



300 Mendham Road | P.O. Box 1295 | Morris Township, New Jersey 07962-1295
Telephone: 973.326.7600 | Fax: 973.644.2726 | TTY Relay: 7-1-1
www.morrisparks.net

THE MORRIS COUNTY PARK COMMISSION
DISTRIBUTION OF PARK COMMISSION MEETING MINUTES
July 8, 2014

1. President Betty Cass-Schmidt
2. Vice President Barbara Shepard
3. Commissioner Julie C. Baron
4. Commissioner Stuart Lasser
5. Commissioner Edward G. McCarthy
6. Commissioner Philip T. Santiago
7. Commissioner Judith Schleicher
8. Commissioner Richard Seabury, III
9. Commissioner Kim M. Wentworth
10. Executive Director David D. Helmer
11. Freeholder Liaison Douglas R. Cabana
12. File – 2

THE MORRIS COUNTY PARK COMMISSION

300 Mendham Road

Morristown, New Jersey

President Cass-Schmidt called to order the eight hundredth and fifth meeting of the Morris County Park Commission at 9:30 a.m. on July 8, 2014, at the Cultural Center, 300 Mendham Road, Morristown, New Jersey 07960.

Executive Director Helmer then read the following notice: PURSUANT TO N.J.S.A. 10:4-6 et seq., adequate notice of this meeting held at 9:30 a.m. on the 8th day of July 2014, has been provided by publication in the *Daily Record* and *The Star-Ledger*, by posting of said notice in the Administration Building of the Morris County Park Commission, on the Morris County Park Commission website, and at the County Courthouse, and by filing a copy of the same with the Morris County Clerk.

ROLL CALL

The following were present:

President Betty Cass-Schmidt	Commissioner Julie C. Baron
Vice President Barbara Shepard	Commissioner Stuart Lasser
Executive Director David D. Helmer	Commissioner Ed McCarthy
Deputy Executive Director Rich Vitale	Commissioner Judith Schleicher
Park Counsel John Suminski	Commissioner Richard Seabury, III

The following staff were also in attendance.

Assistant Deputy Director of Cultural & Environmental Resources Zafonte, Assistant Deputy Director/Development Lanza, Park Police Chief Doyle, Director of Engineering Services Vitale, Director of Park Operations Holster, Director of Personnel & Safety Vath, Director of Recreation Fauci, Manager of Horticulture John Morse, Park Police Officer Williamson, Park Police Lieutenant DiPietro, Assistant Director of Historic Sites Laffey, Superintendent of Natural Resources Management Kovacevic.

SALUTE TO THE FLAG

President Cass-Schmidt led those present in the salute to the flag.

Approval of Minutes

Commissioner Baron moved to accept the minutes of the April 28, 2 014 and the May 9, 2014 Park Commission meetings. The motion was seconded by Commissioner Lasser and unanimously approved by roll call vote.

HEARING OF CITIZENS

There were no citizens in attendance.

Promotion and Business Activities Committee

Commissioner Stuart Lasser, Chair

Executive Director Helmer presented a fee waiver request by the Morristown Neighborhood House to use the Showmobile. The last time we provided the organization a fee waiver was in 2012, staff has advised that the Park Commission has not yet provided its fee waiver this year.

The event is held at Caldwell playground off of Martin Luther King Boulevard. Commissioner Baron inquired as to what the policy is regarding fee waivers, Executive Director Helmer advised that the policy is that a fee waiver is not granted to the same applicant two years in a row.

In response to an inquiry from Commissioner Seabury, Executive Director Helmer indicated that staff does remain at an event. The waiver only applies to the fee for the use of the Showmobile not the staffing cost. The applicant reimburse the Park Commission for the staffing cost. There being no direct cost to the Park Commission, Commissioner Schleicher moved to allow the fee waiver. The motion was seconded by Commissioner Lasser and unanimously approved by voice vote.

At this time Vice President Shepard joined the meeting.

Executive Director Helmer next presented formal written correspondence relating to a non-refundable fee, which is charged for a fair style ride as part of an event which is in addition to any fee(s) an individual pays for use of a picnic area. The matter was discussed at a previous meeting. The individual expressed in his correspondence that he felt that the non-refundable fee which is \$250.00 is too high. Executive Director Helmer reiterated his comments from the previous meeting that if an event, which includes the use of a fair style ride such as a bouncy house is held on a Friday or Saturday and there is another event scheduled for Sunday in the same location, the condition of the environment where the bouncy house or fair style ride was used can potentially have an impact for the user's enjoyment and/or use of the area the next day. Previously we had a potential refundable deposit in the event the site was impacted.

Commissioner McCarthy stated that with the picnic fees plus the additional fee for the ride, the patron has spent \$750.00. Executive Director Helmer also stated that there will be a DJ at the event which is covered under another policy. When you have a DJ it requires the presence of a Park Police Officer. Executive Director Helmer believes that sometime in the future the Park Commission might reevaluate the policy and designate areas within our park facilities such as an area within a parking lot, where use of a fair style ride may not impact other permit holders. Executive Director Helmer recalled that the Warrior Dash group paid almost \$60,000.00 to repair the turf at Doe Meadow.

