

## Nonprofit Assistance Application Form

APPLICATION MATERIALS SHOULD BE SUBMITTED ON PAPER (ONE COPY) AND ELECTRONICALLY.  
(INDIVIDUAL EMAIL CANNOT EXCEED 25 MB.)

Complete and submit with all required attachments to:

[GreenAcresApplications@dep.nj.gov](mailto:GreenAcresApplications@dep.nj.gov) and

NJDEP Green Acres Program

Mail Code 501-01

P.O. Box 420

Trenton, NJ 08625-0420

Contact: (609)984-0500

For G.A. Use Only

Date Rec'd: \_\_\_\_\_

Application No. \_\_\_\_\_

### PROJECT INFORMATION

Project Title Turtle Back Zoo New Bear Exhibit

Location of site Turtle Back Zoo

Municipality(ies) West Orange

County(ies) Essex

Street(s) Northfield Avenue

Block(s) and Lot(s) Block 163, Lot 13

Size of site to be acquired or developed: 23.4 acres

### Type of Application (select one):

Acquisition: Will land be acquired *in fee simple* \_\_\_\_\_ or *easement* \_\_\_\_\_?

Development: Is land *owned by* \_\_\_\_\_ or *leased to*\* X the Nonprofit?

(\*Minimum 25-year lease must be provided upon project approval. Letter from landowner agreeing to do so must be submitted with application. Lease is subject to Green Acres' approval.)

State Legislative District (of project site) NJ-27

Congressional District (of project site) NJ-11

### Total Estimated Cost of Project:

#### Land Acquisition:

Land	\$ _____
Survey	\$ _____
Appraisal	\$ _____
Preliminary assessment	\$ _____
Title	\$ _____
Demolition*	\$ _____
Other related costs (itemized)	\$ _____
Total project cost	\$ _____
Total request this round	\$ _____

#### Park Development:

Construction	\$ <u>12,000,000.00</u>
Professional services (up to 13% of construction)	\$ <u>1,560,000.00</u>
Preliminary assessment	\$ _____
Other costs (itemized) (contingency)	\$ <u>2,440,000.00</u>
Total project cost	\$ <u>16,000,000.00</u>
Total request this round	\$ <u>8,000,000.00</u>

\* Demolition and incidental costs will be limited to established caps.

### Profile of municipality and county in which project is located, per most recent census:

Municipality: Area 12 (in sq. mi.)

Population 48,435

Population per square mile: 4,036.25

County: Area 126.2 (in sq. mi.) Population 808,825 Population per square mile: 6,405

Estimated yearly operating/maintenance expenses after acquisition or development \$ See attached.

Have there been previous loans/grants related to this property?

☒ Yes ☐ No If yes, explain: Multiple GA grants, including funding in 2017 for a penguin exhibit.

Is the property listed on the New Jersey Register of Historic Places? ☐ Yes ☒ No

(If yes, additional coordination with the NJDEP's Office of Historic Preservation will be required, depending on the potential impact to the listed property. Please see [www.nj.gov/dep/hpo/2protection/njrreview.htm](http://www.nj.gov/dep/hpo/2protection/njrreview.htm) for more details.)

Is the project site a current or former landfill site, known or suspected hazardous waste site, or adjacent to (or affected by) such sites?

☐ Yes ☒ No. If yes, explain: \_\_\_\_\_

Are there any structures located on the project site? Yes ☒ No ☐. If yes, please describe the intended use of the structure(s) or if they will be demolished There are multiple structures associated with the zoo facility that will remain  
(Please be aware that all structures must be used in support of outdoor recreation.)

#### USE AND PUBLIC ACCESS INFORMATION

Please describe the project in detail, including physical characteristics of site, existing land use, and intended short and long-term use of the project site. (Attach additional sheets, if necessary.) \_\_\_\_\_

The proposed project is a new 3-acre exhibit on North American bears that will replace the Wild New Jersey exhibit.

Located in the rear of the park, the exhibit will provide visitors with the opportunity to experience bears of North

America and will enable the zoo staff to continue their mission according to national zoological standards.

Describe the proposed public access to the site.

The park is accessible to the public for a modest fee of \$10 for children and seniors and \$12 for adults. There is  
free parking. All other areas of South Mountain Reservation are accessible without charge or barrier.

If applicable, describe any possibility of transferring ownership of the site to any government agency or another qualifying nonprofit organization. \_\_\_\_\_

The Zoo will remain under the ownership of Essex County.

For acquisition projects, has the project site been identified by a municipality or otherwise designated for use in meeting municipal fair share low- and moderate-income housing obligations under the Fair Housing Act of 1985 (N.J.S.A. 52:27D-301)? ☐ Yes ☐ No If yes, please describe alternative plan to meeting such obligations, if known: \_\_\_\_\_

**APPLICANT INFORMATION**

**Name of applicant organization** Essex County Parks Foundation

**a.k.a.** \_\_\_\_\_

**Address** 95 Old Short Hills Road

**City** West Orange **State** NJ **Zip** 07052

**Telephone number** ( ) 973-268-3524 **Fax number** ( ) 973-481-5203

**Chief Executive Officer** Louis LaSalle

**Does the organization qualify as a Charitable Conservancy for the purposes of P.L. 1979, c. 378 (C. 13:8B-1 et seq.)?** x Yes        No

(Please attach a letter from the organization's attorney certifying compliance.)

**N.J. Charitable Registration #:** CH2219600 from the New Jersey Department of Consumer Affairs, Office of Consumer Protection/Charitable Registration. All organizations with current registration are listed at <http://www.njconsumeraffairs.gov/ocp/charities.htm> **Nonprofit must be registered and in full compliance with the Charities Registration and Investigation Act of 1994. (N.J.S.A. 45:17-A-18 et. seq.)**

**State major purposes, activities, and membership policies of the organization:** \_\_\_\_\_

The mission of the Essex County Parks Foundation is to raise funds to promote and enhance the Essex County Parks System.

**Please attach the bylaws.**

**Describe your organization's size, including number of staff, board members, committees, and membership.**

There are 8 members of the Board of Directors.


**Please describe the proposed source of the required matching funds and any conditions of those funds (e.g. ownership interest in an acquisition project.) If matching funds are not in hand, please describe the status (i.e., planned application vs. pending application vs. secured award), amount (indicate anticipated or actual), and timing of award.**

The County of Essex will provide matching funds.

**Please list and describe relevant examples (if any) of grants successfully managed by the organization (or consultant who will manage the Green Acres project, if approved). Please describe the project and list funding source, grant amount, date awarded, and date completed.**


In June 2017, the Essex County Parks Foundation was awarded a NJDEP Green Acres Grant in the amount of \$250,000 to complete ballfield improvements at Branch Brook Park. This project has been completed.

**Person having day-to-day responsibility for this application:**

Name Louis LaSalle Title President  
Address 95 Old Short Hills Road  
City West Orange State NJ Zip 07052  
Telephone Number ( ) 201-415-0964 extension \_\_\_\_\_ Fax Number ( ) \_\_\_\_\_  
E-mail address: Louis.LaSalle@rwjbh.org  
Signature  Date 3/20/19

I, Louis LaSalle (name of authorized official) hereby certify that the information provided within this Green Acres Nonprofit application is complete and true.

3/20/19  
Date

  
Signature of official authorized to submit application  
as per attached Governing Body Enabling Resolution

**DEVELOPMENT APPLICATION  
ATTACHMENTS CHECK LIST**

***APPLICATION MATERIALS SHOULD BE SUBMITTED ON PAPER (ONE COPY) AND ELECTRONICALLY.  
(INDIVIDUAL EMAIL CANNOT EXCEED 25 MB.)***

**NOTE:** This checklist should be returned with your completed application. If any items are not applicable, please indicate with 'N/A' next to that item.

1.   x   Application Form: Are all questions answered? Is form signed?
2.   x   Governing Body Resolution (the enclosed form must be used)
3.   x   Project schedule. Please see attached *Things To Be Done* list and state when you anticipate addressing/completing each item.
4.   x   Letter from nonprofit's attorney certifying that the applicant qualifies as a Charitable Conservancy for the purposes of P.L. 1979, c. 378 (C. 13:8B-1 et seq.) (See excerpt on page 15)
5.   x   Units and quantities cost estimate, prepared and signed by an authorized, licensed professional
6.   x   Narrative description of proposal (must address, *in order*, each applicable factor contained in the enclosed Nonprofit Project Priority System)
7.   x   Site specific mapping:
  - x   a. Site location on legible street map
  - x   b. Tax map outlining boundaries of site to be developed
  - n/a   c. Existing property survey (if available)
8.   x   Environmental Assessment (instructions enclosed)
9.   x   Conceptual Site Plan. Plans should be prepared by an authorized, licensed professional. Site plans should identify all proposed facilities, any existing facilities and improvements, and any area of proposed tree clearing
10.   x   Copy of 25-year irrevocable property lease or use agreement for project site (if applicable)  
 \*\* Lease term must be 25 years from anticipated date of project commencement to ensure term of public use of facilities.
11.   x   Proof of Publication of newspaper notice and copy of notification letter to municipal governing body(ies) regarding application submission. (See General Information.)
12.   x   Photographs of the site (digital images and/or prints)
13.   x   Letters of support (see Priority System Factor #5)
14.   x   Letters from municipal **and** county planning boards describing how project is specifically consistent with the appropriate Master Plans (See Priority System Factor #5)
15.   x   List of all applicable permits that may be required for the project. Applicants with projects requiring permits, grants, or other approvals must contact all applicable permitting agencies to secure permit information and application materials prior to the submission of a Green Acres application. Evidence of having met this requirement must be provided with the application. Technical assistance from Green Acres is available upon request.
16.   n/a   Letter verifying pre-application conference with the Highlands Council, Meadowlands Commission, or Pinelands Commission, if applicable, including the Council/Commission's comments on the proposed development project
17.   x   By-laws
18.   x   Breakdown of annual operating/maintenance expenses after development of site
19.   n/a   Conceptual floor plan that indicates the proposed use of any structure to be developed
20.   x   Verification that nonprofit is registered and in full compliance with the Charities Registration Investigation Act of 1994

# RESOLUTION

**STATE OF NEW JERSEY**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**GREEN ACRES ENABLING RESOLUTION**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition, development, and stewardship of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Essex County Parks Foundation desires to further the public interest by obtaining funding in the amount of \$8,000,000 in the form of an \$8,000,000 matching grant and, if available, a \$0 loan, from the State to fund the following project(s): Turtle Back Zoo New Bear Exhibit at a cost of \$16,000,000;

NOW, THEREFORE, the Board of Directors resolves that Louis LaSalle or the successor to the office of President is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE Board of Directors of the Essex County Parks Foundation

1. That the President of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as the Turtle Back Zoo New Bear Exhibit;
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$8,000,000;
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

**CERTIFICATION**

I, Quilla Talmadge, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Directors of the Essex County Parks Foundation at a meeting held on the 13th day of March, 2019.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 19<sup>th</sup> day of March, 2019

  
Quilla Talmadge, Secretary

# **PROJECT SCHEDULE**



## Things to Be Done

Please assume a hypothetical July 1, 2019 project commencement date (subject to change).

