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THE MORRIS COUNTY PARK COMMISSION
DISTRIBUTION OF PARK COMMISSION MEETING MINUTES

Date

April 12, 2016

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

THE MORRIS COUNTY PARK COMMISSION

300 Mendham Road

Morristown, New Jersey

President Cass-Schmidt called to order the 831st meeting of the Morris County Park Commission at 9:30 a.m. on April 12, 2016, at the Cultural Center, 300 Mendham Road, Morristown, New Jersey.

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 12th day of April, 2016 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
Vice President Barbara Shepard
Commissioner Julie Baron
Commissioner Stuart Lasser
Commissioner Richard Seabury, III
Commissioner Matthew Tal
Commissioner Louis Valori, Jr.
Commissioner Kim Wentworth

Executive Director David D. Helmer
Deputy Executive Director R. Vitale
Counsel John Suminski

Also in attendance were the following staff:

Assistant Deputy Director of Cultural & Environmental Resources Zafonte, Park Police Chief DiPietro, Director of Recreation Facilities Fauci, Director of Engineering Services Vitale, Director of Park Planning & Development Denise Chaplick, Assistant Deputy Director/Development Lanza, Assistant Director of Historic Sites Laffey, Director of Parks and Visitor Services Biase, Manager of Special Projects Chang, Manager of Park Projects Felter, Manager of Marketing & Communications Wnek, Assistant Engineer Herterick and Superintendent of Natural Resources Kovacevic.

Also in attendance were Tom Kruse, Marty Epstein and Jesse Epstein to make a presentation on the National Interscholastic Cycling Association.

SALUTE TO THE FLAG

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

FINANCE AND BUDGET COMMITTEE

Vice President Barbara Shepard, Chair

Executive Director Helmer reviewed the Energy Consumption reports for the Mennen Sports Arena which was prepared by Project Manager Chang, on a monthly basis as well as an analysis over multiple year time frame from 2004 through 2015. The reports track electrical and natural gas consumption at Mennen Sports Arena.

As you can see from the report, the Arena is benefiting from the relatively low rates for both electric and natural gas. The 2015 budget for electric was underspent by \$70,000.00 and for natural gas was underspend by budget by \$50,000.00. Staff's control over the equipment and lighting has also played a large role in controlling consumption. In 2006 the annual kWh for the Arena was 6,226,673 and for 2015 it was 4,823,291.

Commissioner Lasser questioned that since costs have been trimmed by about \$230,000.00 from 7 years ago which is significant, how much was because of the solar power. When the utility rates were higher the solar array system would save between \$30,000.00 to \$40,000.00 per year.

PROMOTION & BUSINESS ACTIVITIES COMMITTEE

Commissioner Edward G. McCarthy, Chair

Executive Director Helmer introduced Mr. Marty Epstein and League Director Tom Kruse of the New Jersey Interscholastic Cycling League who gave a presentation on the National Interscholastic Cycling Association.

The National Interscholastic Cycling Association is an organization that was organized to provide fun, safe and high quality mountain biking programs for students in grades 9 to 12 to get involved in cycling and lead a healthy lifestyle.

Tom Kruse of the New Jersey Interscholastic Cycling League explained that the National Interscholastic Cycling Association is a 501C3 non-profit which was founded in 2009 in California, and has since grown tremendously. There are presently 19 active leagues, in 18 states.

NICA is a youth development organization. It gives youth an opportunity to get away from computers, and lead an active lifestyle and give them the opportunity to develop a passion for cycling. What is really stressed is that cycling is a sport that you can enjoy for your entire life unlike many other high school sports.

The five core principals of the organization are a strong body, strong mind, strong character, inclusivity and equality. There is a strong focus on academics and it is encouraged that they put academics first.

The way the organization is set up is that it is a combination of individual sport and team sport. Everyone races on race day, and everyone earns points for their team. As the New Jersey League we are focusing and making an effort from day one to reach out into underprivileged communities.

They are looking to set up scholarship programs and develop a loaner bike program so that we can reach the kids where there may be a number of barriers for entry and try to overcome those.

The first racing season is one year away. They are approaching the Park Commission now since we have a year to plan things, and one of the things that they are in the midst of is that they are conducting venue surveys.

The group will be holding four races which will be their season, and their goal now is to identify 8 venues that they think meet the NICA criteria, and in the middle of May they are going to have a representative from NICA here to visit the sites and to help the group pick from the 8 to probably four or five so that they have four primary sites and one backup site.

About one-third of the participants in NICA have never mountain biked before. And only 10 percent have had prior mountain biking racing experience. Most kids are either inexperienced or do not have a lot of experience. The purpose of the course would be to provide a safe environment for the kids, a Park like Lewis Morris County Park is great. We are not talking about any crazy obstacles and we are trying to keep the trail smooth. The idea is that a kid who has been mountain biking for a couple months can complete each lap without dismounting any more than 4 times.

All of the coaches are trained, in late September they will be conducting their leader summit, which is for training the coach, which is an all weekend session that will focus on risk management, how to run a team financially, and how to engage parents and a half day hands-on skills session on how to actually teach mountain biking.

The group is hoping for their first season to have about 75 student athletes on 15 teams across the state they typically try to have a ratio of one to three or no more than 4. For each time they recommend should have three to four coaches, with a five-person team you always have two coaches out with the team and that way not every coach has to be at every practice session.

They have already held a coach's information in early March and they had over 50 individuals attend, who expressed an interest in coaching or at least becoming actively involved with the organization. They would like to engrain this into the culture of New Jersey's schools.

They have mandatory background checks for all coaches, and anyone who would be in direct contact with the kids, along with the regular volunteers at our races all have to go through background checks, and the only people who don't go through background checks are the walk-on volunteers on race day. They require that the coaches get Wilderness First aid within the first year or two of being involved with the teams.