Commissioner McCarthy pointed out that the refundable fee probably will not cover any damage, and he also feels that if you are paying for an event you would expect the area to be the way it was when you first looked at it.

The Commission decided that the fee would not be refunded in this instance and that the policy would be reviewed at some time in the future. A motion to this effect was made by Vice-President Shepard, and seconded by Commissioner Schleicher and approved unanimously by voice vote.

Commissioner Seabury inquired whether there any direction or suggestion that might be provided to staff when they begin looking at the policy. Executive Director Helmer stated that his recommendation would be what we did several years ago with the tent policy. At that time staff identified four or five specific locations where small tents, could be allowed that would have no impact on existing infrastructure issues, or the potential to effect the next user. For example, at Schooley's Mountain County Park, the large field in the middle of the parking lot is a special event rental area and is not considered a picnic area. Therefore, someone considering renting that location can be advised that there are other types of events that are scheduled there. In other words, the tent policy lets everyone know where within Schooley's Mountain County Park an individual is allowed to put up a tent and this way the Commission is able to avoid other issues. Executive Director Helmer felt that staff could look at the different picnic areas to determine where there might be a need for special use areas. Depending on the frequency of requests a 12 x 18 pad of stone dust could be installed, which would be there all the time, and would result in the Park Commission's being prepared for these types of special requests.

We usually receive about five of these requests per year, so this is not a revenue stream. Instead, we are trying to protect the user.

Cultural & Educational Committee
Commissioner Judith Schleicher, Chair

Executive Director Helmer reported that several weeks ago, he received an email from the Assistant Administrator of Montville. Montville is in possession of a significant number of artifacts, which include pieces of historic farm equipment. The Township of Montville has had an individual interested in acquiring the entire collection but Montville is aware that we are interested in some pieces. In fact we have had several items on loan for a number of years. Assistant Director of Historic Sites Laffey will review what items we might want if we had the opportunity. Staff would be interested in three of the items, however Executive Director Helmer advised that he has not received a response from Montville stating whether they want to keep the collection in its entirety or piece it out.

Commissioner Seabury had spoken with the ten Mayor of Montville last fall, and they were concerned that the building where they were storing them was collapsing and the roof leaking. At time the water was seeping into some of the equipment due to the condition of the storage facility,

Executive Director Helmer advised that the Historical Society is interested in taking all the pieces, but according to Commissioner Seabury, they need a facility where the items can be stored. Commissioner Schleicher stated that there are wonderful items but they were out in the elements, and some that weren't under the shed at all.

Commissioner Seabury felt that these artifacts could be used for programming at Fosterfields primarily. Executive Director Helmer stated that there are three engines that we are interested in.

Commissioner Seabury stated that one of the items is a hand pump which would be useful because it is something that the children can get their hands on and use. Another item that the Park Commission would like is the upright steam engine to be used for display at Historic Speedwell.

Commissioner Seabury indicated that he felt it was important to take advantage of obtaining these items if the opportunity were to arise, since they are no longer being made and are being acquired by collectors.

Assistant Director of Historic Sites Laffey stated that the Historical Society of Montville is on board with whatever the Township of Montville decides and felt that we could not take the entire collection because we don't have enough room for everything. President Cass-Schmidt added that what we need or what we may want is dependent on the Montville Township's decision as to how they will disperse the items.

Commissioner Seabury plans on going to look at the items and go over the list of what is available.

Commissioner Seabury mentioned that he was given a map of the United States circa 1904 or 5 which came out of a school house and can be rolled up and down. He inquired whether it was something that the Park Commission could use. Executive Director Helmer suggested the Washington Valley Schoolhouse might be interested. Assistant Director of Historic Sites Laffey will contact them and see if they might be interested in this item, since it is close to the time period that they are reaching for. Other options mentioned was the schoolhouse located in Parsippany and the schoolhouse located in Florham Park.

Assistant Director of Historic Sites Laffey gave an update on the Preservation Trust Grant for Fosterfields. A grant was submitted by Historic Sites to the Morris County Historic Trust Grant fund in March of this year to help fund and update the 1983 Historic Structures Report for the Willows, and at the end of June we were notified that a grant was awarded for \$19,200.00, and the portion that the Park Commission will fund from the Park Improvement Trust Fund is \$4,800.00. The money is going directly towards hiring an architectural firm to do the update which was agreed to by a Resolution earlier this year, when we applied for the grant, and it was part of the grant package. The project includes the conditions and assessment of the house and doing additional research.

We recently discovered that the contractor who was to have built the house died six weeks after the contract was signed so we don't really know who actually completed the project. Built

We also found out in the state archives that about two years after the house was completed there was a court case that was brought against Ashfell Bruin's Estate, who was the contractor, and Revere, by the carpenters and craftsmen who built the house. It is believed that the actual specifications for the house are with the court documents.

Commissioner Schleicher inquired about the display at Historic Speedwell in the L'Hommeadeu House. Assistant Director of Historic Sites Laffey advised that the display was done by Melanie Bump, Commissioner Schleicher Commented on the effectiveness of the display. This display is about New Jersey inventions based on beauty, there is a mannequin with all the layers that a woman in that century wore and the make up with the harsh chemicals that were actually used then. A good deal of this information came from our archives. We have some original Ladies Home journals, which have been around for 130 years and back then there were local housewives writing the various articles about beauty as well as homemaking.