### Acquisition Projects

### Approximate Date

- |                                                    |       |
|----------------------------------------------------|-------|
| 1. Meet w/ Green Acres re: beginning appraisals    | _____ |
| 2. Submit appraisals to Green Acres                | _____ |
| 3. Obtain and submit Preliminary Assessment Report | _____ |
| 4. Sign purchase contract with owner               | _____ |
| 5. Obtain and submit survey                        | _____ |
| 6. Obtain and submit title insurance commitment    | _____ |
| 7. Close on property                               | _____ |
| 8. Submit for final payment                        | _____ |

Comments: \_\_\_\_\_

\_\_\_\_\_

### Development Projects:

### Approximate Date

- |                                                                                       |                |
|---------------------------------------------------------------------------------------|----------------|
| 1. Obtain and submit Preliminary Assessment Report                                    | September 2019 |
| 2. Design project                                                                     | November 2019  |
| 3. Apply for/obtain permits (if necessary)                                            | January 2020   |
| 4. Submit plans to Green Acres for pre-bid approval                                   | March 2020     |
| 5. Go out to bid or get quotes (in accordance with the Local<br>Public Contracts Law) | June 2020      |
| 6. Award project contract                                                             | July 2020      |
| 7. Begin construction                                                                 | September 2020 |
| 8. Complete construction                                                              | December 2020  |
| 9. Submit for final payment                                                           | February 2021  |

Comments: \_\_\_\_\_

\_\_\_\_\_

# **ATTORNEY LETTER**

**DURKIN & DURKIN**  
ATTORNEYS AT LAW  
1120 BLOOMFIELD AVENUE  
P.O. BOX 1289  
WEST CALDWELL, NEW JERSEY 07007-9452

—  
(973) 244-9969  
TELECOPIER (973) 227-4676

**FORMERLY OF COUNSEL**

JAMES T. OWENS

(1981 - 1989)

VICTOR S. KILKENNY

(1975 - 1977)

LUKE A. KIERNAN, JR.

(1976 - 1978)

March 30, 2004

Ms. Martha S. Sapp  
Green Acres Program  
501 East State Street  
P.O. Box 412  
Trenton, New Jersey 08625

**Re: The Essex County Parks Foundation,  
A New Jersey Non-Profit Corporation**

Dear Ms. Sapp:

The Essex County Parks Foundation, A New Jersey Non-Profit Corporation (hereinafter referred to as "ECPF") has requested that this office review the by-laws of ECPF so as to determine whether or not the ECPF qualifies as a "Charitable Conservancy" as that term is defined in the New Jersey Statutes. Please accept this correspondence, in lieu of a more formal submission, as this office's certification that the ECPF meets the statutory qualifications of a Charitable Conservancy.

Pursuant to N.J.S.A. 13:8B-2, a Charitable Conservancy is defined as follows:

a corporation or trust whose purposes include the acquisition and preservation of land or water areas or of a particular land or water area, or either thereof, in a natural, scenic or open condition, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and which has received tax exemption under section 501(c) of the 1954 Internal Revenue Code

**DURKIN & DURKIN**

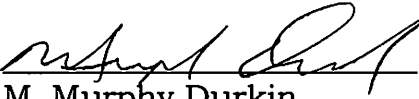
Ms. Martha S. Sapp  
March 30, 2004  
Page 2

The ECPF is a New Jersey non-profit corporation, which has received exemption under section 501(c) of the 1954 Internal Revenue Code. It is dedicated to maintaining and restoring historical facilities and parks located within Essex County and engaging in fundraising activities to further this purpose. No private shareholder of the ECPF or any individual receives any portion of the net earnings of the ECPF, rather all of the net earnings are reinvested in the ECPF so as to further its purpose. As such, it is clear that the ECPF qualifies as a Charitable Conservancy.

I herein enclose, for your reference and review, a copy of the by-laws of the ECPF. Should you have any questions or concerns, or require any additional information, please do not hesitate to contact the undersigned.

Very truly yours,

**DURKIN & DURKIN**

By:   
M. Murphy Durkin

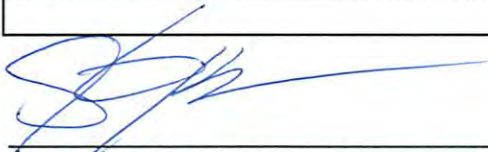
Enclosure

cc: Ms. Karen Dolnik, Grant Coordinator

# **COST ESTIMATE**

Essex County Parks Foundation  
2019 Green Acres Request  
Turtle Back Zoo New Bear Exhibit  
Cost Estimate

Turtle Back Zoo New Bear Exhibit	
New Bear Exhibit/Building	\$10,000,000.00
Landscaping	\$200,000.00
Signage	\$100,000.00
Park Appurtenances	\$100,000.00
Benches	\$100,000.00
Sitework	\$1,500,000.00
<b>Total New Bear Exhibit</b>	<b>\$12,000,000.00</b>
<b>SUBTOTAL</b>	<b>\$12,000,000.00</b>
Professional Services @ 13%	\$1,560,000.00
Contingency @20%	\$2,400,000.00
<b>TOTAL BUDGET</b>	<b>\$15,960,000.00</b>
<b>SAY:</b>	<b>\$16,000,000.00</b>
<b>TOTAL 2019 REQUEST</b>	<b>\$8,000,000.00</b>



Sanjeev Varghese, County Engineer  
Essex County Department of Public Works

*March 7, 2019*

# **NARRATIVE**

## **Project Overview**

The County of Essex is proposing to replace the existing Wild New Jersey area of Turtle Back Zoo with a new exhibit featuring North American Bears. The 3-acre bear exhibit will allow the public to view various North American bear species up close in a safe, protected environment. Educational and interpretive materials and signage will enable guest to interact with the exhibit and proposed features will enable husbandry staff to bring animals closer to the guests. The scope of work includes a 6,000 square foot building that will include the following features:

- Medical room for specialized procedures on large carnivores
- Quarantine room equipped to house large carnivores
- Maternity room to house pregnant and young animals
- Life support room to hold filtration equipment to maintain pool water quality
- Commissary room to have freezer/cooler and area for diet preparation
- Scuba Diving showers/storage for maintaining pool
- Two outdoor exercise/holding yards
- Graphics for behind the scenes tours

The outdoor area of the exhibit will measure approximately 3-acres (130,680 square feet) and include the following features:

- Two separate exhibits for animal separation purposes
- Two pools with a stream flowing between
- Outdoor air-conditioned den for guest viewing
- Rocks with cooling elements for heat mitigation
- Training wall for husbandry staff to bring animals closer to the guests
- Educational interpretives for guest interaction

## **Factor #1: Open Space Needs**

This rating factor is not applicable as the project does not involve acquisition.

## **Factor #2: Service Area Facility Needs**

Turtle Back Zoo is a 20+ acre park and open space resource located within the footprint of South Mountain Reservation in the Township of West Orange, New Jersey. West Orange is a community of more than 48,000 people living within 12 square miles. The population of West Orange is densely packed and highly diverse. According to the United States Census Bureau's 2017 American Community Survey, the population of West Orange is approximately 43.4% Hispanic/Latino, 26.5% Black/African-American, 19.9% White/Non-Hispanic, 7.9% Asian, and 2.7% Other/Mixed Race.

Essex County has a population of 808,285 residents and is the third largest in New Jersey. According to the 2017 American Community Survey, 37.7% of Essex County residents are African-American, 31.1% are White/Non-Hispanic, 22.4% are Hispanic/Latino, 5.1% are Asian, and 3.7% are Other/Mixed Race. Essex County is the second most densely populated county in



*Essex County Parks Foundation – 2019 Green Acres Nonprofit Park Development Grant  
Turtle Back Zoo – New Bear Exhibit – Narrative*

New Jersey, behind Hudson County, and is one of three counties considered densely populated by the New Jersey Department of Environmental Protection's Green Acres Program.

The Turtle Back Zoo attracts visitors from far beyond the borders of West Orange and Essex County. According to a review of recent visitor data, 4 out of 5 visitors live outside Essex County, totaling more than 400,000 people each year. Park records show that these visitors are primarily from Passaic, Bergen, Morris, Union, and Hudson counties, however, many guests travel from New York City and other points of origin outside of New Jersey. For example, some residents of areas in eastern Pennsylvania can reach the Zoo in approximately one hour.