They are fully insured, they are pretty much a turn-key operation they bring insurance with them, there is no exposure to the venues, to the schools, to anyone who requires it. There are two different ways that a team can be formed NICA team, it can be school based teams, and the second is it could be a composite team which can be based on any commonality which makes sense be it geographic or affiliation with an existing bike club, or bike shop. The criteria for the venue itself, would require plenty of parking, an open grassy area where there could be a start/finish entry. The ideal loop is four to six miles, and more importantly is the length of the loop should be 20 to 25

minutes and some of the really fast kids could complete it under 25 minutes and some of the slower kids could take 30 or 40 minutes. There should be plenty of passing opportunities, history tells us that kids could get hurt if they are trying to pass and there isn't enough room, to pass safely, and the elevation should be limited.

President Cass Schmidt inquired if this program would be viable for Craigmear. Executive Director Helmer pointed out that the trail system itself is off of Park Commission property and would be on Newark Watershed Property.

Executive Director Helmer clarified that it would be four races a year being held at four separate locations throughout the state. He also wanted confirmation that the spring season runs from April to May.

Executive Director explained that while the Park Commission develops other aspects of Central Park of Morris County that are right now undeveloped to try to have activities that don't necessarily take away the public space from other users of the space. At Lewis Morris County Park you would basically be giving up the weekend in certain areas, and assuming that it's the Sunrise Lake Beach area is where other races have occurred here, and what the potential impact of that picnic area and ballfield area at the beginning of the season were it to be used for the rest of the year and maybe for the first year that would be ok because it's a known quantity, but if there is a way to establish something at Central Park or reestablish locations at other parks, if you are training at the Columbia Trail, Schooley's Mountain County Park doesn't have a good design for bicycling it has some of the negatives that you are not looking for the steepness and some of the rocky trails. At Central Park there are areas that are unknown to most folks, the field areas on Old Dover Road that right now Parsippany cuts, and if there is a way to build something that separates part of the park, restroom facilities nearby, a lot of activities happening and almost dedicate that to a facility that local kids could train on a regular basis that was the least impact on the rest of the park. There are other locations, Manager of Park Projects Felter has been working with JORBA on the Snow Bowl area at Mahlon Dickerson Reservation to establish a trail system. We have been purchasing property in the Waughaw Mountain Greenway area. When we look for an area we try to find one that used and that the setup is the same, and that the impact that is left behind is known from the beginning.

Executive Director Helmer suggested that they sit with Manager of Park Projects Felter and our Recreation staff to take a look at the areas that could in the future be more of a permanent location and possibly kick start it going with something that you know at Lewis Morris County Park and the Park Commission will try to work with them take a look at the scheduling component and possibly get on the schedule later in the season at Lewis Morris County Park.

President Cass-Schmidt asked if the group is co-ed and are their separate races for them. Tom Kruse stated that there are girls field and boys field and the scoring actually awards teams for having female riders. Roughly 25% of the student athletes are female.

President Cass Schmidt inquired if the group was looking to run of the 4 races would more than one be located in Morris County. Mr. Kruse stated that they would be spread throughout the state. The farthest point is Medford, New Jersey a YMCA camp, they are also looking at a few parks

located in Central Jersey, and further north they are speaking to the Allamuchy Boy Scout Reservation and Kitatinny State Park.

President Cass-Schmidt stated that given that the trails are so heavily used and you will be training on them would there be a potential problem with people racing along on Mountain Bikes for training purposes.

Commissioner Wentworth wondered if the clubs would be willing to do volunteer days in exchange for the time on the trails because there will be wear and tear along the trails.

In response Mr. Kruse stated that NICA has a partnership with IMBA of which JORBA is the Chapter and one of the things they will be organizing is to involve the youth and student athletes in trail maintenance as part of the package of learning to be responsible for the environment and taking ownership for the environment and giving back.

Commissioner Seabury wanted to know what was the average parent 's financial commitment for the bike, helmet, etc. Mr. Kruse feels that approximately \$500.00 to \$1,000.00 is the average range for the commitment, and compared to football, or hockey it probably is about the same. The group is looking at partnering with bike companies for deals on bikes and to put together a fleet of loaner bikes.

Commissioner Lasser asked about the length of the track and if there was a fee that is charged the student athletes.

Mr. Kruse stated that the length of the track would be about 3 to 4 miles. Regarding the fee that is charged there is a \$50.00 fee charged to join NICA so part of the sustainability model to become self-funding is that there are fees involved along with the \$50.00 membership there is also a \$40.00 entry per race. The idea being that they will charge market rates, which is what the rates reflect, and then possibly supplementing those with scholarships for the kids who can't afford the fees.

President Cass-Schmidt thanked the NICA representatives for their presentation.

Executive Director Helmer informed the Committee that the Jefferson Township Fire Co. #2, a 100% Volunteer department, is raising funds to replace its aging Fireboat which has been on Lake Hopatcong since 1983, and they are asking that they be able to distribute donation cards at Lee's County Park Marina. We have in the past let the Mt. Arlington Fire Department come out one weekend at Lee's County Park Marina entrance to raise funds for the Department.

The boat services not just the Jefferson section of Lake Hopatcong but Lake Hopatcong itself and from a rescue perspective and potentially working with the Park Police that is working on the water body it would be a good idea to help us support this endeavor. Executive Helmer further explained that they are requesting permission to put the donation cards there and that there is no solicitation of funds and that no funds would be transferred. There was no objection to allow this.

Next on the Agenda was a request from morrisarts, which is the group that retains the exclusive right to use the Giralda Farms property for their annual concert, and is also a 501c(3) organization,

to waive the rental fee for the Mennen Sports Arena as a rain site. Director of Recreation Fauci explained that to hold it as a rain site would be \$500.00, it has been blocked out and the group is requesting to waive the permit rental fee. The Arena was not able to accommodate them last year, when the group made a similar request. However, this year the Arena is available and, according to policy the Commission can waive the fee this year since we were not able to accommodate them last year. The fee waiver does not include staff costs or waste disposal.

