

# Open Space Advisory Committee

## 2009 Annual Report

### ***Preserved Land: Connecting and Surrounding Franklin's Diverse Communities***



**Adopted by the  
Open Space Advisory Committee  
2010 Members**

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Prepared by Loos Consulting  
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Adopted on January 19, 2010

# Open Space Advisory Committee

## Annual Report for Calendar Year 2009

### The Open Space Trust Fund.

In 1998, the voters of Franklin Township approved a referendum which established the “Open Space, Recreation and Farmland and Historic Preservation Trust Fund.”

Currently, the “open space tax” is \$0.05 per hundred dollars of assessed value.

Figure 1 illustrates the amount of money that the township has raised through this open space tax over the last four years.

YEAR	RECEIPTS	DISBURSEMENT	Transferred to Reserve for Future Use
2008	\$4,729,935.00	\$ (3,771,627.26)	\$958,307.74
2007	\$4,782,124.35	\$ (3,287,602.59)	\$1,494,521.76
2006	\$4,145,395.44	\$ (2,696,782.96)	\$1,448,612.48
2005	\$3,356,374.34	\$ (2,983,364.67)	\$373,009.67

**Figure 1: Open Space Trust Fund Balances**

Pursuant to NJSA:40:12-15.7. A (1), this dedicated tax can be used for any of the following purposes;

- (a) acquisition of lands for recreation and conservation purposes;
- (b) development of lands acquired for recreation and conservation purposes;
- (c) maintenance of lands acquired for recreation and conservation purposes;
- (d) acquisition of farmland for farmland preservation purposes;
- (e) historic preservation of historic properties, structures, facilities, sites, areas, or objects, and the acquisition of such properties, structures, facilities, sites, areas, or objects for historic preservation purposes; or
- (f) payment of debt service on indebtedness issued or incurred by a municipality for any of the purposes set forth in subparagraph (a), (b), (d) or (e) of this paragraph.

Currently, there is \$18,440,802.40 remaining in the trust fund.

**Preservation Results.**

Over 34% of the township has been preserved through the efforts of Franklin Township, Somerset County and the State of NJ, as illustrated in Figure 2.

	Acres
Total acres in Franklin Township	27,986
Franklin Township owned-Preserved	2,263
Somerset County owned-Preserved	1,031
State of NJ owned--Preserved	4,746
Farm Preserved, State, County or Township	1,172
Historic preserved--Township owned	3
Historic preserved--not Township owned	2
Conservation Easement	213
Private non-profit Preserved	11
Total acres preserved	9,441
Percentage of Township that is currently preserved	34%

**Figure 2: Preserved Land**

In calendar year 2009, several properties were added to the list of preserved properties, as illustrated in Figure 3. All of these were preserved as farmland by the township.

DATE CLOSED	DESCRIPTION	ADDRESS	BLOCK #	LOT #	ACRES	PURCHASE PRICE	PRICE PER ACRE	ZONING
3/13/09	JACKSON, HOLZ, SHIELDS	2072 Amwell Road	73.01	40	14.248	\$997,710	\$70,025	R40
7/22/09	RANDOLPH	25 & 33 Grouser Rd	59.01	9 & 10.02	15.555	\$544,425	\$35,000	A
11/30/09	FEIBEL-SMITH	28 Old Georgetown Rd	11.01	24	19.836	\$545,490	\$27,500	RR3

**Figure 3: Preservation Completed in 2009**

**The Open Space Advisory Committee.**

In 1998, the Council adopted an ordinance that established the duties of the OSAC. The duties described therein are described in Appendix A. The OSAC meets on the third Tuesday of the month at 7:30 pm.

In May 2000, after a year-long study, the OSAC adopted its guiding document, the *Franklin Township Greenway and Open Space Plan*. This Plan provides a blueprint for

preservation efforts in the township and guides the OSAC as it makes recommendations regarding preserving open space, farmland and historic structures.

Figure 5 illustrates the properties that have been preserved as open space since the OSAC began.