Of the 500,000 annual visitors to Turtle Back Zoo, about one-fifth are children who visit to experience the Zoo's various educational programs, including early childhood programs, camps, behind the scenes tours, and other activities. Across the region, the target audience totals more than 6 million people. Zoo attendance is increasing each year as new exhibits and improvements to the park enhance the visitor experience. As a result, demand for access to the Zoo's various exhibits is significant and anticipated to grow. Some of the animals that live at the Zoo include alligators, alpacas, antelope, bald eagles, bison, bobcats, emus, giraffes, grey wolves, hyenas, jaguars, kangaroos, lions, llamas, ostriches, otters, penguins, reptiles, sea lions, sea turtles, stingrays, and tortoises. The Zoo features various exhibit areas including a Reptile House, Australian Exhibit, Touch Tank, African Adventure, Big Cat Country, and various others. The variety of animal species make visiting the Turtle Back Zoo an enjoyable educational experience.

It is important to note that the Turtle Back Zoo is the only zoo of its size and species diversity, which demonstrates how valuable this unique resource is to the people of Essex County and the surrounding region. The Zoo is committed to providing an enriching recreational experience that fosters excellence in wildlife education and wildlife conservation, so that present and future generations are inspired to understand, appreciate and protect the fragile interdependence of all living things. In September 2006, Turtle Back Zoo was granted accreditation by the American Zoo and Aquarium Association, a distinct honor that places the Zoo amongst the elite zoos and aquaria of the United States and means that the zoo adheres to the highest standards for zoos in the country.

**Factor #3: Environmental Protection**

This rating factor is not applicable as the project does not involve acquisition.

**Factor #4: Historic Resource Preservation**

This rating factor is not applicable as the project does not involve acquisition.

**Factor #5: Public Participation/Support/Planning**

*(a) Support*

The new bear exhibit is a high priority for the Essex County Parks Foundation, which operates with the mission to raise funds to promote and enhance the Essex County Parks System. The

proposed project has the support of the County of Essex, demonstrated by the enclosed letter from Essex County Executive Joseph N. DiVincenzo, Jr.

*(b) Planning*

The project is consistent with the draft 2018-2022 New Jersey Statewide Comprehensive Outdoor Recreation Plan and will support State's the goals and objectives for open space and recreation investments over the next five years. Specifically, the project advances the State's goals and objectives under the Recreation and Stewardship priority issues areas.

Under the priority issue of Recreation, the project will support the implementation of the following action items:

- Continue to provide Green Acres funding to local governments and nonprofits for the development of park and recreation facilities on municipal, county and state parkland or nonprofit-owned land.
- Continue local government and nonprofit funding for urban open space and recreation projects.
- Continue the preservation of land for conservation and recreation purposes in urbanized counties by the State.

Under the priority issue of Stewardship, the project will support the implementation of the following action items:

- Support environmental education facilities and programs through funding and technical assistance.

The project is also consistent with local planning documents at the municipal and county levels, advancing key community objectives for enhancing access to quality recreation and open space amenities. The Essex County Park System's Park, Recreation, and Open Space Master Plan notes that "[s]ubstantial physical improvements are needed to existing structures, recreational facilities, and landscapes throughout the park system" and that it is necessary to ensure that all facilities are brought into compliance with the Americans With Disabilities Act.<sup>1</sup> Moreover, the Essex County plan provides a policy goal of entering into public-private partnerships with community groups in order to achieve the necessary improvements and enhancements.<sup>2</sup> Furthermore, the Essex County plan specifically notes the need to expand on the Zoo's facilities.<sup>3</sup> Finally, the Township of West Orange's Open Space and Recreation Plan Update notes that "[a]s a long-settled community, West Orange is faced with the challenge of meeting its recreational needs with an ever-decreasing supply of open space and a population that is at or near its historic peak."<sup>4</sup> In response, all of the action

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<sup>1</sup> Essex County Park System, *Recreation, and Open Space Master Plan*, at 36.

<sup>2</sup> *Id.* at 41.

<sup>3</sup> *Id.* at 151.

<sup>4</sup> Township of West Orange, *Open Space and Recreation Plan Update*, at 22 (2010).

goals listed in the plan relate to working with state, local governments, and local nonprofits to develop and expand recreational open space opportunities within the community.<sup>5</sup>

**Factor #6: Project Quality**

*(a) Accessibility*

*a. Close to Population Centers*

Turtle Back Zoo is located in Essex County, one of the state’s most highly and densely populated counties. There are more than 1.6 million people living within a ten-mile radius of the Zoo, including areas of Union, Morris, Bergen, and Passaic counties. Although the Zoo is located within the boundaries of the 2,110-acre South Mountain Reservation, the Zoo is connected to surrounding population centers via local, county, and state roads, interstate highways, and various modes of public transportation.

*b. Accessible by Public Transportation*

There are a total of eight train stations within five miles of the Zoo, accommodating passengers along NJ Transit’s Morristown and Gladstone Line. This corridor offers Midtown Direct access to Penn Station in New York City, along with connections to major transit hubs in the nearby cities of Newark, Secaucus, and Hoboken. The Zoo is also serviced by various NJ Transit bus routes, which connect to population centers throughout Essex County, northern New Jersey, and New York City.

*c. Accessible by Walking and Bicycling*

Pedestrian and bicycle access to the Zoo is supported by significant pedestrian-friendly infrastructure amenities such as wide sidewalks, ADA-compliant curb ramps, high-visibility stamped crosswalks, traffic signals, signage, and other features that prioritize pedestrian and bicycle uses along the corridor. The Zoo is also located within the boundaries of South Mountain Reservation, which includes a network of paved roads and off-road trails that accommodate pedestrians or bicyclists who might wish to access the Zoo entrance on Northfield Avenue.

*d. Creates Public Access where None Exists or Where Existing Access is Undeveloped or Restricted*

The Essex County Parks Foundation is requested funding to replace the current “Wild New Jersey” section of the zoo with a North American Bear Exhibit. The Wild New Jersey exhibit is no longer in compliance with modern zoological practices and the County of Essex has decided to replace it with an educational, interactive exhibit on bears native to North America. The 3-acre exhibit will provide the public with the opportunity to learn about and view various North American bear species in a safe, protected environment. Educational and interpretive materials and signage will help guests to interact with the exhibit. The design of the exhibit will enable husbandry staff to

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<sup>5</sup> See *id.* at 38-40.

*Essex County Parks Foundation – 2019 Green Acres Nonprofit Park Development Grant  
Turtle Back Zoo – New Bear Exhibit – Narrative*

better care for the animals and bring them closer to the guests for a more interactive experience. This type of experience is not easily accessed by families in the area, especially low-income households who may not have the means to travel to other zoos that feature more diverse animal species. Further, the Zoo offers free parking and competitive admission rates. A family of four can visit the Turtle Back Zoo for \$44 while, by comparison, the same trip to the Bronx Zoo – the nearest comparable facility – would cost \$116.80.

*(b) Recreation Potential*

This rating factor is not applicable as the project does not involve acquisition.

*(c) Water Access*

Turtle Back Zoo is part of a larger county park complex within South Mountain Reservation that includes the Orange Reservoir and the Children's Regatta Playground. The Regatta Playground is a waterfront play area that features a rubberized safety surface and various play equipment designed to look like boats. There is also a large open area with a synthetic grass surface and stamped concrete pathways that connect the playground to the Clipper Pavilion picnic area and a paddle boat launch with boat rentals available for a modest fee. Also, the Reservoir is surrounding by a walking path that is handicap accessible and measures 1.7 miles. This path connects to a network of trails throughout South Mountain Reservation.

*(d) Project Quality*

*a. Includes multiple recreation and conservation purposes*

The project will substantially enhance the visitor experience at Turtle Back Zoo by providing parkgoers with opportunities to experience and learn about bear species native to North America. The exhibit will offer a new educational and interactive experience that will benefit visitors new to the park as well as returning families and park regulars. The Zoo is within the boundaries of South Mountain Reservation, which include various recreation activities including playgrounds, paddle boat rentals, walking trails, picnic areas, and other outdoor recreation and open space amenities.

*b. Uses effective landscaping with native species*

Construction of the new exhibit will require significant landscaping improvements in order to construct an appropriate habitat for North American bears to live in. To the extent possible and practical, the design of the exhibit will incorporate the planting of native species.

*c. Provides opportunities for various active and passive recreational uses by diverse user groups*

Turtle Back Zoo is an 20-acre park and is located within the footprint of the 2,110-acre South Mountain Reservation complex. This unique open space resource offers visitors numerous opportunities to enjoy active and passive recreational experiences. Recreational amenities located

*Essex County Parks Foundation – 2019 Green Acres Nonprofit Park Development Grant  
Turtle Back Zoo – New Bear Exhibit – Narrative*

near the Zoo include walking paths, hiking trails, paddle boats, various play areas (including the Regatta Playground, a petting zoo, pony rides, miniature golf, an ADA-accessible miniature train that travels throughout the Reservation, a carousel, and treetop adventure course (including a zip line). Most of these experiences are ADA-accessible, user- and family-friendly, and affordable to the diverse population found throughout the greater Essex County region.

*d. Includes significant plantings of native tree species*

The new exhibit will incorporate substantial landscaping work in an effort to replicate the natural habitat of the bear species that will be housed at the Zoo. To the extent possible, the landscape design of the new exhibit will include the planting of native tree species.

*e. Minimizes use of impervious surfaces*

The project design does not propose the addition of impervious surfaces. Rather, the new exhibit will allow for new technologies that will increase drainage capabilities on site.

*(e) Cost Effectiveness*

*a. Donation of Labor, Equipment, or Materials or Partnerships*

The Essex County Parks Foundation is a 501(c)(3) nonprofit organization that relies heavily on volunteerism from within the local community to carry out its mission. The Society proposes to enter into an interlocal agreement with Essex County in order to complete this project. This public-private partnership will allow the Society to leverage the County's capacity and other resources to complete and maintain the proposed improvements and enhancements.

*b. Cost of Future Operation and Maintenance*

The project involves the replacement of the Wild New Jersey exhibit with a new North American Bears exhibit. While additional operation and maintenance costs are anticipated as a result of placing new animals under the Zoo's care, these costs are expected to be minimally in excess of what is currently included in the Zoo's annual budget.