Commissioner Seabury inquired as to how much time and manpower we would need if they had to use the Arena on a short notice. Director of Recreation Fauci pointed out that we have hosted it as a rain site in the past, and the event starts at 4 pm and they notify us at 12:30 and that is usually when they make a decision if they go or not go. They don't set up a real stage they just play, people will sit in the stands or some bring in chairs and put them on the floor.

President Cass-Schmidt inquired about the cost of emergency services and who would have to pay for that. Director of Recreation Fauci reported that they would have to pay for that service. Commissioner Lasser inquired about the cleanup. Director of Recreation Fauci responded that there is clean up required after the event. Commissioner Lasser feels that they then should be responsible for that.

Director of Recreation Fauci, suggested that there be no charge for holding it as a rain site, but if they do use it there would be a \$500.00 fee, which would cover staff costs and cleanup. The Commission was in favor of this recommendation.

Manager of Marketing and Communications Wnek reminded the Commission about the 5% day being held at Whole FoodsMarket at the Morristown location on April 20th, this day will benefit the Friends of the Frelinghuysen Arboretum. There was a 5% day held in March at the Madison Whole FoodsMarket, and the total received from that day, \$4,173.85 which benefited the Great Swamp Outdoor Education Center. The Madison Whole FoodsMarket has also agreed to come to Lenape Day at the Great Swamp Outdoor Education and to help support with food, and also for Trail Tales which is being held on October 29th, they will provide the cider and cookies for all the visitors along with providing pumpkins to carve. On November 12th and 13th and November 26th and 27th they will provide the apple cider for Apple Cidering and cookies along with helping staff run a taste test to compare their apple cider with the apple cider that is made at the Great Swamp Outdoor Education Center. In March 4, 2017 they will be setting up a table at the Maple Sugaring Festival and help do another taste test comparing their maple syrup with the one made at the Great Swamp Outdoor Education Center.

Manager of Marketing and Communications Wnek has continued to work with the Morristown Whole FoodsMarket and they have agreed to help with the breakfast for the Campout at the Beach. They will be donating juice, coffee, bagels, muffins and granola bars. They will set it up and will be actually handing out the food. They have agreed to do both of the campouts.

Manager Wnek is also talking with them about doing the kids day of service where kids and their parents come out and volunteer at certain facilities.

Manager Wnek has been working with Rita's Ice in Morristown and how they could possibly help us do some fund raising they have a program and we would like to piggy back on that as well.

Commissioner Seabury inquired about where the monies were deposited from the fundraisers, do they go to each specific friends group or do they go to the Park Commission. Manager Wnek explained that Whole FoodsMarket is only allowed to give to a nonprofit organization once every three years. When they did the event last year in Morristown the \$6,900.00 went to the Friends of Fosterfields. When Madison did it they are actually giving it to the Park Alliance because that will go directly to the Great Swamp Outdoor Education Center, since the Center doesn't have a Friends Group.

Vice President Shepard inquired if there was a value assigned to the donations of the breakfasts that they are planning on doing for the campout. Manager Wnek will provide that information when she receives it.

Commissioner Seabury inquired about the administrative fee that is charged when a donation is made to the Alliance for a program given by the Park Commission. Assistant Deputy Director Lanza did explain that there is a 10% administrative fee that we pay.

Assistant Deputy Director Lanza went on to explain for example the Alliance makes exceptions to the particular charges if you are donating funds to promote a particular piece of equipment at a Historic Site and that is the total cost it will have to go to that, but a general donation coming in there is a 10% fee because there are fees the Alliance has to pay. Another example would be the playground, the Park Alliance opted not to take a 10% fee out for any of the donations that came in for the all access playground, general type donations that come in they do take the fee.

Executive Director Helmer went over the proposal for the Lewis Morris County Park Pumpkin Display Event. Executive Director Helmer and Recreation Supervisor Robertson had a meeting with a group who puts on a display called the Rise of Jack O Lanterns. It has taken place in various places such as Long Island, NY and in California. The group is presently looking for a New Jersey location. Basically what it is 3 to 5 thousand hand carved illuminated Jack O Lanterns both natural and foam pumpkins that are on display that is part of a tour over a multi-week time frame.

At this point in time we are talking about an entity coming in and being charged the daily permit fees for the time program is set up in the park. This occurs in October and they look to utilize the site for about 5 weeks and there is a multi-day start up and a multi-day break down and they try to have multiple weeks of people buying tickets and taking a tour of the Jack O Lantern area. We have tried to show them Craigmear and an area at Lewis Morris County Park they were much more interested in the demographics around Lewis Morris County Park, and they have some other ideas for Craigmear for a smaller scale ice sculpture events. They are looking to bring in about 4,000 people a day during the week. The public's visitation time frame is 6:30 to 9:30 during the week and on a weekend its 6:30 to 10:30 and they feel based upon their other events that there is enough overflow parking in our Russ Myers area here and that the Doe Meadow area would be a location. They look for about 1/3 of a mile loop. They try to make it as ADA as possible they like it to be flat, and they bring in mats and all the lights. We are treating this as an outside entity coming in on a permit and they run the entire program. The problem is that when you go to the Fee Schedule

based upon 3,500 people a day the fee is \$3,500.00 per day for every day of that five-week time frame. Our fee structure is really based upon a day or multi-day event not looking at a longer term rental.

By chance Deputy Executive Director Vitale had been looking at an article about the Field Station Dinosaurs that was in Hudson County last year and are now being moved out of Hudson County and over to Bergen County. What Bergen County is doing is charging a \$75,000.00 permit for the time frame of this event which is possibly a multi-year agreement.