DATE CLOSED	DESCRIPTION	ADDRESS	BLOCK #	LOT #	ACRES	PURCHASE PRICE	TOWNSHIP COST	Green Acres Grant	Somerset Co. Open Space Grant
10/4/00	GIERLICH PROPERTIES	1893 Amwell Rd.	508.02	48.01	27.04	\$1,020,514.23	\$1,020,514.23	\$0.00	\$0.00
10/4/00	GIERLICH PROPERTIES	1893 Amwell Rd.	508.02	48.01	5.63	\$212,481.00	\$212,481.00	\$0.00	\$0.00
7/9/01	TOTO FARM	1893 Amwell Rd.	508.02	48.01	48.2	\$1,431,592.00	\$1,431,592.00	\$0.00	\$0.00
6/1/01	CATALPA FARMS	15 Old Vliet Rd	20.02	8	106.99	\$1,289,000.00	\$1,089,000.00	\$0.00	\$200,000.00
8/27/01	MELLIS	73 Bunker Hill Rd	11.01	9.02	20.5	\$505,005.23	\$505,005.23	\$0.00	\$0.00
1/9/01	STERLING GROVE	Cedar Grove & Wilson Rd.	423.01 & 417.01	14, 15 & 14	42.1	\$2,117,137.00	\$2,117,137.00	\$0.00	\$0.00
5/14/01	LINCOLN PROPERTY	Bennetts Lane	85	17.03	38.01	\$1,040,405.69	\$540,405.69	\$500,000.00	\$0.00
8/22/01	PRINCETON HIGHLANDS	1091 Canal Rd.	11.01	72.01, 73.01, 81.01 & 81.03	188.15	\$2,358,001.00	\$368,001.00	\$990,000.00	\$1,000,000.00
5/13/02	MILES	1091 Canal Rd.	11.01	83.01	40.8	\$264,444.00	\$264,444.00	\$0.00	\$0.00
2/11/03	NEGRI-NEPOTE	260 Skillman Lane	85	11.01, 20, 65 & 67	124.99	\$4,933,400.42	\$3,580,519.42	\$1,352,881.00	\$0.00
8/3/03	SCOTT (a/k/a Marden)	1970 Amwell Rd	74.01	7	74.70	\$5,200,000.00	\$4,700,000.00	\$0.00	\$500,000.00
9/3/03	PROKOP	Nassau St	485	13	0.09	\$4,650.00	\$4,650.00	\$0.00	\$0.00
1/1/04	FIELD	Bunker Hill	11.01	58	9.27	\$50,000.00	\$50,000.00	\$0.00	\$0.00
2/1/04	KINGSTON SCHOOL	Laurel Ave	5.01	141	5	\$840,000.00	\$840,000.00	\$0.00	\$0.00
5/16/05	GREEN HILL MANOR	Bunker Hill	20.11	16.03	75.698	\$0.00	\$0.00	\$0.00	\$0.00
5/19/05	FISH TWO EQUITIES	477-479 Elizabeth Ave.	507.14	63.01 & 64	6.26	\$12,500.00	\$12,500.00	\$0.00	\$0.00
7/5/05	CARROLL	Coppermine Rd.	11.01	52	8.94	\$45,770.72	\$45,770.72	\$0.00	\$0.00
12/20/05	GALDI RR BED	Amwell Road	75	14	5.365	\$241,424.10	\$141,424.10	\$0.00	\$100,000.00
7/27/06	KUMAR (a/k/a Scalzone)	West Point Ave.	345 & 349.01	16-27; & 58-67	4	\$1,692,000.00	\$1,417,000.00	\$0.00	\$275,000.00
2/21/08	LAKE	Cedar Grove Lane	508	4	6.131	\$211,519.50	\$211,519.50	\$0.00	\$0.00
					650.004	\$19,516,257.66	\$13,169,857.16	\$2,842,881.00	\$1,875,000.00

**Figure 5: Preserved Open Space since OSAC was formed**

### Managing Open Space.

Once the township purchases open space, it must be managed. The township has retained the services of John Loos, from Loos Consulting, to oversee the management of more than 2,200 acres of open space. This involves:

- managing leases when open space is leased to farmers;
- designing and maintaining public access with trails, parking, fencing;
- designing and stocking interpretive literature;
- designing and managing special wildlife areas with periodic mowing regimens;
- overseeing volunteer programs (scout projects, adopt-a-trail program and clean-up programs); and
- applying for, and administering, various grant programs

The OSAC has taken on the primary responsibility for directing how township-owned open space is managed. Under the OSAC’s leadership, two Native Grassland Preserves, each approximately 110 acres, have been established and are being managed for passive recreation and as wildlife habitat for threatened and endangered species. Each contain extensive trail systems, and Eagle Scouts have added numerous enhancements, including benches, wildlife viewing blinds, bat nesting boxes and other trail-use enhancements.

In addition to managing these Native Grassland Preserves, the OSAC works closely with the Trails Advisory Committee (see the below portion of this report that discusses the Trails Advisory Committee). The OSAC/TAC partnership ensures that required public access to other open space is available so that the public can enjoy the land that has been purchased as open space.

Finally, the OSAC runs other programs on open space: Deer Control, Historic Preservation and Public Outings. Each of these is discussed below.

**Deer Control.**

The white-tailed deer population in the township (and throughout NJ), is probably larger than it has ever been. This large population has resulted in over-browsing in the open space forests and to attempt to mitigate this, the OSAC, since 2005, has run an annual hunting program on open space. Over 80 hunting permits are issued each year—giving permit holders the right to hunt on open space. Figure 6 illustrates the number of deer harvested from open space over the past three seasons.

<b>Year</b>	<b>Total deer harvested</b>
<b>2008-09</b>	<b>107</b>
<b>2007-08</b>	<b>48</b>
<b>2006-07</b>	<b>110</b>

**Figure 6: Deer harvest from Open Space**

Over In 2010, the OSAC will be conducting a review of this program to see if it can be enhanced in future years.

## Historic Preservation.

As indicated above, historic preservation is one of the legitimate purposes for which the trust fund can be utilized. To that end, in 2003, the township started a historic grant program, the terms of which provide grants to charitable, 501(c) (3) organizations that apply for township-grant funds to preserve a historic property. The grant program is announced, applications are reviewed by the Open Space Advisory Committee (OSAC) and/or the Historic Preservation Commission (HPC), and a recommendation is made to the Council to fund.

Figure 7 illustrates the grant amounts since the program began.

	<b>2002-03</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>Totals</b>
Van Liew Suydam	\$66,900				\$39,640		\$106,540
Wyckoff-Garretson	\$20,350	\$99,380	\$29,680		\$59,000		\$208,410
Hageman	\$56,675				\$28,500	\$104,000	\$189,175
Tulipwood		\$40,230	\$34,850	\$114,800			\$189,880
Kingston United Methodist Church					\$25,000		\$25,000
Kingston Presbyterian Church					\$13,000		\$13,000
Six Mile Run Reformed Church						\$36,000	\$36,000
	\$143,925	\$139,610	\$64,530	\$114,800	\$165,140	\$140,000	\$768,005

**Figure 7: Historic Grant Funding**

In December 2009, the 2010 grant program was advertized. The maximum amount of the grant program to be funded in 2010 is \$140,000.

In addition to the spending through the above-described grant program, the township has, through the open space trust fund, purchased an interest in two historic properties, as illustrated in Figure 8.