*c. Whether the Project Site has Development Approvals from Local Planning Board*

This rating factor is not applicable as the project does not involve acquisition.

**Factor #7: Project Priorities**

*(a) Provide Investment and/or Ecotourism Potential or Public/Private Sector Venture*

The completion of the project will enable the visiting public to experience North American bear species in an exhibit that closely replicates their natural habitat. Completed in partnership with Essex County, the Zoological Society of New Jersey, and the Essex County Parks Foundation, the

*Essex County Parks Foundation – 2019 Green Acres Nonprofit Park Development Grant  
Turtle Back Zoo – New Bear Exhibit – Narrative*

new exhibit will be completed through a public-private venture that increases and enhances the use of public open space.

*(b) Waterfront Development or Redevelopment*

The project will enhance the overall appeal of the Turtle Back Zoo, which is located adjacent to the Orange Reservoir. The Reservoir offers opportunities to walk along the waterfront, play at the Children's Regatta Playground, ride the miniature train, ride paddleboats, and experience other waterfront recreational activities.

*(c) Trails, Bike Paths, or Greenways*

The project will enhance the overall appeal of the Turtle Back Zoo, which is connected to a larger network of walking paths and the South Mountain Reservation trail system.

*(d) Historic or Archeological Resource Enhancement or Preservation*

This criterion is not applicable.

*(e) Wildlife Habitat Protection*

This criterion is not applicable.

*(f) Multiple Uses and Provides Active and Passive Recreation Opportunities*

The 20-acre Turtle Back Zoo and the larger South Mountain Reservation complex offers visitors opportunities to participate in a wide range of active and passive recreational experiences, including walking paths, paddle boats, various play areas (including the Regatta Playground, a petting zoo, pony rides, miniature golf, an ADA-accessible miniature train that travels throughout the Reservation, a carousel, and treetop adventure course (including a zip line). Most of these experiences are ADA-accessible, user- and family-friendly, and affordable to the diverse population found throughout the greater Essex County region.

*(g) Addition to or the Development of a Prior Green Acres-funded Acquisition or Development Project*

The Turtle Back Zoo has been supported and enhanced through prior Green Acres funding. Most recently, the Zoo opened a penguin exhibit that was partially funded by the Green Acres Program.

*(h) Provide Donation of Land, Equipment, Labor or Cash*

The Essex County Parks Foundation will work in partnership with Essex County and the Zoological Society of New Jersey to implement the project. The contributions of volunteers will ensure that the project maximizes the use of resources and optimizes the impact of the exhibit on the visitor experience and educational offerings available to the public at the Turtle Back Zoo.

*Essex County Parks Foundation – 2019 Green Acres Nonprofit Park Development Grant  
Turtle Back Zoo – New Bear Exhibit – Narrative*

*(i) Likelihood or Threat of Private Development for Other than Recreation and Conservation Purposes*

This rating factor is not applicable as the project does not involve acquisition. There are no existing or anticipated threats of private development at the site.

*(j) Design and Construction that Utilizes Clean and Renewable Energy and Maximizes Energy Efficiency*

The new exhibit will be designed and constructed to maximize the use of clean and renewable energy, to the extent possible, and will incorporate energy efficient features.

*(k) Rehabilitation or Redevelopment of an Existing Recreational Facility*

The existing “Wild New Jersey” exhibit where the North American bear exhibit will be located is no longer in compliance with modern zoological practices. The replacement of the Wild New Jersey exhibit will redevelop the project space with a new exhibit that will allow the public to experience and learn about North American bears.

*(l) Reclamation of a Former Brownfield Site*

This criterion is not applicable.

**Factor #8: Facility Design Sensitivity and Site Suitability**

*(a) General Recreation Facilities*

- 1. Locating proposed facilities in already cleared areas, to minimize additional clearing of trees and vegetation;*

The project will be located at the site of the existing Wild New Jersey exhibit and will require minimal clearing of existing trees and vegetation. However, in order to replicate the natural habitat of North American bears, the project will incorporate the planting of new trees and vegetation in excess of what is currently at the exhibit site. To the extent possible and practical, the design will incorporate native tree and plant species.

- 2. Locating proposed facilities where topography and soil conditions are suitable, to minimize grading, excavation, fill, and drainage of a site; and*

The project site is located at the rear of the Zoo (relative to the park entrance) along a hilly area. Minimal grading, excavation, and fill will be necessary, and the advanced design will improve drainage capabilities at the site.

- 3. Retaining, enhancing, or establishing vegetative buffers, or incorporating other site-sensitive techniques, to minimize impacts on sensitive areas such as shellfish beds,*

*Essex County Parks Foundation – 2019 Green Acres Nonprofit Park Development Grant  
Turtle Back Zoo – New Bear Exhibit – Narrative*

*beach/dune systems, forests, wetlands, steep slopes, endangered or threatened species habitat, and aquifer recharge areas.*

There are no sensitive areas within the boundaries of the proposed exhibit space.

*(b) Structures/Buildings*

In order to accommodate the zoological needs of the new bear exhibit, the project does incorporate the construction of a new building within the proposed exhibit space. The proposed building measures approximately 6,000 square feet and include the following design features:

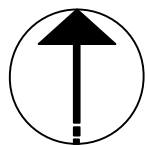
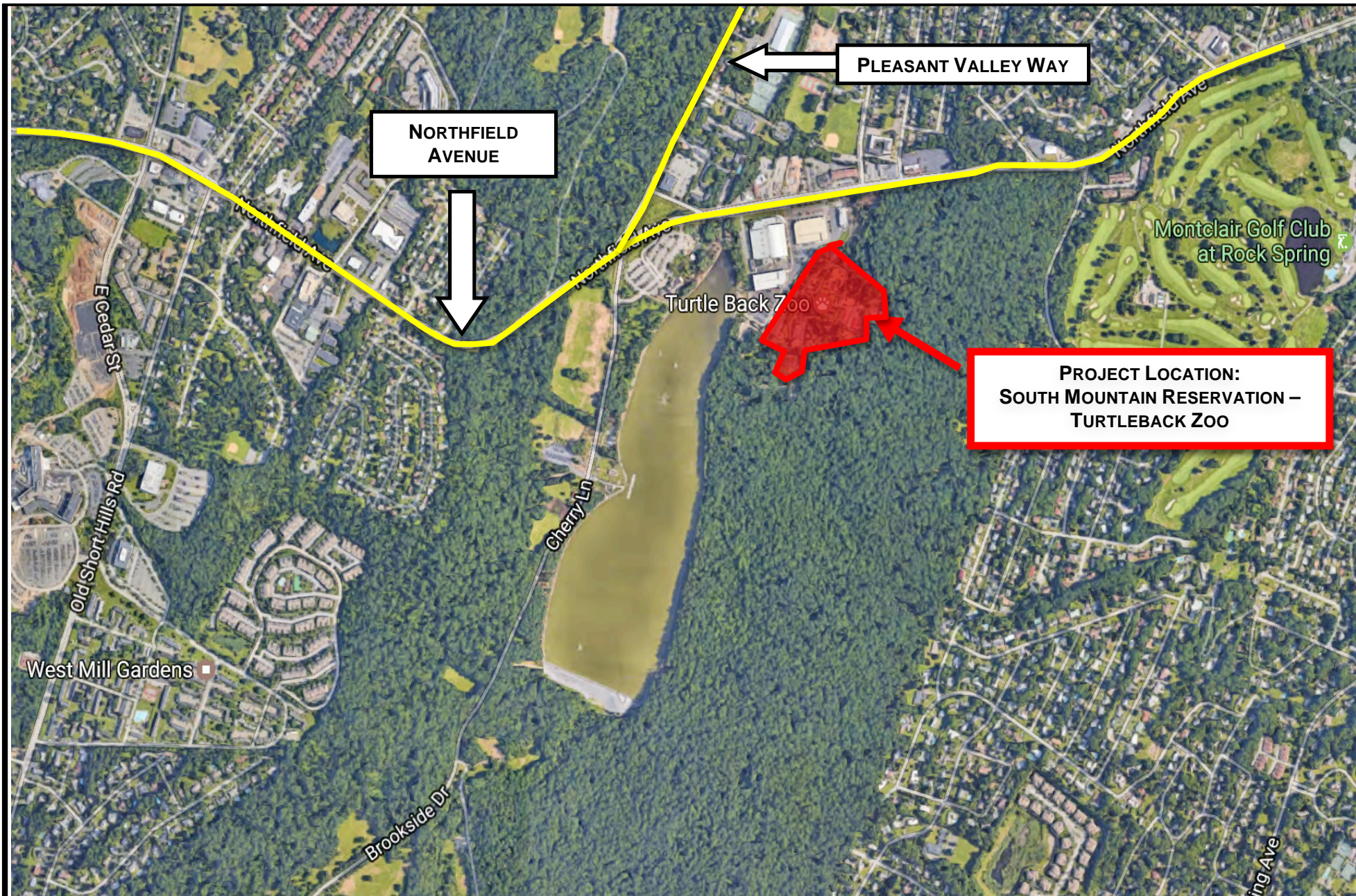
- Medical room for specialized procedures on large carnivores
- Quarantine room equipped to house large carnivores
- Maternity room to house pregnant and young animals
- Life support room will hold filtration equipment to maintain pool water quality
- Commissary room will have freezer/cooler and area for diet preparation
- Scuba diving showers/storage for pool maintenance
- Two outdoor exercise/holding yards
- Graphics for behind-the-scenes tours

The building will meet the U.S. Green Building Council's LEED Green Building Rating System for New Construction and Major Renovation Version 2.1.



