission Parks, Facilities, Buildings, Properties, and Vehicles PP 1:4.16	Effective Date: 6-1-01	Approval: Res. No. 110-01
	Revised Date: 6-28-04	Approval: Res. No. 124-04
	Revised Date: 6-26-06	Approval: Res. No. 130-06
	Revised Date: 01-08-19	Approval: Res. No. 06-19

Purpose:

This policy was adopted to conform to all the provisions of New Jersey Chapter Law 64, Section 2 of P.L. 2005, c.383(C.26:3D-56).

The prohibition of smoking at public parks and beaches would better preserve and maintain the natural assets of this State by reducing litter and increasing fire safety in those areas, while lessening exposure to secondhand tobacco smoke and providing for a more pleasant park or beach experience for the public. This policy applies to all park staff, contractors, vendors, and visitors to parks, facilities and properties under the Park Commission’s stewardship responsibility.

Definition:

“Public park or beach” means but is not limited to any park, forest, beach, arboreta, historic site, recreation facility, arena, reservation, marina, trail, greenway, education facility under the Park Commission’s stewardship responsibility.

“Smoking” means the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter of substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

“Electronic Smoking Device” means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

Areas of Prohibited Smoking:

The Park Commission has designated all buildings on Park Commission property and Park Commission vehicles as areas where smoking is prohibited. The Park Commission has further designated that all parks, facilities and properties under its stewardship responsibility are areas where smoking is prohibited except for Berkshire Valley, Flanders Valley, Pinch Brook, and Sunset Valley golf courses.

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Areas of Conditional Smoking:

As per New Jersey Chapter Law 64, Section 2 of P.L. 2005, c.383(C.26:3D-56) smoking is only permissible at golf courses and not to exceed 15% of the total area of a beach. Smoking on beaches must be designated by Park Commission resolution and the Commission has opted not to permit smoking on any beach area.

The Park Commission has determined that; Berkshire Valley Golf Course, Flanders Valley Golf Course, Pinch Brook Golf Course, and Sunset Valley Golf Course are the only park facilities where smoking is to be permitted by the public. Smoking is only permitted on turf play areas excluding designated practice areas, including driving ranges.

Park Commission employees are not permitted to smoke on any park property.

Public and Controlled Smoking:

Any person not in compliance with posted smoking rules shall first be given verbal notification; if upon such notification the person fails to comply with the posted rules, the Supervisor of the area may deny services.

Divisional Director Responsibility:

SIGN POSTING – It is the responsibility of the Divisional Director in conjunction with the Manager of Building and Construction to insure that official “No Smoking Allowed” signs are posted in appropriate locations under the stewardship responsibility of the Park Commission. Other appropriate language may be used for signs within parks and special-use areas.

EMPLOYEE NOTIFICATION – Each Divisional Director is responsible for posting and distributing the control of smoking policy to employees. Thirty (30) days from the distribution date, the rules become Morris County Park Commission policy, enforceable by Supervisors in accordance with the established progressive disciplinary policy.

Smoking is not permitted in employee housing facilities and an employee will lose the opportunity to live in Park Commission housing if they are not in compliance.

Employees who violate the posted smoking rules may be subject to disciplinary procedures and/or other fines and penalties in accordance with provisions of the law, New Jersey Chapter Law 64, Section 2 of P.L. 2005, c.383(C.26:3D-56).

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MORRIS COUNTY PARK COMMISSION
RESOLUTION NO. 07 -19

WHEREAS, the Morris County Park Commission has determined that there is a need for video production services to market predetermined facilities as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4, *et seq.*, and

WHEREAS, the Manager of Marketing & Communications has solicited 3 proposals for Quote#121118 titled “Video Production Services for the Morris County Park Commission” and the Deputy Executive Director has determined and certified in writing that the value of the project will exceed \$17,500.00, and

WHEREAS, Linett & Harrison, Inc. of Montville, New Jersey, has submitted a proposal to provide these services as specified in the Scope of Work for a fee of \$20,500.00 and

WHEREAS, Linett & Harrison, Inc., has completed and submitted a Business Entity Disclosure Certification which certifies that Linett & Harrison, Inc., has not made any reportable contributions to a candidate or political committee in the County of Morris in the previous one year, and that the contract will prohibit Linett & Harrison, Inc., from making any reportable contributions through the term of the contract, and