Executive Director Helmer would like for the Promotion & Business Activities Committee to spend time reviewing these types of potential opportunities that don't impact any general park uses or rentals and in this case is occurring for the most part after the park is closed for the evening although does take away the space during the day.

The group is filling out the special permit application although at this time the Fall paving project might preclude the event from occurring this year.

President Cass Schmidt inquired as to what they charge for an entry fee. Executive Director Helmer stated that they charge between \$25 and \$35 per person.

They would also do a preview night for the Park Alliance and the revenue from that night would go to the Park Alliance, as a give back to the Community. The question that arises is that if we are going to have any areas that are not a concession the problem is that it is a five-week concession as opposed to a long term concession but in May if the Promotion and Business Activities Committee under finance to discuss how we should handle a multi-week event that we might turn away because of the per day fee that we establish is in many cases to offset the negative effect of the general park user.

Executive Director Helmer asked if the Commission would be willing to look at a fee structure to bring to Committee to be able to evaluate this endeavor. They usually try to gauge the number of individual based on pre-sold tickets. Director of Parks and Visitor Services did state the this is a real family affair also there are a lot of Girl Scout troops and that you are there for about an hour or a half and most tickets are pre-sold. Executive Director Helmer feels that we really need to discuss this further at Committee.

Executive Director Helmer discussed the email sent from Lakeland League Cross Country group and in the packet was the email received by Kevin Daly which basically spoke to the fee that they are now being charged the fees that are charged to every other group using that the location at the same circumstances, which depending on the number of participants changes the fee structure and changes the types of fees that would be charged based upon the population. (Attachment No. 1) Executive Director Helmer feels that it could either be taken up at the Workshop, or it could be taken back to the Promotion and Business Activities Committee for further discussion. He would like to be able to provide the group with some direction as to where the Commission is headed in the fee structure. A certain number of fees would be potentially eliminated if and when the Park Commission obtains a new portion of the Greystone Property since some of the fees that they are

charged would no longer be applicable because there are other venues that are currently charged for use of the Challenger League field, the picnic tent, and softball field at that location.

The idea is moving the start of the cross country to a new location that will not impact those areas of the park. We still have the athletic event fee which is the \$750.00 for 501 to 1,000 individuals.

President Cass-Schmidt feel that this should be taken back to the Promotion and Business Activities Committee along with Commissioner Baron in agreement.

CULTURAL AND EDUCATIONAL COMMITTEE

Commissioner Julie Baron, Chair

Superintendent of Natural Resources Kovacevic gave a report on the 2015/2016 White-tailed Deer Wildlife Management Program. This year there were 16 areas open for some form of hunting 12 was for bow hunting only, 1 was for fire arm hunting only, and 3 areas were open for both bow and firearms, equaling about 9,731 acres of 19,000 acres representing about 51% of our stewardship responsibility.

Changes from the 2014/15 program were suspension of bow hunting at Hedden County Park and Old Troy County Park and then firearm program at Schooley's Mountain County Park. Some parks saw shortened seasons. The firearm season was shortened at Black River County Park, Lewis Morris County Park, and Pyramid Mountain by one to two days depending on the area. Some areas had program expansion such as Jonathan's Woods, Mahlon Dickerson Reservation, Mt. Hope and Silas Condict County Park all had additional days added during the permit bow season in accordance with the State Fish and Wildlife regulations. The program was substantially changed at Loantaka Brook Reservation from historically 8 days where the park was closed and structured it like a firearm program to this year where we opened it up from fall bow to winter bow which was about 96 additional days. There were 337 registered hunters, which was down about 16% from last year.

There were 461 Access Permits issued, 314 for bow and 147 for fire arms. Sixty-three percent of the hunters were from Morris County which was up slightly it usually is around the 50% mark. Permit fees have been the same for the past few years where we charge \$40.00 a permit for Morris County residents and \$60.00 for out of county residents. From the 2014/15 program we issued \$850.00 dollars in credit for the incentive program to 99 hunters that were in the program.

A mandatory orientation was held for all new hunters, last year they required everyone to attend but this year they only required new hunters and hunters that were coming back off of a suspension.

At the end of the season they usually send out a survey, about 98% of the surveys were returned which is keeping in line with the past years. About 17 percent of the surveys returned were for permits that were unused.

There were 188 deer taken this year which was a 38% decrease from last year where there were 301 deer harvested 164 deer were antlerless which comes out to an 88% antlerless deer rate. Across the State the number of deer taken were down this year. The thought from biologists were there are reasons for this but it has nothing to do with a decrease in deer population.

In the past years we have always harvested about 300 and above and this year there was really a big drop off, which was almost half of the 300 mark. There was a large peak in 2012/13, but it has been steadily decreasing since then.

Also of note is that the firearm program is becoming increasingly less successful. Since 2012/13 there was a very high bow harvest and that was also the highest number of deer taken with the gun, since then it has been steadily decreasing. This year we had one less firearm park opens with the removal of Schooley's Mountain County Park, and this questions whether we should do something to change the way that is structured. We do close the park for all the days we have a firearm program we don't let park users in and we require that maintenance to be there to close the park it is a high investment of park resources and we are not getting a large return.

President Cass-Schmidt asked if there were any results across New Jersey as to other results and if so do they compare to ours, or is that information not available as to ones taken by bow and firearm. Superintendent Kovacevic responded that our program is very different since we only allow 8 to 12 days of firearm hunting where the State allows firearm hunting from December through February. She feels that how restricted we are in our season definitely effects our numbers.

Last year was the first year we requested hunters to start submitting sex of the deer that was taken. We saw that 74% of the deer taken were female, down slightly from 78%, and antlered deer were 12% of the harvest which is right in line with the harvest. It will prove interesting to follow these numbers over time since there seems to be a pattern.