**LOCATION MAP**  
**&**  
**TAX MAP**





**NORTH**

**TURTLE BACK ZOO**  
**ESSEX COUNTY PARKS FOUNDATION**  
**TOWNSHIP OF WEST ORANGE**  
**COUNTY OF ESSEX, NEW JERSEY**



Millennium Strategies  
 60 Columbia Road  
 Building B - Suite 230  
 Morristown, NJ 07960

Phone: 973-226-3329  
 Fax: 973-292-0832  
[www.m-strat.com](http://www.m-strat.com)

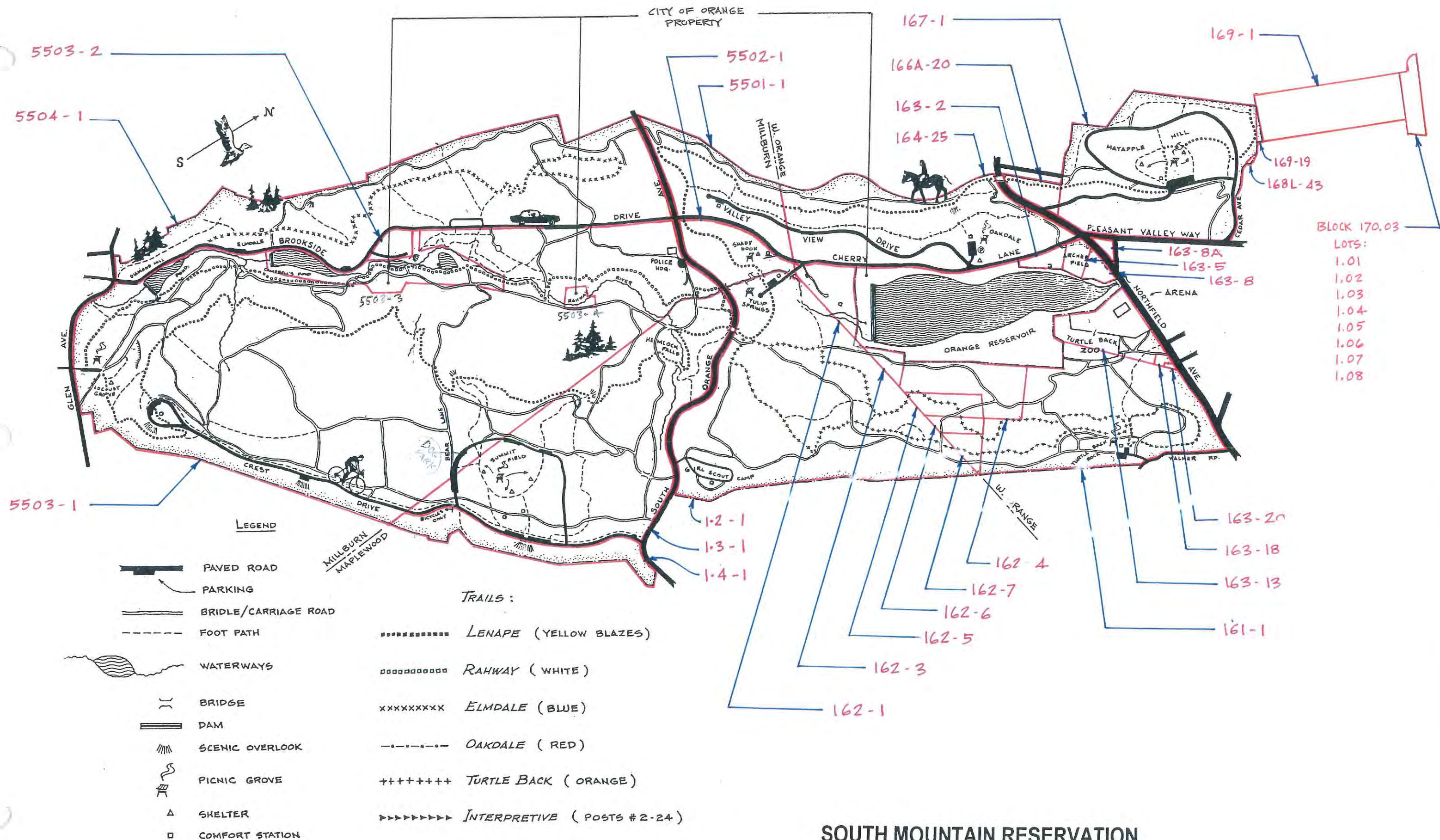
SCALE  
 NTS

DATE  
 3/22/2019

DRAWN BY  
 C. Sprague

WORK ORDER





# **SOUTH MOUNTAIN RESERVATION**

2,047.14 ACRES

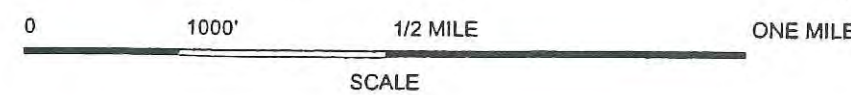
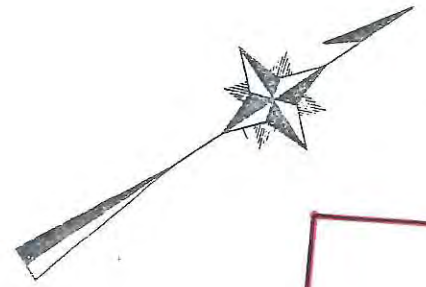




PLATE 41C

PLATE 42



161

ESSEX COUNTY PARK COMMISSION  
EXEMPTED

162

1594A  
1594D  
1594E  
1594F  
1594G  
1594H  
1594I  
1594J  
1594K  
1594L  
1594M  
1594N  
1594O  
1594P  
1594Q  
1594R  
1594S  
1594T  
1594U  
1594V  
1594W  
1594X  
1594Y  
1594Z

PLATE 40A

1595A

1595A

NORTHFIELD

50' ROAD

PLATE 41B

160

WALKER

TOWN OF WEST ORANGE  
ESSEX COUNTY  
Scale One Inch = 100 Feet.

WEST ORANGE

1698

PLATE 41A

161

LEASE - KEY NOS. II + III

77 THRU 89

PLATE 42.

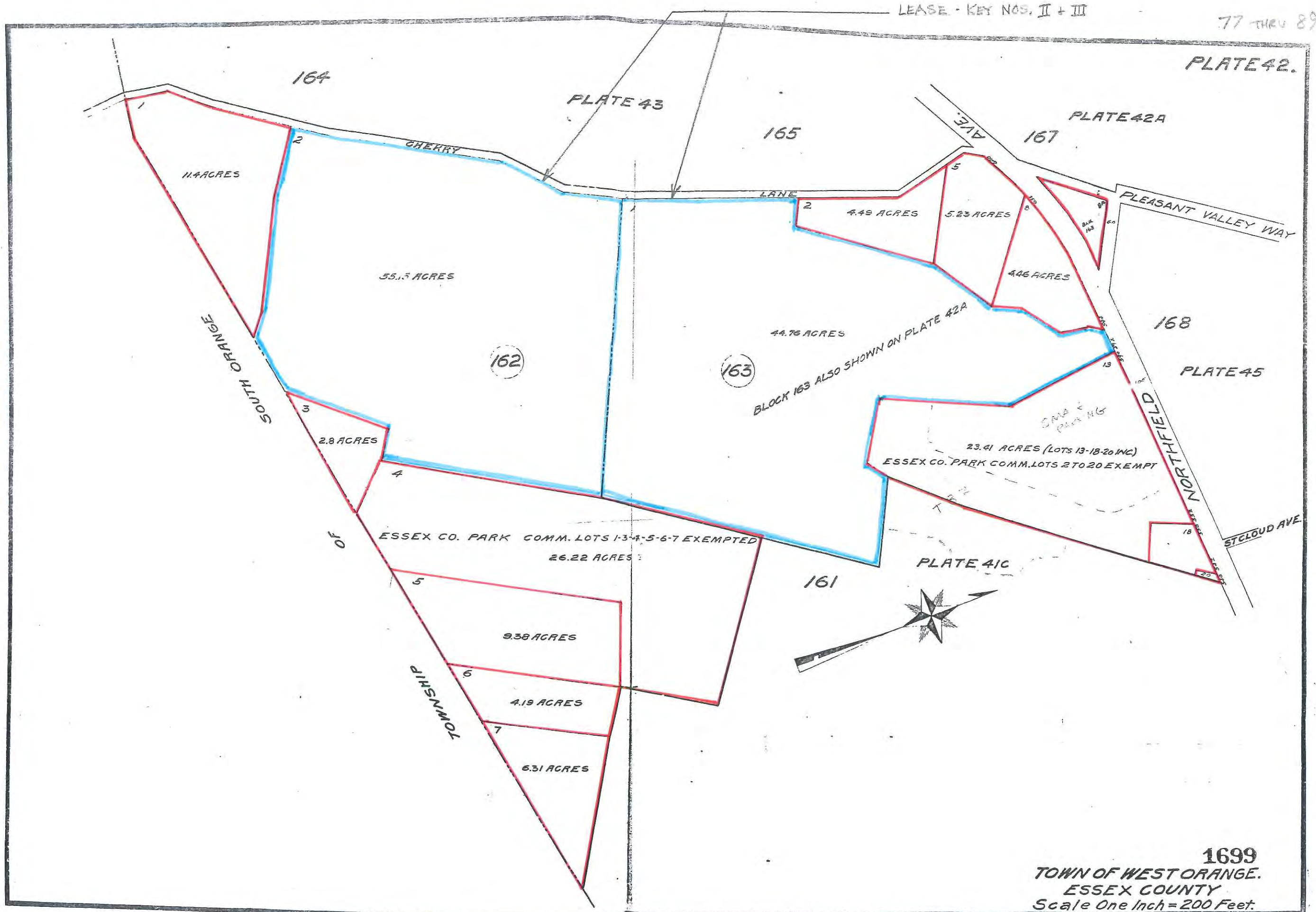
PLATE 43

PLATE 42A

PLATE 45

PLATE 41C

WEST ORANGE



1699  
TOWN OF WEST ORANGE.  
ESSEX COUNTY  
Scale One Inch = 200 Feet.

# **ENVIRONMENTAL ASSESSMENT**



## **Environmental Assessment**

### ***Turtle Back Zoo – New Bear Exhibit***

#### **1. Description of the Proposed Action**

##### *a. Briefly Describe the Total Development Project*

The County of Essex is proposing to replace the existing Wild New Jersey area of Turtle Back Zoo with a new exhibit featuring North American Bears. The 3-acre bear exhibit will allow the public to view various North American bear species up close in a safe, protected environment. Educational and interpretive materials and signage will enable guest to interact with the exhibit and proposed features will enable husbandry staff to bring animals closer to the guests. The scope of work includes a 6,000 square foot building that will include the following features:

- Medical room for specialized procedures on large carnivores
- Quarantine room equipped to house large carnivores
- Maternity room to house pregnant and young animals
- Life support room to hold filtration equipment to maintain pool water quality
- Commissary room to have freezer/cooler and area for diet preparation
- Scuba Diving showers/storage for maintaining pool
- Two outdoor exercise/holding yards
- Graphics for behind the scenes tours

The outdoor area of the exhibit will measure approximately 3-acres (130,680 square feet) and include the following features:

- Two separate exhibits for animal separation purposes
- Two pools with a stream flowing between
- Outdoor air-conditioned den for guest viewing
- Rocks with cooling elements for heat mitigation
- Training wall for husbandry staff to bring animals closer to the guests
- Educational interpretives for guest interaction

##### *b. State Objectives of the Project*

The Zoological Society of New Jersey seeks to complete this project in an effort to expand the recreational offerings available at Turtle Back Zoo. Moreover, it will further the Society's and County's shared mission of proving open space recreation-based pathways to ecological and conservation education for local youth and their families.

This unique experience is not easily accessed by most New Jersey residents, as there are few Zoos in the region. Access to zoo facilities is especially challenging for low-income households who may not have the means to travel outside the area. Further, the Zoo offers free parking and competitive admission rates. A family of four can visit the Turtle Back Zoo for \$44 while, by comparison, the same trip to the Bronx Zoo – the nearest comparable facility – would cost \$116.80.

*c. Fully Describe Multi-Phase Projects*

The proposed project is not a multi-phase project.

## **2. Description of the Environment**

Turtle Back Zoo is located in the Lower Passaic and Saddle River Watershed Management Area. Moreover, “Essex County is located within the glaciated Newark Basin portion of the Piedmont physiographic province. The Newark Basin is an elongated northeast/southwest-trending rift valley.” The site sits on the Passaic Formation Sandstone and Siltstone facies. The primary rock type on the formation is sandstone, with a siltstone secondary rock type. The sandstone is interbedded grayish-red to brownish-red to a maximum thickness of roughly 3,600 feet. Geochronologically, the formation is estimated to be of the Lower Jurassic an Upper Triassic periods. The native soils consist mainly of Boonton Loam, which is a fertile soil consisting of clay, sand, and humus.

The Zoo is part of the 2,110-acre South Mountain Reservation, and is situated on top a northeasterly sloping hillside. South Mountain Reservation is the largest and most complex of the open space facilities within the Essex County Parks System, with a diverse topography ranging from forested hillcrests with roadways, to a valley containing a stream and a reservoir. The Reservation, like most parks in the Essex County Parks System, was designed by the Olmstead family – who designed New York City’s Central Park – and contains a naturalistic landscape inhabited by local bird life and woodland animals typical of the northern New Jersey region. Woodlands abound in a variety of hardwood trees, and tall hemlocks tower above streams, creeks, and ponds. The west branch of the Rahway River flows through the valley in the southern portion of the Reservation. A reservoir and watershed owned by the City of Orange lies in the northern tract, directly southwest of the Zoo site.

The Reservation lies within the boundaries of the South Mountain Reservation Historic District, roughly bound by Northfield Avenue, Old Short Hills Road Millburn Avenue, Wyoming Avenue, and Gregory Avenue. The District received a SHPO opinion on 11/18/2008. The Reservation has been preserved primarily in its wild state, with minor modifications over the years. During the American Revolution and War of 1812, Washington Rock within the footprint of the Reservation served as an important beacon signal station. There are no known historic or archaeological resources within the footprint of the Zoo property.

The Zoo is easily accessible by car, on foot, and by bicycle. It is conveniently located on Northfield Avenue in West Orange, New Jersey, and contains substantial on-site parking. Moreover, the facility is easily accessible from Interstate 280, and via numerous major arteries throughout Essex and Morris Counties. The Zoo is also located within a 5-mile radius of eight (8) NJ Transit Rail stations along the Morristown and Gladstone Line, with connections to transit hubs in Newark, Secaucus, and Hoboken, as well as Pennsylvania Station in New York City. NJ Transit also operates bus service to and from Turtle Back Zoo, with connections available to a number of destinations throughout Essex County and the greater northern New Jersey region, including New York City.



The area surrounding the Zoo and Reservation is primarily light residential and comprised of the communities of Millburn, West Orange, Short Hills, Maplewood, and South Orange.

### **3. Environmental Impact Analysis of Proposed Action**

#### *a. Discuss All Affected Resources and the Significance of Each Impact*

The proposed improvements and enhancements are not anticipated to have any adverse effects on the surrounding environment. The project site is currently available and is demonstrably suitable for such a structure and exhibit. The project is located in such a way as to minimize vegetative clearing, grading, and soil erosion to the greatest possible extent.

#### *b. Discuss Short Term and Long Term Project Impacts*

In the short-term, this exhibit will serve to increase attendance at the Zoo, as well as generate repeat visitors. Indeed, this project is anticipated to substantially grow the Zoo's attendance over time, as is typical of new exhibits of this kind. Over the long-term, this project will help further the Zoo's mission and core functions of providing family- friendly, ecologically sound recreation, wildlife and conservation education, and ecological sustainability appreciation to the Essex County community and the larger North Jersey region.

#### *c. Discuss Anticipated Increase in Recreation and Overall Use of Site Over Time*

The construction of a North American bear exhibit is anticipated to increase Zoo attendance as the attraction will likely expand the Zoo's reputation as a quality attraction that provides visitors with the opportunity to see a wide variety of animal species up close. This exhibit, over the long-term, will expose the public to the needs of the world's ecosystems, which will – hopefully – inspire them to take an active role in engaging with and preserving our environment and its vital habitats.

#### *d. Identify Adjacent Environmental Features that May be Affected by the Proposal*

Adjacent environmental features include the South Mountain Reservation and other areas of the Zoo. However, there is an existing exhibit at the site which will be replaced by the North American bear exhibit. There are no tree clearing or major site disruptions anticipated, and adjacent environmental features will not be affected by the proposal.

#### *e. List Any Permits Required for Project and Brief Status*

It is not anticipated that any permits will be required to complete this project. However, should the need arise, all necessary permits will be acquired in a timely manner.

#### *f. Natural Heritage Data Request Form*

Not applicable. The project is not being completed in an undisturbed portion of the site.

#### **4. Alternatives to the Proposed Action**

##### *a. Identify Alternate Sites*

Turtle Back Zoo is a vital component of the Essex County Parks system. There are few Zoos throughout New Jersey, none of which offer the diversity of exhibits and animal species as Turtle Back Zoo. There are no alternative sites in Essex County to locate a zoological exhibit on North American bears.

##### *b. Discuss Alternate Levels and Types of Development*

There is the alternative to leave the Wild New Jersey exhibit in place and not move forward with the bear exhibit. However, the Wild New Jersey exhibit is no longer in compliance with modern zoological practices. Therefore, the site would be left unused and limit to recreational and educational potential of the Turtle Back Zoo.

##### *c. Compare Environmental Impacts of Each Alternative*

Since there are no alternative sites to create a North America bears zoological exhibit, there are not alternatives to compare.

#### **5. Mitigating Measures**

##### *a. Describe the Measures that will be Undertaken to Mitigate Adverse Impacts*

Measures and precautions to be taken to mitigate adverse impacts include, but are not limited to, the erection of silt fencing during and after construction, the proliferation of soil and sediment controls, scheduling and staging efforts to minimize overall disturbance, and significant landscaping activities that include the replanting of any flora whose removal is required for the completion of work. Additionally, the project will comply with any and all rules and regulations promulgated by the New Jersey Department of Environmental Protection and/or other regulatory agencies regarding building, remediation, and environmental conservation, and to the attainment of all necessary permits for building, remediation, and soil conservation, as needed.

# CONCEPTUAL SITE PLAN

Today you may be videotaped or photographed by an employee or authorized guest. Your zoo admission here serves as permission for use of your image by these parties.

# MAP KEY

	FEATURES		EXHIBITS		REGIONAL EXHIBITS		PATH
	RESTROOMS		FOOD		FIRST AID		ATM
	WATER FOUNTAIN		STEEP SLOPE				



Turtle Back Zoo is committed to providing an enriching recreational experience that fosters excellence in wildlife education and wildlife conservation so that present and future generations are inspired to understand, appreciate, and protect the fragile interdependence of all living things.

© 2018 Turtle Back Zoo

For the health and safety of our visitors and animals, Turtle Back Zoo is a smoke free facility.

For the benefit of our guests and our animal ambassadors, radios, bicycles / skates, scooters / skateboards, balls and balloons are prohibited.

# **LAND USE AGREEMENT**

*This is a draft copy of a Resolution that will be approved by the Essex County Board of Chosen Freeholders on Wednesday March 27, 2019. A final version of the fully executed, signed, and sealed Resolution will be forwarded to the Green Acres Program following the meeting.*

## **COUNTY OF ESSEX RESOLUTION**

**WHEREAS**, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition, development, and stewardship of lands for outdoor recreation and conservation purposes; and

**WHEREAS**, the Branch Brook Park Alliance is applying for Green Acres funding for improvements to the Ballantine Gates at Branch Brook Park; and

**WHEREAS**, the Friends of Irvington Park Corp is applying for Green Acres funding for improvements to the ballfields at Irvington Park; and

**WHEREAS**, the Zoological Society of New Jersey, Inc. is applying for Green Acres funding for a new bear exhibit at Turtle Back Zoo; and,

**WHEREAS**, the Essex County Parks Foundation is applying for Green Acres funding for a new bear exhibit at Turtle Back Zoo; and,

**WHEREAS**, the South Mountain Conservancy is applying for Green Acres funding for parking and trail improvements at South Mountain Reservation; and,

**WHEREAS**, the five projects being proposed by nonprofit organizations in Essex County are located at parks and open space properties owned and maintained by the County of Essex; and,

**WHEREAS**, the State shall determine if the applications submitted by nonprofit organizations for projects within the Essex County Parks System are complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

**WHEREAS**, the applicant nonprofit organizations are willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and are willing to enter into an agreement with the State for the above-named projects.