Assistant Deputy Director Zafonte reported on the Emerald Ash Borer infestation discovered in Somerset County back in May in Bridgewater in an area near the Patriots' ballpark. He feels that it may have some serious long-term impacts on the park system for dead ash trees. This is an insect that was first discovered in North America in 2002, in the Detroit area and in Canada. It probably came into the country from Asia via packing material. There are native relatives of this insect here in the United States, but they don't do the kind of damage that is attributed to this exotic form of the insect.

Assistant Deputy Director Zafonte provided an identification kit to the Commissioners which shows various form of the insect, as well as, the types of damage it does and is "v" shaped exit holes from which the pest emerges in the spring from mid-May to June. The most prominent diagnostic of an infestation is the presence of woodpecker activity. Woodpeckers like the larvae of these pests. According to Assistant Deputy Director Zafonte, another pest that that is even more devastating than the Emerald Ash Borer, if it ever gets established, is the Asian Longhorn Beetle because the list of plants it likes is huge and consists primarily of maples.

Assistant Deputy Director Zafonte advised that ash trees which grow primarily in North Jersey may compromise about 10% of the forested areas and as a result the Emerald Ash Borer will have a significant impact as it takes its toll on ash trees only.

Over the years there have been various infestations that have come into this country such as the Chestnut blight, Dutch Elm Disease and thus losing the chestnuts and elms, as well as gypsy moth and the Woolly Adelgid on the Hemlock, but this will really take its toll on the ash trees.

There is really not much that can be done except treating individual trees that you might want to protect.

It takes about three years for a tree to succumb to an infestation. It has been detected in New Jersey but so far, the borer hasn't been detected in Delaware, Vermont and Maine. Some people feel that it possibly could have been present in New Jersey for approximately 3 or 4 years before it was finally detected. The state put out survey traps, we cooperated with the State and had some of these traps in some of our parks. However, it may take several years of infestation before the borer is actually identified because when the populations are low you might not notice it. Research is being conducted on the life cycle and how to control the adults. Quarantines are in force to prevent the movement of landscape nursery stock, firewood, logs, etc., and there is a web site, emeraldashborer.info, where additional information about this particular pest can be found.

Commissioner McCarthy inquired whether there might be another insect that is an enemy of the Emerald Ash Borer. Assistant Deputy Director Zafonte indicated that work is being done by the state and the federal government to locate and breed parasites and predators that might combat this pest in the wild. They have identified some parasitic wasps from its native range, however, there must be a sufficient population of beetle and predator for this method to be effective.

Spraying or soil injection with systemic insecticides appear to be effective in protecting individual trees but once the pest's population is high in an area it will find and infect every tree.

This insect only attacks Ash Trees, prevalent in this area are White Ash and Green Ash. The adult beetle is a metallic green about a half-inch long. They emerge in the Spring from mid-May into June. Assistant Deputy Director Zafonte suggested that if we have dead Ash trees in the park system, we do not move them or use them for fire wood.

There are traps to detect the beetle and you might have seen some around the State. The state is going to start to survey the area and usually the area to worry about is ten to fifteen miles out from where that discovery was made. We are close to that area, especially Willowood Arboretum. Superintendent of Natural Resources Kovacevic has been doing some research as to the availability of the traps whether it pays for us to set up our own traps, just to monitor things and it is something we could do for not a whole lot of cost.

Commissioner Seabury inquired about the presence of ash trees at Willowood or other arboreta. Manager of Horticulture Morse responded that there are a few large ash trees at the Frelinghuysen Arboretum and staff has been proactive in their treatment and will make certain that everything else that needs treatment will receive it.

Assistant Deputy Director Zafonte will put together a program to train our staff and volunteers to help. In addition to identifying specimen trees we need to identify key trees at the golf

courses and places such as Schooley's Mountain County Park where most of the trees in the picnic and play area are surrounded by ash trees. Do we want to remove some of them proactively? Plant something new? If there is an infestation and we get dead trees there is the hazard around play areas, picnic areas and trails, etc. If towns, parks etc. start having problems we will need to think about what we do with all the wood. Maybe there will be some cooperative ventures like with Sandy to get rid of the wood.

Commissioner Seabury inquired about the possibility of a state-wide or county-wide bid whereby spraying could be done on a group basis for one day. There is a possibility of doing this, a few weeks ago Somerset County Park System was having a meeting with the Extension Agent from Somerset County, I sat in on that meeting, and what Somerset is doing is that they are starting to identify the trees that they want to protect. They are GPS mapping them and collecting the tree size, diameter, breath, and height, because that in turn governs the rate of the chemicals that you would use. There are a few chemicals out there that you could use with various methods. Tree injections, bark sprays, or soil drenches where it is drenched with water.

There are pros and cons to different methods, problems with the use of some of the chemicals such as the impact on the bee population, and there would need to be extensive coordination to insure the effectiveness of any program to protect the Ash tree.