Looking at results from this year as compared to last year there were decreases in all the parks for example Pyramid Mountain, and Schooley's Mountain County Park. There were some increases seen in Loantaka Brook Reservation was a very large increase and hopefully that was due to change in the season structure, Jonathan's Woods also had an increase and Fosterfields also had a small increase.

There was about 34% of the hunters in this year's program harvest deer. That is about 113 out of 333 hunters harvest deer and that is a large number of people who did not harvest deer. Last year there was 39% of hunters harvest deer and looking at these numbers since 2011 which was when we started tracking that number and from 2011 through 2014 the number is down about 50% and the last two years we have seen a drop off in the amount of successful hunters. That many people require a lot of staff time and if we look closely at who is successful and who is not it is generally the same people every year, and do we continue to let the people who are not producing participate in the program.

Looking at hunter productivity over the months indicate that the most number of deer were taken in October and that is also the month that had the highest number of hunting days. A very large percent of harvest taken was in September even that had the least amount of hunting days by about half and this was exactly the same result that we saw last year, and hunters in September and October seem to be the most successful and also the deer taken in September are predominantly antlerless deer, which is what we are looking for. Only 5% of the harvest was taken in December despite having the second largest number of available hunting days.

Saturday was the most productive hunting day for bow even though we don't allow Saturday hunting in many of the parks it still produced a high number of deer. Second to Saturdays was Thursday and then Tuesdays were the least productive.

This time for the first year muzzle loaders were the most successful only because the very few number of people who use muzzle loaders did happen to get a deer. Cross-bow hunters were more successful than hunters using a compound or a recurve bow and compound bow hunters did take a large portion of our deer harvest, and 54% of the total deer harvest was taken by compound bow.

There were no suspensions this year. Some warnings were issued for excessive vegetation clearing around tree stands, placing tree stands too close to structures and trails within safety zones, having unmarked tree stands and use of baiting material which is usually a feeder or a baiting block. Illegal hunting was reported in a number of parks, including firearm activity in some of the bow hunting only parks, tree stand issues and since last April we have had staff remove 23 tree stands that were not authorized to be in the park the number of hunter conflicts were not too bad they were mostly between hunters that set up stands too close to each other, claims of poor deer driving practices and hunters complaining of arguments with other hunters and non-hunters. Another problem is that non-hunters continue to be in the park when the park is closed for firearm hunting, dogs continue to be a major issue in all the parks, mostly dogs off leash who are either chasing or causing other problems

The hunters were asked to rate the program and this year there was 94% hunter response and 84% gave us a rating of 3 or above. The ratings of 5 which is the highest you can give are up from 28% last year to 32% this year. Ratings of 1 and 2 increased from 15 to 16%.

The hunters were also asked what their goals were going into the season and why they felt their goals weren't met. The most popular response was that they didn't see enough deer, too busy to hunt, and that the season was too restrictive. If they cited the Park Commission regulations as a reason for why they didn't meet their goal we asked what the problem regulation was and their answer was mostly baiting restrictions, restrictions on the use of cross bows, safety zone requirement which our requirement is more stringent than what the State allows, the inability to drive deer with firearms, our antlerless deer requirements and issues with our schedule being too restrictive. The hunters were also asked to provide a general recommendation to improve the program and the most popular answers were, they would like to see more days scheduled for the firearm hunts, Saturday bow hunting at Almatong Well Field, Loantaka Brook Reservation and Tourne County Park. Some would like to see us schedule Saturday firearm days with which we had done last year with not much success so we eliminated that, starting the bow season on Saturdays at Black River County Park, and allowing hunters driving deer to carry firearms.

Since the main goal of the Deer Management Program is to reduce and maintain the population at levels that allow for natural forest regeneration the thought is the best way to access our program if we are successful or not is actually look at the forest and see if we are seeing regeneration and what the understory looks like. We use two methods to access this and both were developed by Mike Van Cleef, of Ecological Solutions, a very prominent biologist in the State. These programs give you an index of total cover, native cover and non-native cover. The thought is from these programs is that the browse should be 10% or less to be at a level that would allow for natural

regeneration and our numbers are well above that. The State average was 50% and we are well above that for all the parks that we surveyed. Once the final report is finished it will go up on the website.

Commissioner Lasser inquired about the 20% less that registered and the 20% of hunters that didn't use the permits. He suggested that instead of selling 400 permits a year, we restrict it to 250 but raise the cost of the permit would that be an incentive to hunters who are more serious about hunting than others. Deputy Executive Director Vitale stated that he thought it would be hard to show that if you took the 34% that actually harvested a deer and took that information and evaluated their comments or suggestions would they be the ones who felt that there were too many hunters in the park or are the ones who don't even attempt to attend the hunt, the ones who are saying that there are too many people in the park and not go. So is it better to have a group of people who actually want to participate in this program because they believe in the program or they actually want to harvest deer but does it give them more incentive if you give them opportunity because it's not as populated. Superintendent Kovacevic responded that it would also depend on the park it is for example all the hunters want to go to Central Park, but only have a handful of people who want to go to Mt. Hope, and we still want to get people to go to Mt. Hope.

Commissioner Seabury stated that the trend is definitely going down, and what would be the bottom would it be next year. Superintendent Kovacevic explained that it is felt that since there was so much food this year we will be seeing a bump in the population next year. She doesn't think that it will ever bottom out. We are only focusing on a small area in the context of the state and there are plenty of surrounding areas where the deer have refuge.

President Cass-Schmidt asked if Kelli could do a little more research to see the feedback from the people that are more actively hunting versus the people that say that they haven't it would be interesting and it might also lead to us rethinking a little bit of the program.

Executive Director Helmer pointed out that some counties like Somerset County have a hunting club that bids on certain park parcels and Washington Township started doing that last year as well. There are other ways of controlling a group or getting more information out of a group.