**NOW, THEREFORE, BE IT RESOLVED** by the Essex County Board of Chosen Freeholders

1. That the County of Essex approves of the applications to be submitted by nonprofit organizations and supportive of the proposed improvements within the Essex County Parks System; and,
2. That the County of Essex will enter into a long-term lease or use agreement and a partnership agreement with each of the aforementioned nonprofit organizations, if the project(s) are approved.

*This is a draft copy of a Resolution that will be approved by the Essex County Board of Chosen Freeholders on Wednesday March 27, 2019. A final version of the fully executed, signed, and sealed Resolution will be forwarded to the Green Acres Program following the meeting.*

**CERTIFICATION**

I, \_\_\_\_\_, do hereby certify that the foregoing is a true copy of a resolution adopted by the Essex County Board of Chosen Freeholders at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Secretary

DRAFT

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Page 1 of 2

Date	Position	Description	P.O. Number	Ad Size	Costs
03/13/2019	Notices NJ	Essex County Parks Foundation Newark, New Jersey Public Notice For	Essex County Parks Foundation	1 x 26 L	
Affidavit Notary Fee - 03/13/2019					\$90.00
Basic Ad Charge - 03/13/2019					\$40.30
Total					\$130.30

CLAIMANTS CERTIFICATION AND DECLARATION	
I do solemnly declare and certify under the penalties of law that this bill or invoice is correct in all its particulars, that the goods have been furnished or services have been rendered as stated herein, that no bonus has been given or received by any person or persons within the knowledge of this claimant in connection with the above claim, that the amount herein stated is justly due and owing, and that the amount charged is a reasonable one.	
Date: <u>3/14/2019</u>	Fed ID#: <u>13-4123607</u>
Signature: <u>Chris Tighe</u>	Official Position: <u>AR Manager</u>
CERTIFICATION BY RECEIVING AGENCY	CERTIFICATION BY APPROVAL OFFICIAL
I, having knowledge of the facts, certify and declare that the goods have been received or the services rendered and are in compliance with the specifications or other requirements, and said certification is based on signed delivery slips or other reasonable procedures or verifiable information.	I certify and declare that this bill or invoice is correct, and that sufficient funds are available to satisfy this claim. The Payment shall be chargeable to:
	Appropriation Account(s) and Amounts Charged: P.O.#: _____
	_____
	_____
Signature: _____	Signature: _____
Title: _____	Date: _____

THIS FORM APPROVED FOR USE BY LOCAL GOVERNMENTS BY THE LOCAL FINANCE BOARD



**Star Ledger**

**LEGAL AFFIDAVIT**

AD#: 0009065325

Total

\$130.30

State of New Jersey,) ss  
County of Middlesex)

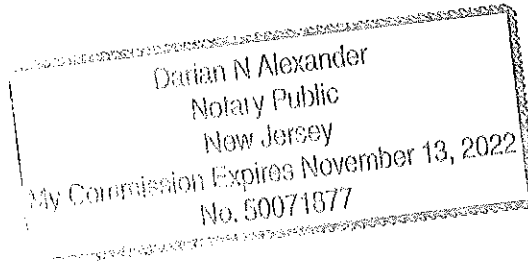
Gabrielle Sennon being duly sworn, deposes that he/she is principal clerk of NJ Advance Media; that Star Ledger is a public newspaper, with general circulation in Atlantic, Burlington, Cape May, Essex, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union, and Warren Counties, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

**Star Ledger 03/13/2019**

Principal Clerk of the Publisher

Sworn to and subscribed before me this 14th day of March 2019

Notary Public



**Essex County Parks Foundation  
Newark, New Jersey**

Public Notice – For the purpose of applying for funding from the New Jersey Department of Environmental Protection Green Acres Program for improvements to Turtle Back Zoo.

Notice is hereby given that the Essex County Parks Foundation, in coordination with the Essex County Department of Parks, Recreation, and Cultural Affairs, intends to make application for funding to the New Jersey Department of Environmental Protection Green Acres Program for the improvement of Turtle Back Zoo. A copy of the application will be on file at the Essex County Parks Foundation and at Green Acres and available for review and comment after the March 30, 2019 submission deadline.

3/13/2019

\$40.30



**COUNTY OF ESSEX**

DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS  
115 CLIFTON AVENUE  
NEWARK, NEW JERSEY 07104  
973-268-3500  
Fax 973-481-5302

**Joseph N. DiVincenzo, Jr.**  
County Executive



**Daniel K. Salvante**  
Director

March 7, 2019

Karen J. Carnevale, RMC  
Township Clerk  
Township of West Orange  
66 Main Street  
West Orange, New Jersey 07052

Dear Ms. Carnevale,

In keeping with the requirements of the New Jersey Department of Environmental Protection's Green Acres Program guidelines, I write to you today on behalf of the Essex County Parks Foundation. This letter is to notify the Township of West Orange of the Essex County Parks Foundation's intention to apply for Green Acres funding. This application will be submitted in coordination with the County of Essex Department of Parks, Recreation, and Cultural Affairs, and will be used to improve Turtle Back Zoo.

Attached please find a copy of the public noticed regarding this project, which will be published on March 13, 2019 in the Star Ledger. On behalf of the Essex County Parks Foundation, I look forward to working together to improve and enhance the facilities at Turtle Back Zoo. If you have any questions or comments, please do not hesitate to contact my office directly.

Sincerely,

Daniel K. Salvante  
Director

# PHOTOGRAPHS

## Site Photos

### *Turtle Back Zoo New Bear Exhibit*

Renderings of Proposed Exhibit



# **LETTERS OF SUPPORT**





## OFFICE OF THE COUNTY EXECUTIVE

Hall of Records, Room 405, Newark, New Jersey 07102

973.621.4400 --- 973.621.6343 (Fax)

[www.essexcountynj.org](http://www.essexcountynj.org)

**Joseph N. DiVincenzo, Jr.**

Essex County Executive

March 1, 2019

Cecile M. Murphy  
Program Specialist  
Green Acres Program  
Mail Code 501-01  
P.O. Box 420  
Trenton, NJ 08625

Dear Ms. Murphy:

The purpose of this letter is to support the Essex County Parks Foundation's application for a Green Acres Program Grant. The proposed project is for the development of a new Polar Bear Exhibit at Essex County Turtle Back Zoo. This funding will enable the Essex County Parks Foundation to assist Essex County in our ongoing initiative to revitalize Essex County Turtle Back Zoo.

Turtle Back Zoo has become a destination of families who are looking for a unique educational and recreational experience to share with their children. It has been accredited by three nationally recognized organizations – the Association of Zoos and Aquariums, the Zoological Association of American and American Humane – evidence of our commitment to providing the highest standard of animal care and our commitment to conservation and education. This grant will support our efforts to develop a Polar Bear Exhibit, which would add to our animal diversity and allow us to expand our efforts to help vulnerable wildlife species. Such a project is in keeping with the Essex County Park, Recreation, and Open Space Master Plan, which specifically lists the rehabilitation of park infrastructure as primary goals.

Receipt of Green Acres funding will allow the Essex County Parks Foundation to help Essex County fulfill its goal of ensuring that the Essex County parks continue to meet the changing recreation and leisure time needs of our residents, to initiate projects that modernize our parks, and to enable us to maximize the use of our open spaces and facilities in a manner that inspires our residence to be proud of their county parks.

If you have any questions or concerns, or if you should require anything further in support of this application, please feel free to contact my office directly. Working together we will continue *Putting Essex County First*.

Sincerely,

  
Joseph N. DiVincenzo, Jr.  
Essex County Executive

*Putting Essex County First*

ESSEX COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER



March 28, 2019

Honorable Joseph N. DiVincenzo, Jr.  
Essex County Executive  
465 Dr. Martin Luther King, Jr. Blvd  
Newark, New Jersey 07102

Dear Mr. DiVincenzo,

I am writing to express support for the proposed improvements to Turtle Back Zoo. The proposed bear exhibit will greatly expand the educational and recreational value of the Zoo and we applaud the County's leadership in seeking funds for this proposed project.

Turtle Back Zoo is one of the most unique resources that Essex County has to offer. There is such great variety presented through different exhibits that help to educate the public and spread information about the importance of wildlife conservation efforts. From youth to school trips to family outings, Turtle Back Zoo is a remarkable place to visit and an important park resource. The new bear exhibit will further enhance the Zoo's value to our community and enhance the visitor experience for thousands of annual visitors.

Once again, thank you for taking a leadership role in improving the Zoo. The improvements will continue to make Turtle Back Zoo one of the most attractive park resources in Essex County.

Sincerely,

Robin Kreiner  
Treasurer  
Rescue Haven Foundation



# **PLANNING BOARD LETTERS**



**COUNTY OF ESSEX  
DEPARTMENT OF PUBLIC WORKS**

ESSEX COUNTY PLANNING BOARD  
900 BLOOMFIELD AVENUE  
VERONA, NEW JERSEY 07044-1393

☎ (973) 226-8500  
☎ (973) 226-7469

**JOSEPH N. DIVINCENZO, JR.  
COUNTY EXECUTIVE**

**Joseph Alessi  
Chairman**

February 25, 2019

Louis LaSalle, President  
Essex County Parks Foundation  
95 Old Short Hills Rd  
West Orange, New Jersey 07052

**RE: NJDEP Green Acres Application  
Essex County Parks Foundation  
New Bear Exhibit at Turtle Back Zoo  
West Orange, Essex County, New Jersey**

Dear Mr. LaSalle,

Please note that the Essex County Planning Board supports the Essex County Parks Foundation's efforts to secure funding for the new bear exhibit at Turtle Back Zoo in West Orange. The proposed project is consistent with our Master Plan and will significantly enhance recreational and open space in our community.