Assistant Deputy Director Zafonte suggested that he would like to put together a program to train staff and volunteers in addition to working cooperatively with the Extension Service and Master Gardeners in identifying and monitoring techniques – generally how to go out and scout around and what to look for.

In summing up Assistant Deputy Director Zafonte suggested that the immediate steps the Commission can take would be identification of trees to protect, and then evaluating the pros and cons for action – whether the Commission treats certain trees or removes them. Assistant Deputy Director Zafonte suggested that efforts should be concentrated on identifying specimen trees, trees in picnic, play, trail and other higher use areas where there could be potential liability towards the public and a cost liability and then weighing what might be done (removal or treatment) in view of the costs.

In closing remarks, Assistant Deputy Director Zafonte advised the Commissioners that the Frelinghuysen Arboretum had been presented with a Certificate of Excellence from the Trip Advisor website as a result of having received four stars from viewers of the site.

Executive Director Helmer reported that warning and expulsion letters were sent out to the hunters, and he thought that it would be informative if we brought back to the Commission the result of that and the approach taken in making these recommendations, the Park Police was also included in the process.

Superintendent of Natural Resources Kovacevic reviewed the status of the White-tailed Deer Management Program. As a result of recent meeting with management and staff, 131 letters,

which is one-third of the hunter base, were issued to hunters who participated in the Park Commission's controlled deer hunt as a result of the abnormally high number of incidents in the past year. Those letters which included 6 expulsion letters were sent to any individual who fell in one of four categories since 2008 as a result of: 1) a violation of the Commission's rules and regulations; 2) a violation of New Jersey codes or state rules; 3) a focus on harvesting antlered deer during one or more season, or 4) a discrepancy between the harvest records they provided the Park Commission and those that the State gave the Commission.

A lot of hunters who received the letters didn't realize they fell into one of those four categories and as a result there were a lot of questions asking what they had done to deserve expulsion from the program. The biggest confusion seems to be in the antlered deer quota and after two years of having that rule we decided that it was too difficult to enforce it and since the inception of the program we have always emphasized that they must focus their efforts on antlerless deer, and we always made it clear if that was not followed they could be removed from the program.

Commissioner McCarthy inquired how these punishment dovetailed with the New Jersey State Fish and Wildlife Program as far as how severely someone is punished.

Superintendent Kovacevic responded that generally, the warnings and punishments are at the discretion of the Commission, and we do not have a formal list.

Commissioner McCarthy wanted some examples of a weapons violation. Superintendent Kovacevic responded that having an uncased firearm in a vehicle, discharge of a weapon within 450 feet of a safety zone, and using the wrong type of ammunition.

Commissioner Seabury inquired about the ratio of non-antlered to antlered takings. Superintendent of Natural Resources Kovacevic responded that the current ratio is about 3 to 1 which is higher than what had been required with an incentive program. The problem lies with people taking only antlered deer season after season. It's not fair to the hunter who are doing what we are asking of them and if word gets out that we aren't doing anything about it, our ratio will fall which won't further the goal of the deer management program.

President Cass-Schmidt inquired whether expulsions were permanent. Superintendent of Natural Resources Kovacevic indicated that there were 6 hunters dismissed from the program. We have changed the rules to include that the role of the program is to harvest female deer and that the Park Commission reserves the right to remove any hunters that are not working towards the goal of the program. This year it is a requirement that all hunters attend orientation so that all the rules and regulations can be explained in detail. President Cass-Schmidt inquired what would draw the line between suspension for a year and expulsion.

Superintendent Kovacevic explained that 5 of the 6 were very serious infractions, including mutilating deer. One hunter harvested two big bucks one was an 11 point deer, and many people would consider that a trophy hunt. Many of the hunters in our program would be unhappy, with the fact that someone did take those two deer, this hunter also had a history of only taking buck a couple of years ago.

Executive Director Helmer wanted to explain to the new Commissioners that the very basis of the deer program is based on enhancing forest health.

Commissioner Lasser questioned that how we can monitor this, Superintendent Kovacevic stated that most of the hunters are very honest about this and she feels that people are afraid of getting caught lying. Superintendent Kovacevic also cross checks with the State of New Jersey who supplies us with their date.

Commissioner Seabury inquired if we anticipate any changes in the deer population and the strictness of the rules are we going to have a decrease in the number of hunters per acreage which would result in fewer deer killed.

Superintendent Kovacevic feels that is true but feels our rules are strict for a reason and we want the right kind of hunter. We could open up the parks to open hunting, but we could run the risk of jeopardizing the safety in the parks.

Commissioner Seabury brought up the fact that there is also a change in the demographics, some of the hunters are not able to hunt any longer and their family members are not interested in hunting, are there any ideas of attracting new hunters to the program.

Superintendent Kovacevic said that they are looking for new ways to attract new people, we do publish our program in the State Fishing and Hunting Guide and that should be the primary means of recruiting people and we also have hunters that bring in fellow hunters. We would like to see more since this year we have opened up a lot of new parks to hunting.