WHEREAS, the Director of Finance and Treasurer have certified the availability of funds within the 2018 Operating Budget – 60-203-80-ADM105-622 in accordance with N.J.A.C. 5:30-5.4, **NOW THEREFORE**

BE IT RESOLVED, by the Morris County Park Commission on this 8th day of January 2019, as follows:

1. That the professional services contract solicited through a non-fair and open process pursuant to the provisions of N.J.S.A. 19:44A-20.4, *et seq.*, and without formal competitive bidding, pursuant to the provisions of N.J.S.A. 40A-11-1 *et seq.* are hereby awarded to Linett & Harrison, Inc., of Montville, New Jersey, to provide this service for a fee of \$20,500.00.
2. That all the terms and conditions of the Services Agreement between the Morris County Park Commission and Linett & Harrison, Inc., be awarded for a period of 12 consecutive months from execution of the contract.
3. That notice of this contract award to Linett & Harrison, Inc., of Montville, New Jersey be published in the *Daily Record* and the *Star Ledger* within ten (10) days of adoption of this Resolution.
4. That this Resolution take effect immediately.

January 8, 2019

MORRIS COUNTY PARK COMMISSION

Barbara Shepard
President

_____, I, David D. Helmer, Executive Director of the Morris County Park Commission, do hereby certify that the above is a true and correct copy of a resolution adopted by the Morris County Park Commission at a workshop meeting held on January 8, 2019 at the Park Commission offices, 300 Mendham Road, Morristown, New Jersey.

DRAFT

MORRIS COUNTY PARK COMMISSION
RESOLUTION NO. 08-19

WHEREAS, the Morris County Park Commission deems it appropriate and in the public interest to maintain an adequately staffed Park Police Department for the protection of Park Commission facilities and to provide public safety, and

WHEREAS, staffing vacancies existed for Park Police Officers, and the Chief of Park Police requested to fill these vacancies, and

WHEREAS, Chief of Park Police DiPietro recommended to employ Class II Police Officers subject to all the appropriate pre-employment processing requirements, and

WHEREAS, The Morris County Park Commission and the Chief of the Park Police recommend that Joseph Abrusci, subject to all employment requirements, be retained as a Class II Police Officer from December 1, 2018 through December 31, 2019, **NOW THEREFORE**

BE IT RESOLVED, by the Morris County Park Commission on this 8th day of January that the employment of Joseph Abrusci as a Class II Police Officer is confirmed.

January 8, 2019

MORRIS COUNTY PARK COMMISSION

Barbara Shepard
President

_____, I, David D. Helmer, Executive Director of the Morris County Park Commission, do hereby certify that the above is a true and correct copy of a resolution adopted by the Morris County Park Commission at a workshop meeting held on January 8, 2019 at the Park Commission offices, 300 Mendham Road, Morristown, New Jersey.

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MORRIS COUNTY PARK COMMISSION
RESOLUTION NO. 09-19

WHEREAS, the Morris County Park Commission deems it appropriate and in the public interest to maintain an adequately staffed Park Police Department for the protection of Park Commission facilities and to provide public safety, and

WHEREAS, staffing vacancies existed for Park Police Officers, and the Chief of Park Police requested to fill these vacancies, and

WHEREAS, Chief of Park Police DiPietro recommended to employ Class II Police Officers subject to all the appropriate pre-employment processing requirements, and

WHEREAS, the Morris County Park Commission and the Chief of the Park Police recommend that Timothy Williamson, subject to all employment requirements, be retained as a Class II Police Officer from December 1, 2018 through December 31, 2019, **NOW THEREFORE**

BE IT RESOLVED, by the Morris County Park Commission on this 8th day of January that the employment of Timothy Williamson as a Class II Police Officer is confirmed.

January 8, 2019

MORRIS COUNTY PARK COMMISSION

Barbara Shepard
President

_____, I, David D. Helmer, Executive Director of the Morris County Park Commission, do hereby certify that the above is a true and correct copy of a resolution adopted by the Morris County Park Commission at a workshop meeting held on January 8, 2019 at the Park Commission offices, 300 Mendham Road, Morristown, New Jersey.