<b>DATE CLOSED</b>	<b>DESCRIPTION</b>	<b>ADDRESS</b>	<b>BLOCK #</b>	<b>LOT #</b>	<b>ACRES</b>	<b>PURCHASE PRICE</b>
8/1/03	TULIPWOOD (fee simple purchase)	Hamilton St, Somerset	347	8	3.00	\$433,408.00
6/6/06	HIGGINS HOUSE (historic preservation easement & development rights)	Rt. 27, Kingston	5.02	119.01	2.06	\$650,000.00
						\$1,083,408.00

**Figure 8: Historic Property Purchases**

Finally, the township periodically applies for historic grants for historic properties. In 2009, the township was administering three historic grants:

- a \$64,000 grant from the Somerset County Cultural and Heritage Commission for the stabilization of the Gunther House on South Middlebush Road; and

- A \$50,000 grant from the Somerset County Cultural and Heritage Commission for the stabilization of two Canal Road houses in Griggstown.
- A \$54,975 grant from the NJ Historic Trust for the preparation of a Historic Structures Report for the Franklin Inn in East Millstone.
- A \$392,000 grant from the Federal Highway Administration for the rehabilitation of the Bridgetender’s House in Griggstown.

The township administers these grants through the office of Purchasing Director and by retaining the services of Loos Consulting.

**Public Outings on Open Space.**

For each of the last several years, the OSAC has retained the services of the NJ Audubon Society to conduct a series of guided nature outings on major tracts of open space. NJAS has a naturalist lead the walks and the naturalist assist the participants in identifying and understanding the natural world around them. In 2009, six different walks were conducted, as illustrated in Figure 9.

Facilitated Experience	Attendees	# Species Observed
Woodcock at dusk (3/28)	28	Woodcock observed
Spring Migration at Negri-Nepote Native Grassland Preserve (5/3)	11	19 birds
Spring Migration at Griggstown Native Grassland Preserve (5/3)	15	20 birds
Exploring the Negri-Nepote Grassland Preserve (6/14)	9	27 birds 3 butterflies
Exploring the Griggstown Native Grassland Preserve (6/14)	15	40 birds
Butterflies at the Negri-Nepote Native Grassland Preserve (6/20) – cancelled due to weather	NA	
Butterflies at the Griggstown Native Grassland Preserve (6/20)*Rain – trip lasted only to 10:30am	11	7 birds 3 butterflies/insects
Forest Health at Butler Road Natural Area	8	3 birds

**Figure 9: Public Outings on Open Space**

**Active Recreation.**

Another of the legitimate uses of the open space trust fund is for the *development of lands acquired for recreation purposes*. To date, the trust fund has not been utilized for this purpose. However, in 2009, several members of the OSAC served on the ad hoc Southern Park Task Force and, as a result, were sensitized to the needs in this area. Accordingly, the OSAC invited representatives of the various sports organizations in the township to address the committee regarding their perceived need for more fields to be

developed in the township for this purpose. After several meetings at which this subject was reviewed, the OSAC passed a motion to recommend to the Council that up to \$1,400,000 be utilized from the trust fund toward the costs associated with constructing new fields at Middlebush Park.

In addition to this recommended support for the Middlebush Park construction costs, the committee continues to look at the needs for more fields in other parts of the township. A preliminary estimate provided to the committee by its consultant, suggests that even if the township were to spend over \$17 million between now and 2017 on preservation purchases (an estimate made by the Agricultural Advisory Committee), there would likely still be more than \$6 million remaining in the trust fund. Accordingly, the committee will monitor this closely over the coming period of time and may be recommending further use of the trust fund for the development of active recreation—particularly in the southern portion of the township, as recommended in the Recreation Element of the Master Plan.

**Personnel Management.**

To administer the programs of the OSAC, the AAC and the TAC, the township utilizes the services of Loos Consulting, the staff of the Engineering Office, the Public Works Department (primarily on overtime paid for out of the open space trust fund and by hiring two temporary summer employees—also paid out of the trust fund). Additional support is provided by the Director of Purchasing and the Manager’s Office.

**Expenditures from the “Open Space, Recreation and Farmland and Historic Preservation Trust Fund.”**

The trust fund, as indicated above is anticipated to raise over \$4.7 million in FY 09 and it is anticipated that it will raise over \$4.9 million in the coming year. Early in the township’s land preservation efforts, a decision was made to bond for over \$45 million dollars to have available to purchase land as it became available. This was done on the theory that land that is developed is lost forever to open space, and with the open space race on between developers and open space advocates, having that bond money immediately available for purchases was better than having to wait multiple years for the fund to build up and then make purchases—with many properties lost forever.