Executive Director Helmer stated that we have increased opportunities, one of the things we may have to look at is the season, not hunting the entire season for every park. We may have to move hunters around to different parks. We have also found out that some of the hunters don't like to hunt the areas with difficult terrain.

Chief of Park Police David Doyle concurred with Superintendent of Natural Resources Kovacevic's rules and enforcement, and added that in taking a proactive approach to addressing some of the problems now versus letting them go is definitely the way to start this thing off in order to keep hunters from engaging in further violations of the rules.

Commissioner Lasser inquired about enforcement of rules if, for example, an individual who was banned decided to hunt? Chief Doyle replied that because the park would be closed for hunting, such a person could be arrested for trespassing but would be given the opportunity to leave. In addition there are stringent State penalties for violating rules which include lifetime permanent revocation of hunting and fishing privileges.

Chief of Park Police Doyle introduced Park Police Officer Timothy Williamson who spoke about Superintendent of Natural Resources Kovacevic's program. He advised the Commissioners that the hunter safety programs given annually by the State have been extremely well attended in the past couple of years. There are far more hunters in New Jersey than there is space in the program and as a result

Commissioner Lasser inquired about enforcement of rules if, for example, an individual who was banned decided to hunt? Chief Doyle replied that because the park would be closed for hunting, such a person could be arrested for trespassing but would be given the opportunity to leave. In addition there are stringent State penalties for violating rules which include lifetime permanent revocation of hunting and fishing privileges.

Chief of Park Police Doyle introduced Park Police Officer Timothy Williamson who spoke about Superintendent of Natural Resources Kovacevic's program. He advised the Commissioners that the hunter safety programs given annually by the State have been extremely well attended in the past couple of years. There are far more hunters in New Jersey than there is space in the program and as a result.

Officer Williamson felt there would not be any problem with a shortage of hunters in the parks. He cited examples of hunting clubs and farmers on big tracts of land are charging \$20 to \$30 an acre to hunt which includes open fields that aren't really good for hunting. To have availability in the parks for relatively low fees is a good deal in comparison. In addition, it is always preferable to have fewer good hunters in the Park Commission's hunting program rather than hunters guilty of purposeful violations.

Commissioner McCarthy inquired about the law governing retrieving game that is killed on public property but dies on private property. Officer Williamson that under State law a land owner can prohibit a hunter from retrieving his "kill."

President Cass-Schmidt thanked Officer Williamson, Superintendent of Natural Resources Kovacevic and Chief Doyle for their presentations.

Before proceeding to Park Development, President Cass-Schmidt advised the Commission that Vice-President Shepard had mentioned a field trip "ap" that shows what is available in an area as one travels along;. Fosterfields is recognized by the "ap" as a place to visit; other places that are recognized by the "ap" also provide information about scheduled events. This might be an additional avenue to promote Park Commission events.

Park Development

Commissioner Julie Baron, Chair

Director of Engineering Services Vitale reported that rehabilitation of Leddell's Pond dam overall is going well. When the job is finished, it will look no different than it did before the work began. Director of Engineering Services Vitale provided the Commissioners with an

update regarding the issue of a large black walnut tree on Dr. Antonucci's property adjacent to Ledell's Pond whose roots are on Park Commission property which didn't show on the plans and which Dr. Antonucci was interested in preserving.

The final solution will most likely result in survival of the black walnut tree since all of the reconstruction work will be outside the outer drip line of the tree and as a result will minimally affect the tree's root system.

Ad Hoc Development

Commissioner Kim Wentworth, Chair

Assistant Deputy Director Lanza reported that one of the more popular program to abate childhood obesity; nationally is a Prescription for Parks program and we have created one with the Kid Fit Program at Morristown Medical Center Gorieb Children's Center. Assistant Deputy Director Lanza provided Commissioners with the brochure that has been developed which is being printed by the hospital at their cost. Kid Fit is actually a program where children are recommended by the family doctor to go to the program because of physical inactivity, chances of obesity occurring and therefore a list of the kinds of diseases that generally happen with obesity.

The hospital will provide the initial test group to try the Prescription for Parks program. Assistant Deputy Director Lanza advised Commissioners that she has contacted several groups of the New Jersey Recreation and Park Association about the program. She added that she was not familiar with any other agency doing this program in New Jersey. In briefly describing the program, Assistant Deputy Director Lanza advised the Commissioners that once a child is referred to the Kid Fit program, a nutrition and healthy eating schedule as well as a physical activity program is created for that child. There are actual programs that Kid Fit does at the hospital in their open area that they have but now with the Park Commission as a partner, there is the opportunity to involve the entire family in physical activity by encouraging them to visit the parks. Kid Fit has not been promised an exclusive partnership. Assistant Deputy Director Lanza indicated that a "Y" in Morris County has expressed an interest in introducing this program to their Board of Directors.

While it is too early in the program at this point, Assistant Deputy Director Lanza indicated that as the program is expanded to other doctors we plan to keep track of the number of doctors and families involved with this program. Once we have data we might be able to apply for an award.

President Cass-Schmidt suggested contacting the Morris County Mayors' Wellness Program which might be a group that would be interested in this effort.

Assistant Deputy Director Lanza reported on the status of the all access playground at Central Park of Morris County where the safety surfacing installation has begun. She will keep the Commission advised as the work progresses.