Executive Director Helmer stated that in the past we have done Aerial Infrared Deer studies related to deer population. We haven't done one since 2009 and just this year Chester Township reached out to us, since they are actually being going to have a drone do an Aerial Infrared study on a 350-acre parcel in Chester Township. The last time we actually had ,500 acres that were flown. We originally thought that the cost of the drone would be less expensive, and Director Zafonte did some research calculations of what we did in 2009 and it actually looks like it would be more expensive to do it by drone, it's a slower process by done than a plane flight. In 2009 at Black River County Park we spent \$4,950.00 to survey 3,500 acres of property. Executive Director Helmer isn't sure if there is any benefit based upon the abundance survey we are still fact checking that, and doing an Infrared Survey.

President Cass-Schmidt inquired what information would we gather from this survey. Executive Director Helmer stated that it would give us a deer per acre number. The one we did here in Morris Township which was all of Morris Township was 58 deer per square mile.

PARK DEVELOPMENT COMMITTEE

Commissioner Julie Baron, Chair

Director of Park Planning and Development Chaplick provided a review of various park projects. The first report was regarding Willowood Arboretum, Director Chaplick has been working with Director Zafonte on a proposal to do the Willowood Entry Experience. This was initiated by an earlier study of the Horticultural Procedural Studies Master Plan from 2006. Overall in this report there were 14 recommendations outlined for Willowood. The two we are going to focus on are to Strengthen and Customize Event Policy and Practice and Enhance Signage and Wayfinding and Visitor Routes. There are several recommendations that have already been advanced, and these are two additional ones. The scope of work is to improve the space programming and the arrangements of the different types of accommodations that can go on the grounds. The events that go on at Willowood need to really be sensitive to the grounds and the location.

The second intent of the scope of work is Enhance Signage and Wayfinding and Visitor Orientation. The earlier study pointed out the lack of guidance provided to the location but through the location, and so the work will be focusing in that area. Any events that occur out there and are planned making sure that the impacts are reduced overall.

The intention is not for the consultant to come in and review the entire property but it will be very narrowly focused into specific areas. That being the entrance, the driveway, the Stone Barn, the parking lot, overflow parking areas, the event space where those things occur and access points to the trail.

She is now in the midst of reviewing final drafts of the project and is hoping to do accomplish that this month, advertise the proposal in May and in June review submissions and hopefully award a contract, commence work in July. They are expecting that this project will take about 6 months, and hopefully wrap it up by the end of the year.

Commissioner Lasser inquired as to the cost of this project. Executive Director Helmer stated that there is funding in the Park Improvement Trust Account for the Willowood Foundation what is being prepared as an RFP to see what the cost will be and also the Willowood Foundation that would like to dedicate significant funds towards the Capital Improvement itself.

President Cass-Schmidt inquired if the proposal would also include the cattle guard at the entrance. Director Chaplick feels that the consultant will look at this and make suggestions for alternative treatments for that as part of the entry experience.

REPORT OF COUNSEL

Executive Director Helmer had Counsel Suminski speak to the Commission about the Park Commission's Fallen Tree Policy. Every storm situation brings trees that fall from Park property onto private properties. We had a situation where a minor issue occurred and when this comes up we always need to go back to our policy. It is important for the Commissioners to understand how the Park Commission responds to fallen trees that come from Parkland and drop onto private property.

Counsel Suminski stated that the legal liability issue regarding trees falling from one property to another adjoining property, was really codified after years of the legal opinions going in various directions. In 1990 the NJ Appellate Division, issued a decision in the case of *Burke vs Briggs*.

If the Appellate Division makes a ruling of law in a certain area all the trial courts have to follow that. If a trial court judge writes an opinion on an area of law it is not binding on other trial court judges. The 1990 Appellate Division ruling has been consistently followed by other courts in other states. It really addresses the concept of liability. The change was that it introduced elements of negligence and reasonableness into a decision making as to whether there is liability to a tree falling on an adjacent property causing damage. The concept is that the owner of the tree (defines ownership is where the trunk of the tree is) whereas roots that cross property lines or branches which cross property lines can be cut by the adjoining property owner.

If you are dealing with a tree that fall across the property line causes damage, the issue is was the owner of the property negligent or did the owner of the property that owned the tree do something that was unreasonable. There needs to be circumstances that the owner of the property reasonably knew or should have known if there was a danger with a tree on their property, and whether it is reasonable as to the owner made inspections of the tree and could have determined its true condition.

What steps did the owner of the tree take to prevent the tree from falling? What it comes down to is in order for an owner to be liable for his/her tree falling on an adjoining property that owner has to be determined to have been negligent in not taking some action with regards to preventing the tree from falling. For example, the tree was clearly diseased, leaning toward the other property and it was obvious and it was reasonable for the owner of the property to understand that there was a likelihood that that tree could fall. If the non-tree owner put the owner on notice that the tree on your property is diseased and is leaning, then you go back to the issue of reasonableness did the owner of the tree act unreasonably in not doing something such as taking the tree down or trimming it.

The Park Commission is in an extremely unique situation because we have trees all over the place. For example, if the Park Commission had a policy regarding inspecting trees near property and it falls, you are responsible. The bottom line is that the owner should have known that there was something that could have been done to prevent a tree from falling, and doesn't do it then that owner is potentially liable for the damage caused by the tree falling. If a tree falls onto someone else's property and causes damage is not always an automatic liability. You can have a situation for example if a perfectly health fir tree snapped because of high winds and fell on someone's property and caused damage on their deck. Clearly a healthy tree snapping because of weather conditions causing damage does not give rise to the Park Commission in Counsel's opinion for liability.

Executive Director Helmer stated that when towns get a zoning variance and someone wants to put a garage inside the setback we are starting to respond to that even though typically we don't have an issue with that and it's not negative to the park but the improvement is now closer to the woodline where if a tree fell you are now outing a structure in that area.