Figure 10 illustrates the township’s open space bonding through Nov. 09.

Bonds	Original amount of bonds	Current Balance	Year paid off
Open Space I	\$14,400,000.00	\$2,492,040.40	2017
Open Space II	\$30,900,000.00	\$1,899,452.28	2022
	\$45,300,000.00	\$4,391,492.68	

**Figure 10: Open Space Bonding**

Expenditures from the trust fund in the most recent fiscal year ending on June 30, 2009 are reflected in Figure 11.

Acct #	Item	Examples	FY 09 budgeted amount	Spent and/or encumbered in FY 09	Amount over or under FY 08 budget	FY 10	Increase or decrease from previous year
011, 012 & 014	salaries		\$37,500	\$22,424	-\$15,076	\$37,500	\$0
023	printing	hunting signs, kiosk literature	\$5,000	\$250	-\$4,750	\$5,000	\$0
024	building maintenance		\$0	\$224	\$224	\$15,000	\$15,000
026	equipment repair & maintenance		\$4,000	\$0	-\$4,000	\$4,000	\$0
027	legal		\$0	\$4,350	\$4,350	\$500	\$500
028	professional & consulting services	e.g., consultant, NJAS, surveys, appraisals	\$110,000	\$80,760	-\$29,240	\$110,000	\$0
029	other contractual items	e.g., GIS, \$140,000 historic grant, seeding, interpretive signs, fencing	\$160,000	\$159,657	-\$343	\$160,000	\$0
036	office supplies		\$100	\$100	\$0	\$200	\$100
038	hardware and minor tools		\$3,500	\$0	-\$3,500	\$3,500	\$0
039	General machinery parts		\$1,000	\$0	-\$1,000	\$500	-\$500
058	other equip. or supplies	stone, fence, signs	\$30,000	\$1,080	-\$28,920	\$30,000	\$0
900	capital improvement fund		\$115,000	\$0	-\$115,000	\$90,000	-\$25,000
104	bond interest		\$1,147,000	\$280,339	-\$866,661	\$1,147,000	\$0
103	bond principal		\$2,300,000	\$2,300,000	\$0	\$2,400,000	\$100,000
104	bond interest		\$1,147,000	\$586,188	-\$560,813	\$992,000	-\$155,000
		Total:	\$5,060,100	\$3,435,372	\$1,624,728	\$4,995,200	-\$64,900

**Figure 11: OSTF Expenditures**

### The Preservation Consultant's Position.

The township has, since the inception of the Open Space, Recreation and Farmland and Historic Preservation program, hired a consultant to assist the township in administering these programs. The position is annually advertized and the most recent contract was with Loos Consulting. Loos Consulting is paid an hourly rate of \$110 per hour up to a maximum of a certain amount—currently \$70,000 per year. Figure 12 illustrates the actual contractual costs over several recent years.

<u>Fiscal year</u>	<u>Amount spent</u>
2009	\$66,805
2008	\$69,592
2007	\$62,500
2006	\$62,498
2005	\$61,644

**Figure 12: Annual Cost of Consultant**

John Loos, of Loos Consulting estimates that his time is spent as follows:

- 20% on farmland preservation
- 20% on open space preservation
- 25% property management
- 20% grant writing, grant administration
- 15% historic preservation

These are estimates, and monthly invoices, detailing work performed, are submitted to the Township Manager. It is part of the consultant's responsibility to attend most evening meetings of the Open Space Advisory Committee, the Agricultural Advisory Committee and the Trails Advisory Committee as well as assist in preparing a budget for each year.