Assistant Deputy Director Lanza advised Commissioners that she is co-chair of the Public Affairs Committee for New Jersey Recreation and Park Association which has been reviewing several bills before the New Jersey Legislature which may have a heavy duty impact to the Park Commission. One is Senate Bill 770 which has passed both the Assembly and the Senate and is awaiting the Governor's signature. It establishes onerous procedures and standards for privatizing public services and is designed to protect the public worker. Assistant Deputy Director Lanza and Executive Director Helmer have discussed this Bill and are under the impression the New Jersey Association of Counties and possibly the League of Municipalities will recommend that this Bill not be signed into law by the Governor.

Cross talk about the consequences of this Bill if enacted into law and how Morris County's Legislators voted.

Executive Director Helmer and Assistant Deputy Director Lanza felt the Commissioners should also be aware of Senate Bill 1772, which prohibits smoking at public parks and beaches. This Bill was substituted by Assembly Bill 1080 which has passed the Assembly and first reading in the Senate. The local health department would be charged with overall enforcement of the law which would require the local agency to enforce the no smoking rule and be fined for infractions and/or failure to enforce the law.

In final remarks, Assistant Deputy Director Lanza updated Commissioners on legislative bills in both the Assembly and Senate which would require automatic external defibrillators (AED's) at public parks and recreation departments.

Cross talk about the burdensome requirements and safety if these legislative proposals should become law in their present form.

Following the vote, President Cass-Schmidt called for a five-minute break.

REPORT OF THE EXECUTIVE DIRECTOR

Executive Director Helmer advised the Commissioners that the Township of Jefferson had requested the use of the Commission's Snow Bowl area. They are constructing artificial turf fields near Mahlon Dickerson Reservation and would like to mobilize some activity from the Park.

Executive Director Helmer supports the request for the use of the back of the Snow Bowl area as it won't affect park activities. In addition we have a sand pile that Jefferson Township may want to use to help with drainage of the ball field and in exchange the Park Commission would get some of the top soil. The project will begin soon and will be

completed by the end of September or the first of October. It will not impact any park activity and is outside the core of the property.

Executive Director Helmer further advised the Commission that the Color Vibe 5K Race took place two weekends ago. There were about 6,000 participants. He spoke with the Mayor of Morris Plains who indicated the community benefited from all of the "tie-died" people visiting local merchants. It was a nice family event with no negative impact to Central Park. The group is thinking about possibly coming back in the fall. The event was a good revenue producer and all costs were covered.

The Paranormal evening tours at Fosterfields are going to start on August 2nd at 7:45pm. There are three scheduled for this year. The second will be on September 27th and the third on November 8th. Executive Director Helmer distributed a flyer to Commissioners and indicated that the information was also listed on the Park Commission's web site.

National Night Out is scheduled for Tuesday, August 5th from 5 pm to 9pm at Mennen Sports Arena.

Executive Director Helmer reviewed the thank you notes he has received on behalf of the Park Commission. The first is from ANJEC for the foursome that the Park Commission provided to their golfing fundraiser. Also received was a thank you from the Morris County Sheriff for use of Lewis Morris County Park for canine unit training, a session in which Lieutenant DePietro also participated.

Executive Director Helmer will be attending a meeting at the Lake Hopatcong Foundation offices on August 8th; the draft report for the conceptual use of the Pavilion will be available; at that time he will see if the architect can schedule a presentation at a Commission meeting as well.

Ash

On Friday, June 13th the Park Commission hosted the County Park Directors' meeting. There was a good discussion about geocaching which is a type of GPS scavenger hunt and geocaching related policies. This was a subject matter that arose about a year ago within the Park Commission. The State has a draft policy that it shares with County Park Directors and Executive Director Helmer anticipates it will be discussed at the October Workshop meeting along with the Park Commission's final proposal for a policy.

Executive Director Helmer noted he received an email from Commissioner Baron regarding drones. He also recently received an email from the Director of the Great Swamp Watershed Association with beautiful images of Seaton Hackney stables which were taken from a drone belonging to one of the members of the Watershed Association. Executive Director Helmer would like to ask Counsel Suminski to explore how this type of activity can be managed or even denied within park land before it becomes an issue. There was an earlier request that was denied.

Executive Director Helmer advised the Commissioners that the appraisal valuation process under the Highlands Act that the Park Commission currently goes through is sun setting on June 30, 2014. Green Acres has indicated there is a bill to extend the Highlands Act valuation process.

On the State level, regarding Open Space funding, the Senate approved 36 to 1 the Bill to provide dedicated funding but the Assembly has not taken that up. The bill must be approved by the Assembly or the issue will not be on the November ballot.

Executive Director Helmer noted the recent issue of staffing sufficiency in the courts that has arisen between the Sheriff's office and the Freeholders. He also presented to the Commissioners a summary of a report on the review that was done by consultants of Open Space funding that will be discussed at the next Freeholder meeting. He also noted there were three ballot questions the Commissioner should be aware of as they affect the Commission's ability to use Open Space funds.