Director of Engineering Services Vitale reported that we will be adding about 14 additional parking spaces in the vicinity of Cultural Center along with some retaining walls and a small space for a future shelter. We are also planning on completely rebuilding the driveway in front. There will be a period of time that we will have to shut the driveway down. We will be having up in the Old Orchard Area a parking area for employees, and visitors and there will also be a shuttle to bring people into this area.

At this point we do not have the schedule at this point in time, it is anticipated that the plans will be done before the end of this week, we will also have a final cost estimate and we plan on advertising next week or bids. The bids should come in in mid-May and if all goes well we will be able to develop a tight schedule once the contract is actually awarded. We are planning on the months of June, July and August construction. We will do the site work, retaining walls and additional parking in the immediate area first, and the driveway will be kept open.

RECREATIONAL TRAILS/PARK MAINTENANCE COMMITTEE

Vice President Barbara Shepard, Chair

Director of Chaplick reviewed the status of the Morris County Trails Construction Grant Program which was an initiative passed by voter referendum to allow the reallocation of some of the County Open Space Fund to be used for Trail Construction. Executive Director Helmer and Director of Planning and Public Works for the County of Morris Deana Leary will be making a presentation to the Freeholder Board at their Workshop meeting on this program and it looks like we are ready to move forward with grant applications this year.

The Grant program fact sheet was attached and there were only minor changes made to that. Executive Director Helmer hopes that this program gets approved at the April 27th Freeholder Meeting and will also select the Committee members that will be making the selections.

Director Chaplick explained that a good deal of work has been done to get this program done for this year so that Municipalities can participate. The program has been developed along with the application and time line, rules and regulations. This is a new program of the Preservation Trust Fund, that Municipalities voted for by voter referendum back in 2013 to approve that trails can now be funded through the trust fund. The grants intention is to fund for construction only and in our policy committee we had some discussion about the intention of this program. In certain cases, it will fund for restoration and rehab but only if it is due to a significant active nature. It will also fund trail head and trail amenity as part of new construction only. It will not fund designing and planning.

The projects have three years to be constructed and that is the time frame that has been established and there are also specific evaluation criteria that is party modeled on the State's program.

There is a 20% match by the community for the local construction and this program is available to all municipalities in Morris County, and it is not open to non-profits which is a little bit different than the other preservation trust programs.

The required qualifications are that the land must be located in Morris County, it must be owned by the Municipality and it must be permanently preserved public parkland or private land with dedicated easements for public recreational use.

There will be two public workshops since this is a new program, one on May 18th at the Frelinghuysen Arboretum from 2 pm to 4 pm and the second will be on June 6th from 10 to 12 at the Highlands Council Office.

The full application will be due September 1st, and we are hoping that final award notifications will be done by the end of the year, December 2016 and then kicking off the three-year cycle of construction.

It has been acknowledged that it is expected to be a work in progress and that this program will evolve based on what we see being submitted by the applicants.

The recommendation of the Policy Committee is that the committee that will be reviewing these applications will be comprised of two members of the County Department of Planning and Public Works so they can pool from the Planning Board and the Transportation Board and three at large members, and people from the Trail Use Community and Business Community that have supported trail, as well as the Park Commission's Recreational Trails Committee.

It is recommended that the administration of the program happens through the Park Commission with support from the County Planning Board. We will have a better idea what will occur after tomorrow's Freeholder Workshop meeting.

Legislative Committee

Commissioner Wentworth, Chair

The NJ Senate has approved S969 related to voter approved CBT funds for open space. The Governor vetoed a similar bill last year. Director Lanza reported that the NJRPA consultants have reported that they do expect that the Governor will veto it again however there is a possibility that they have override capability. It looks like the Democrat side of the aisle will support and they will only need 2 or 3 additional Republican votes to vote yes.

REPORT OF THE EXECUTIVE DIRECTOR

Executive Director Helmer reported that last week he was in Trenton with the County Administrator, the Mayor of Morris Plains and two local Assemblymen, to try to push for the access road easement for Central Park of Morris County. Throughout the process Director of Engineering Services Vitale has been helping out with having surveys done for the access road and the other individual roads on the property. Some of the delays in moving the land component along is that the State was supposed to supply a map of post demolition/mitigation activities. Executive Director Helmer is recommending that the Park Commission's conceptual plan or improvements be reviewed and approved by the current consultants for the State so that any potential development issues can be eliminated.

Congressman Frelinghuysen's office sent a copy of a letter that was sent to the President of FDU regarding the Traction Line lighting issue stating that FDU was supposed to take a stronger lead and thus far hasn't and if they could please start this.

The three remaining vacant trailers at Lee's County Park Marina that were to be auctioned off have been auctioned off and have been picked up.

The Tubb's Lecture series this year will be on Growing Boxwood and will be held on Sunday May 22, 2016 at Willowwood Arboretum. This weekend on Saturday, April 16th, is Luck of the Farm at Fosterfields Living Historical Farm.

President Cass-Schmidt announced that the Lilac Party is Sunday, May 15th at Willowwood Arboretum.

Commissioner Seabury announced that the 30th Anniversary of the Friends of Fosterfields is Saturday, April 23rd, starting at 12:30pm and they would like to have as many Commissioners as possible attend along with possibly some Freeholders. Commissioner Seabury feels it is very important to support all the Friend's Groups. These groups do raise money for us and provide programming for us.

EXECUTIVE SESSION

President Cass-Schmidt asked for a motion to move to adopt Resolution No. 41-16 placing the Commission meeting into closed 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 made by Vice-President Shepard and seconded by Commissioner Baron and unanimously adopted by roll call vote. (Attachment No. 2)

CONSIDERATION OF EXECUTIVE SESSION MATTERS

Commissioner Baron made the motion to reenter the Public Session which was seconded by Vice-President Shepard.