**The Farmland Preservation Program and the Agricultural Advisory Committee.**

Recognizing the importance of keeping agriculture in the township, on June 15, 2000, the Council adopted an ordinance that established the Agricultural Advisory Committee (AAC). The AAC is composed of five members who are residents of the municipality, with a majority of the members actively engaged in farming and owning a portion of the land they farm. The AAC meets on the third Thursday of the month at 8:00 pm. The committee reviews applications from farm-owners who are interested in preserving their farms. Additionally, the committee developed a Farmland Preservation Plan, which was adopted by the Planning Board as an Element of the Master Plan--on the township's website at [www.franklintwpnj.org/Master-Plan/November%20Farmland%20Preservation%20Plan.pdf](http://www.franklintwpnj.org/Master-Plan/November%20Farmland%20Preservation%20Plan.pdf)

In addition to the above responsibilities, the AAC seeks grant funding and acts as an advocate for township farmers on other matters of interest.

In order to attempt to maximize coordination between the OSAC and the AAC, a member of the AAC is appointed by the Council to serve on the OSAC.

*Because the AAC is a separate functioning committee, it has produced it own separate Annual Report.*

**The Trails Program and the Trails Advisory Committee.**

During calendar year 2004, the OSAC was finding that its meetings were getting longer and longer as the amount of work on its agenda was considerable. After some deliberation, they recommended that a separate Trails Advisory Committee (TAC) be established to more adequately work on expanding trails in the township. In December of 2004 the Township council adopted an ordinance establishing the TAC. In order to attempt to maximize coordination between the OSAC and the TAC, a member of the OSAC is appointed by the Council to serve on the TAC.

*Because the TAC is a separate functioning committee, it has produced it own separate Annual Report.*

## **Appendix A: Duties of the OSAC**

- A. The Open Space Advisory Committee shall prepare and submit to the Township Council an Open Space Plan for the Township of Franklin. It shall develop an inventory of open space properties, farmland, conservation, recreation and historic sites within the Township and evaluate and prioritize such open space properties through the development of appropriate criteria. Such plan shall consist of a parcel ranking as well as recommendations concerning the nature of the interests in such real property to be acquired and the purposes for which such land should be utilized. The Committee shall periodically review its initial list of properties and projects, adding or deleting properties or projects as necessary.
- B. The Open Space Advisory Committee shall assist the Township Council in the establishment of an Open Space Tracing Program to catalog the state of privately owned open space in the Township and record the Township's progress with respect to open space preservation.
- C. The Open Space Advisory Committee shall provide guidance and support to the Township Council, Planning Board, Environmental Commission, Historic Preservation Commission, and Recreation Council on issues and matters of open space.
- D. The Open Space Advisory Committee shall periodically review its functions and submit a recommendation to the Township Council as to whether additional duties should be assigned or delegated to the Advisory Committee.
- E. The Open Space Advisory Committee shall annually select from among its members a Chairperson and a Vice Chairperson to serve as the presiding officer in the absence of the Chairperson. The Committee shall also select from among its members a Secretary whose function shall be to maintain minutes of the Committee's meetings and records of the proceedings of the Committee. The Committee may appoint such clerks and other employees and professional consultants as it may from time to time require and as may be within the limits of funds appropriated to it for that purpose out of the Open Space Trust Fund or out of general revenues.
- F. The Open Space Advisory Committee shall have such other duties as the Township Council may assign to it from time to time.
- G. The Open Space Advisory Committee, with the direction and approval of the Township Council, shall prepare grant and other applications to Somerset County, the State of New Jersey, the United States government, private organizations and charitable conservancies for financial and other matching support for land acquisition and other interests in property and historic projects in the Township.
- H. The Open Space Advisory Committee shall encourage public and private contributions of land, interests in land and financial donations to the township and the Open Space Fund. The Committee shall be authorized to receive inquiries from landowners seeking information about the Open Space Trust Fund and shall also have the authority to solicit information from owners of properties that might be potential candidates for acquisition or other easements under the Open Space Trust Fund.
- I. The Open Space Advisory Committee shall develop an application and grant program to fund publicly held properties and projects which are determined to be of direct benefit to the public and the Township. The Committee shall periodically recommend the award of grant monies from the Open Space Trust Fund to specific projects with Township Council review and approval.
- J. Review and comment upon proposed acquisition by the Township of real property or any interests therein for open space or conservation purposes as referred to them pursuant to § [74-16](#) of this article.