President Cass-Schmidt complimented the Executive Director on the new table and comfortable chairs. She also requested an update at the next meeting regarding dogs on trails. Executive Director Helmer indicated that there will be signage and brochures concerning dog etiquette in the parks as well as on the trails which will be followed with enforcement and fines for violations.

Executive Director Helmer requested that Commissioners stay after the workshop to get their individual photo ID badges that will also open the doors to the Cultural Center. In the next two weeks the main entrance will have a swipe card lock as will the upper floors. The Cultural Center is used by the public and the restrooms are on the second and third floor so this is an attempt to cordon off areas the public will not be able to access after office hours.

President Cass-Schmidt called for a motion to approve the Executive Director's report. The motion was made by Commissioner Baron, seconded by Commissioner Seabury and approved unanimously by voice vote.

EXECUTIVE SESSION

Commissioner Schleicher moved to adopt Resolution No. 82 -14 (Attachment No. 1) placing the Park Commission meeting into Executive Session pursuant to provisions of N.J.S.A. 10:4-12 (5), (6), (7) and (8), the pertinent provisions of the "Open Public Meetings Act." The motion was seconded by Vice-President Shepard and unanimously adopted by roll call vote.

Personnel and Safety Committee
Commissioner Stuart Lasser, Chair

Counsel Suminski reported on a proposed he drafted to create a central court that would be utilized by the Morris County Park Police. The goal is to create a central court for the Park Police. When this was brought up some time ago the idea was to create a new statute to reach the goal. However, in researching the law Counsel Suminski found there is an existing statute that allows for the creation of a central court system which would be applicable to a number of different agencies in addition to the County Park Police system. But the existing statute as it stands is not applicable to Morris County because it pertains to counties with a population over 825,000 as based on the most current decennial of the federal census bureau. Counsel Suminski was asked to put the request in the format of a legislative bill which he indicated he did by inserting language into the existing statute so that the proposed legislation would pertain to any county in the State that has a population of 450,000 or greater. No change in the population density was proposed.

Executive Director Helmer questioned whether the shared court would be in only one location. Counsel Suminski responded that he didn't see anything in the current or statute that would allow or prevent the Park Commission from sharing a court with more than one municipality. The concept is that the Park Commission would be able to have an-inter municipal agreement with a municipality's municipal court system and there didn't seem to be a reason why there couldn't be an agreement with another one as well.

Executive Director Helmer suggested that as part of the presentation to the Law Enforcement Committee and the Freeholder Board that the Park Commission emphasize the need for Freeholder support. Although the Park Commission could go directly to Legislators with the proposal, there needs to be a concerted effort from more than just the Park Commission to move the legislation forward.

Cross talk about benefits of having a shared court system with one or more municipalities.

Counsel Suminski reviewed a second proposed piece of legislation which he had prepared and formatted so that it was fully complete and based on an existing statute. It would allow the Park Commission to establish Rules and Regulations with regard to the control of parks and to establish penalties. The current statute limits the amount of the penalty – not greater than \$100.00 nor less than \$2.00. By eliminating that language and inserting \$1,000.00, the statute would read that the Park Commission would have the right by its own regulations to set the penalty amount to be not greater than \$1,000.00 or some other number that the Park Commissioners might like to insert before seeking legislative sponsorship.

Executive Director Helmer suggested that as part of the presentation to the Law Enforcement Committee and the Freeholder Board that the Park Commission emphasize the need for Freeholder support. Although the Park Commission could go directly to Legislators with the proposal, there needs to be a concerted effort from more than just the Park Commission to move the legislation forward.

Cross talk about benefits of having a shared court system with one or more municipalities.

Counsel Suminski reviewed a second proposed piece of legislation which he had prepared and formatted so that it was fully complete and based on an existing statute. It would allow the Park Commission to establish Rules and Regulations with regard to the control of parks and to establish penalties. The current statute limits the amount of the penalty – not greater than \$100.00 nor less than \$2.00. By eliminating that language and inserting \$1,000.00, the statute would read that the Park Commission would have the right by its own regulations to set the penalty amount to be not greater than \$1,000.00 or some other number that the Park Commissioners might like to insert before seeking legislative sponsorship.

Executive Director Helmer was uncertain about the maximum amount of \$1,000.00 and wanted to consult with several municipalities. He also wanted to see how the State handles fines for ATV violations.

President Cass-Schmidt called for a motion to accept the Personnel and Safety Report. Vice President Shepard made a motion to accept the report which was seconded by Commissioner McCarthy and accepted unanimously by voice vote.

CONSIDERATION OF RESOLUTIONS

Commissioner Baron moved to adopt Resolution No. 83 -14 (Attachment No. 2). Adopting Resolutions No. 84-14 and No. 85-14 (Attachments No. 3 and No. 4) The motion was seconded by Commissioner McCarthy and unanimously approved by roll call.

ADJOURNMENT

There being no further business, President Cass-Schmidt accepted a motion from Commissioner Schleicher to adjourn. The motion was seconded by Commissioner McCarthy and unanimously approved by voice vote. The meeting was adjourned at 1:20 p.m.