Manager of Park Projects Felter reviewed a potential land acquisition that was presented to him by the property owner. The land is located in Mine Hill Township near Hedden County Park but not contiguous. The Commission recommended not pursuing the project.

CONSIDERATION OF RESOLUTIONS

President Cass-Schmidt asked for a motion to move to adopt Resolution No. 42-16 in support of the *Click it and Ticket Program* the motion was made by Commissioner Baron seconded by Commissioner Lasser and unanimously approved by roll call vote.

ADJOURNMENT

There being no further business, President Cass-Schmidt adjourned the meeting at 12:30 p.m. on the motion of Vice President Shepard and was seconded by Commissioner Baron and unanimously approved by voice vote.

Respectfully submitted,

[ORIGINAL SIGNATURE ON FILE]

David D. Helmer
Executive Director

[ORIGINAL SIGNATURE ON FILE]

Katherine Petro
Office Manager

Helmer, Dave

From: Wnek, Lois
Sent: Tuesday, March 22, 2016 4:41 PM
To: Helmer, Dave
Subject: FW: LakeLand League Cross Country

From: dalykf@comcast.net [mailto:dalykf@comcast.net]
Sent: Tuesday, March 22, 2016 1:49 PM
To: Wnek, Lois <LMcClellanWnek@morrisparks.net>; davehelmer@morrisparks.net
Subject: Fwd: LakeLand League Cross Country

Dave

Thank you for taking the time to discuss the great opportunities you are offering our organization in the use of the Parks facilities. I agree, the Parks are for all and all should be treated equally!

To quote President Roosevelt: "Conservation means development as much as it does protection."

From our conversation, the current increase is understandable, unfortunately we are a grassroots running organization that has eighteen different towns and running groups as part of the league. Most clubs programs operate on a minimal budget and this dramatic increase will cause a few of the county Club programs to drop out. Towns can budget for this increase and the Recreation programs can ask Mayors and Town Council s for money but running clubs are not prepared to raise thousands of dollars for this increase.

As I said to you in our phone conversation we currently lose money each week, the cost of the timing system is pretty expensive and the awards eat up the little money we collect from the dues, so we try to charge a reasonable fee to walk ons and this helps but really does not cover our overall costs.

Also, annually we collect several tons of food for the Interfaith Pantry at the close of our season to support a worthy cause. We are a good organization and we try to give back when we can.

Last, if you recall we helped organize the USATF Cross Country NJ State Championships to take place here last November, an this year we are proposing the North East Championships use the facility as well, this will make up all of the Northeast States. Great exposure for you and the Morris County Parks. This brings more income and hopefully future economic benefits.

I would like to see the LakeLand League organization stay in good standing and become a usable volunteer force in maintaining Central Park of Morris County.

I propose the following:

- I think that it would be reasonable for us to provide 250 volunteers from our large group of 700 plus runners and family members to help maintain and fix the walking/running paths throughout the park on a semi annual basis.
- My thoughts are once in the Spring and again in the Fall prior to the season. Most likely the Labor Day weekend.
- This would be a mutually beneficial relationship, as your department would be able to allow students to complete needed volunteer hours and in exchange the upkeep of the parks would be shared.
- I know that we want to be aware of all liability issues and union contracts you will need to assure are not violated.
- Your department would be supplying materials and supervision to help coordinate all needed improvements.
- Next, I am sure that with the many Morris County Park employees you have wanted to create some avenue to recognize the future of the Parks stewards.
- I am hoping we can create an annual 5k Trail Run that would allow some money to go to continued development of the trails and if possible also create a scholarship fund for the families of current County Park employees who will pursue a career in Environmental Sciences or Park Services.
- The league would be responsible for timing and course marshaling to facilitate this for your department.

I know that the families and employees give a lot out of true passion of the environment and we would like to show our appreciation as well.

In return we hope that a reduction or even the waiving of fees will be justified and allowed at your recommendation in order to continue to service the health and well being of our runners as they grow into adulthood.

Some day these children will be the ones not only caring for us in the future but the environment as well and I know you want them to have fond memories of the Morris County Parks you have made available.

Your passion and dedication to the job goes far beyond what most people see, I know if we all join together to work with you , this will create a program for other counties to follow.

Please know we are in a position that in precarious, some of the towns are funded by recreation programs but seven of the towns are funded by the athletes directly and they will most likely be directly impacted with the cost.

I thank you for your time, I know in speaking with you that you are the right man to help us in this difficult time.

Sincerely,
Kevin Daly, Long Valley NJ... Lakeland League

MORRIS COUNTY PARK COMMISSION
RESOLUTION NO. 41-16

BE IT RESOLVED, by the Morris County Park Commission on this 12th day of April, 2016 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.

April 12, 2016

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 April 12, 2016, at the Park Commission offices, 300 Mendham Road, Morris Township, New Jersey.

[ORIGINAL SIGNATURE ON FILE]

MORRIS COUNTY PARK COMMISSION
RESOLUTION NO. 42-16

WHEREAS, according to the latest data available unbelted motorists and passengers accounted for 26 percent of the state's motor vehicle fatalities in 2013, and

WHEREAS, in 2014, New Jersey experienced more than 4,000 crashes where an occupant was not wearing his or her seat belt, resulting in 112 fatalities, and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash, and

WHEREAS, the most recent statewide survey, undertaken in June, 2015, determined that the seat belt usage rate in New Jersey to be 91.36%, which is an increase from 2014, and

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways and this campaign's objective is to increase seatbelt usage by 1.5%, and

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 23 – June 5, 2016 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education, **NOW THEREFORE**

BE IT RESOLVED, that the Morris County Park Commission declares its support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 23 – June 5, 2016 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

April 12, 2016

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 April 12, 2016, at the Park Commission offices, 300 Mendham Road, Morris Township, New Jersey.

[ORIGINAL SIGNATURE ON FILE]