Respectfully submitted,

[ORIGINAL SIGNATURE ON FILE]

David D. Helmer
Executive Director

[ORIGINAL SIGNATURE ON FILE]

Katherine Petro
Office Manager

MORRIS COUNTY PARK COMMISSION
RESOLUTION NO. 82-14

BE IT RESOLVED, by the Morris County Park Commission on this 8th day of July, 2014 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.

July 8, 2014

MORRIS COUNTY PARK COMMISSION

Betty Cass-Schmidt
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 July 8, 2014, at the Park Commission offices, 300 Mendham Road, Morris Township, New Jersey.

ORIGINAL SIGNATURE ON FILE

MORRIS COUNTY PARK COMMISSION
RESOLUTION NO. 83-14

BE IT RESOLVED, by the Morris County Park Commission on this 8th day of July, 2014, that the following resolutions be adopted in the form attached:

Resolution Nos.

Resolution No. 84-14 through Resolution No. 85-14

July 8, 2014

MORRIS COUNTY PARK COMMISSION

Betty Cass-Schmidt
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 July 8, 2014, at the Park Commission offices, 300 Mendham Road, Morris Township, New Jersey.

ORIGINAL SIGNATURE ON FILE

MORRIS COUNTY PARK COMMISSION
RESOLUTION NO. 84-14

WHEREAS, the governing body of the Morris County Park Commission desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of \$300,000.00 to fund the De-silting and De-snagging of the Passaic River, and

WHEREAS, the Executive Director of the Morris County Park Commission is authorized to make an application for such a grant, and

WHEREAS, if awarded the Executive Director and the Director of Finance for the Morris County Park Commission are hereby authorized and directed to execute an agreement with the State of New Jersey for a grant in an amount not less than \$300,000.00 and not to exceed \$300,000.00, **NOW THEREFORE**

BE IT RESOLVED, by the Morris County Park Commission, on the 8th day of July, 2014 as follows:

1. That the Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

Ayes: _____

Noes: _____

Absent: _____

July 8, 2014

MORRIS COUNTY PARK COMMISSION

Betty Cass-Schmidt
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 July 8, 2014, at the Park Commission offices, 300 Mendham Road, Morris Township, New Jersey.

MORRIS COUNTY PARK COMMISSION
RESOLUTION. NO. 85-14

WHEREAS, the Morris County Park Commission deemed it advisable and in the public interest to advertise and receive bids for Contract No. 21-06 titled "Lease, Operate and Maintain an Equestrian Stable Facility and Five Room Apartment at Seaton Hackney Farm Park," and

WHEREAS, bids were received and publicly opened and read for Contract No. 21-06 on Wednesday, June 7, 2006 at 10:00 a.m. prevailing time, in accordance with N.J.S.A. 40A:11-1 et seq., the Local Public Contracts Law, and

WHEREAS, Contract No. 21-06 was awarded to Equishare USA, LLC of Califon, New Jersey, the highest bidder, in accordance with the bid specifications, for the initial term of five (5) years beginning August 1, 2006 to July 31, 2011, and was adopted by Resolution No. 128-06, and

WHEREAS, the Park Commission has the option to renew for five (5) additional three (3) year renewal periods not to exceed beyond July 31, 2026, at the sole discretion of the Park Commission, and

WHEREAS, the rent for each year of each renewal term shall be automatically adjusted as of August 1st by the annual percentage of increase in accordance with the "All Items" Index for NY Northeastern-NJ area of the Consumer Index for all Urban Consumers as of December of the preceding year, and

WHEREAS, on June 27, 2011, the Morris County Park Commission adopted Resolution No. 100-11 to extend the lease for the first year of the first extension period, August 1, 2011 to July 31, 2012, in accordance with the terms of the contract, and

WHEREAS, on September 24, 2012, the Morris County Park Commission adopted Resolution No. 101-12 to extend the lease for the second year of the first extension period, August 1, 2012 to July 31, 2013, in accordance with the terms of the contract, and

WHEREAS, on July 22, 2013, the Morris County Park Commission adopted Resolution No. 117-13 to extend the lease for the third year of the first extension period, August 1, 2013 to July 31, 2014 in accordance with the terms of the contract, **NOW THEREFORE**

BE IT RESOLVED by the Morris County Park Commission on this 8th day of July 2014 as follows:

1. That the rent for Contract No. 21-06, titled "Lease, Operate and Maintain an Equestrian Stable Facility and Five Room Apartment at Seaton Hackney Farm Park," extended to Equishare USA, LLC for the first year of the second extension period, be and hereby is adjusted August 1st by the annual percentage increase of 1.5% in accordance with the "All Items" Index for NY Northeastern-NJ Area of the Consumer Index for all Urban Consumers as of December 31, 2013 as follows in accordance with the schedule prescribed in the contract documents:
August 1, 2014 – July 31, 2015 \$2,374.23/month or \$28,490.76 per year
2. That the rent for the next year of the renewal term shall be automatically adjusted as of August 1, 2015.
3. That this Resolution take effect immediately.

July 8, 2014

MORRIS COUNTY PARK COMMISSION

Betty Cass-Schmidt
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 July 8, 2014, at the Park Commission offices, 300 Mendham Road, Morris Township, New Jersey.