The Essex County Planning Board supports the Essex County Parks Foundation's application because it is consistent with the goals of the Essex County Master Plan to beautify and improve access to open space and/or park facilities within the county. Specifically, the project supports the following goals and objectives of the Master Plan:

- Rehabilitate each County park for the full use and enjoyment of all County residents
- Support local and community-based efforts that preserve open space and that expand the recreational opportunities available to County residents
- Establish partnerships with community groups and user groups that support the County Park System
- Pursue federal, state, and nonprofit funding to improve County Parks, preserve open space, and conserve natural and cultural resources
- Capitalize on the unique features of the Essex County Park System, and provide new recreational programs and facilities to meet the needs of all County residents
- Establish a safe environment in each County park so that every visitor feels secure and at ease

This project is consistent with the New Jersey State Development and Redevelopment Plan, the New Jersey Statewide Comprehensive Outdoor Recreation Plan, and both local and county land use plans, particularly in regards to open space and recreation elements thereof. Specifically, the New Jersey State Development and Redevelopment Plan prioritizes providing maximum active and passive recreational opportunities and facilities at the neighborhood, local, and regional levels by concentrating on the maintenance and rehabilitation of existing parks and open space.

Additionally, the proposed improvements support the goals and objectives of the Together North Jersey Plan, which sets our region's priority goals, and the Federal Partnership for Sustainable Communities livability principles. Specifically, FA13 (Improve stewardship of natural lands, agricultural lands, open space, parks, historic resources) and FA12 (Improve health outcomes for our region's residents).

Thank you for taking the initiative to advance this important project in our community. The Essex County Planning Board supports the Essex County Parks Foundation's effort to acquire grant funding from the New Jersey Department of Environmental Protection's Green Acres Program and wish you the best in securing funding for this project.

If you have any questions, please direct them to me at (973) 226-8500, extension 2580 or [dantonio@essexcountynj.org](mailto:dantonio@essexcountynj.org).

Sincerely,

A handwritten signature in black ink that reads "David Antonio". The signature is written in a cursive, flowing style.

David Antonio, P.P., AICP  
County Planner



**ROBERT D. PARISI**  
*Mayor*

# **TOWNSHIP OF WEST ORANGE**

66 MAIN STREET, WEST ORANGE, N.J. 07052

## **OFFICE OF THE MAYOR**

Tel: (973) 325-4100

Fax: (973) 669-0238

Email: [Mayor@westorange.org](mailto:Mayor@westorange.org)  
[RParisi@westorange.org](mailto:RParisi@westorange.org)

February 25, 2019

Louis LaSalle, President  
Essex County Parks Foundation  
95 Old Short Hills Rd  
West Orange, New Jersey 07052

Dear Mr. LaSalle,

I am writing to express support for the County of Essex's efforts to secure funding for the new bear exhibit at Turtle Back Zoo. The proposed addition of a bear exhibit to Turtle Back Zoo will be of significant benefit to residents of our Township.

The Open Space and Recreation Plan Update for the Township of West Orange (2010) expresses the Township's goal of expanding opportunities for local parks to become important community gathering spaces. This project is in keeping with that goal. By expanding the Zoo's offerings, the County of Essex is providing new, unique, and interesting ways for local families to gather in a recreational open space setting. It will add to the facilities at Turtle Back Zoo, thereby substantially enhancing its benefits to our community. To the extent Green Acres funding is available for this project, we are pleased to express our wholehearted support.

Thank you for considering this project for funding.

Sincerely,

Robert D. Parisi  
Mayor



AN EQUAL OPPORTUNITY EMPLOYER  
[www.westorange.org](http://www.westorange.org)



**COUNTY OF ESSEX, NEW JERSEY  
BOARD OF CHOSEN FREEHOLDERS**

*State of New Jersey,}*  
*County of Essex} ss*

*I Deborah Davis Ford Clerk of the Board of Chosen*

*Freeholders of the County of Essex in the State of New Jersey*

*Do Hereby Certify, the foregoing to be a true copy of a resolution adopted at a  
meeting of said Board on Wednesday*

*the 27th day of March, 2019, together with the certification,  
signatures and endorsements thereon.*

**RESOLUTION NO.- R-2019-00230, 00232**

*IN Testimony WHEREOF, I have hereunto set my  
hand and affixed the official seal of said County at  
Newark this 1st day of  
April A.D. 2019*

*Deborah Davis Ford*

**Clerk**

9

**RESOLUTION OF THE BOARD OF FREEHOLDERS  
COUNTY OF ESSEX**

**RESOLUTION NO.** 12-2019 00232 **AUTHORITY FOR RESOLUTION:** N.J.S.A. 40:41A-38(n)

**PROPOSED BY:** COUNTY EXECUTIVE **AUTHORITY FOR ACTION:** N.J.S.A. 40:41A-36(i)

**SUBJECT:**

**DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS –  
RESOLUTION TO SUPPORT NON-PROFIT ORGANIZATIONS MADE PART HEREOF WHO  
ARE APPLYING FOR GREEN ACRES FUNDS FOR ESSEX COUNTY PARKS**

**WHEREAS**, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition, development, and stewardship of lands for outdoor recreation and conservation purposes; and

**WHEREAS**, the Branch Brook Park Alliance is applying for Green Acres funding for improvements to the Ballantine Gates at Branch Brook Park; and

**WHEREAS**, the Friends of Irvington Park Corp is applying for Green Acres funding for improvements to the ballfields at Irvington Park; and

**WHEREAS**, the Zoological Society of New Jersey, Inc. is applying for Green Acres funding for a new bear exhibit at Turtle Back Zoo; and,

**WHEREAS**, the Essex County Parks Foundation is applying for Green Acres funding for a new bear exhibit at Turtle Back Zoo; and,

**WHEREAS**, the South Mountain Conservancy is applying for Green Acres funding for parking and trail improvements at South Mountain Reservation; and,

**WHEREAS**, the five projects being proposed by nonprofit organizations in Essex County are located at parks and open space properties owned and maintained by the County of Essex; and,

**WHEREAS**, the State shall determine if the applications submitted by nonprofit organizations for projects within the Essex County Parks System are complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

**WHEREAS**, the applicant nonprofit organizations are willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and are willing to enter into an agreement with the State for the above-named projects.

**NOW, THEREFORE, BE IT RESOLVED** by the Essex County Board of Chosen Freeholders

1. That the County of Essex approves of the applications to be submitted by nonprofit organizations and supportive of the proposed improvements within the Essex County Parks System; and,
2. That the County of Essex will enter into a long-term lease or use agreement and a partnership agreement with each of the aforementioned nonprofit organizations, if the project(s) are approved.

RECEIVED  
CLERK OF THE BOARD  
2019 MAR 20 AM 9:15  
ESSEX COUNTY  
BOARD OF  
CHOSEN FREEHOLDERS

Approved as to form and legality

Anthony Accurso  
ESSEX COUNTY COUNSEL

Date

3/14/19

RECORD OF VOTE (X=Vote N.V.=Abstention ABS=Absent)

Moved By Freeholder

Second by Freeholder

Sebold  
Graham

Freeholder	Yes	No	N.V.	ABS	Freeholder	Yes	No	N.V.	ABS
Cooper	✓				Mercado	✓			
Gill, Pres.	✓				Pomares				✓
Graham	✓				Richardson, V.P.	✓			
Johnson	✓				Sebold	✓			
Luciano	✓								

It is hereby certified that the foregoing Resolution was (✓) adopted ( ) defeated ( ) tabled by roll call vote at a Regular meeting of the Board of Chosen Freeholders of the County of Essex, New Jersey held on March 27, 2019.

Is Publication Required ( ) Yes ( ) No

Date Published \_\_\_\_\_

Brendan W. Gill  
Brendan W. Gill, President

Green Acres Program  
db 3/12/19



# PERMITS

## **Permits Required**

### ***Turtle Back Zoo New Bear Exhibit***

At this time, the necessity of obtaining any permits to perform the proposed improvements and enhancements is not anticipated. However, as the project proceeds into the final planning, bidding, an implementation stages, the project will remain in compliance with any and a rules and regulations promulgated by the New Jersey Department of Environmental Protection and any other federal, state, and local rules, regulations, laws, and ordinances, and to the attainment of all necessary permits for building, remediation, and environmental conservation, as needed.

# BY LAWS

Essex County Parks Foundation A New Nonprofit Corporation  
Suggested By-Laws of Essex County Parks Centennial  
A New Jersey Nonprofit Corporation  
Article I

Organization

Section #1 - Name

The name of the non-profit corporation shall be Essex County Parks Foundation-A New Jersey Nonprofit Corporation, hereinafter referred to as the Corporation.

Section #2 - Seal or Letterhead

The seal or letterhead to represent the corporation shall be designed and established by the executive board to represent the corporations mission and function.

Section #3 - Office

The principal office of the corporation is located at 115 Clifton Avenue, Newark, New Jersey. The corporation may establish and maintain offices in any other places as may from time to time be authorized by the executive committee.

## Article VI

### Officers

#### Section I - Powers and Duties of Officers

- a. Chairperson - The chairperson shall serve both as chairperson of the corporation and the executive committee, shall serve as ex officio member of any sub committees or special committees, and preside over all membership meetings.
- b. Vice-Chairperson - The vice-president shall preside over meetings in the absence of the chairperson, prepare necessary reports, serve as liaison to sub committees and head up fundraising programs.
- c. Secretary - The secretary shall keep accurate minutes of all regular meetings and record same. Will coordinate corporation letters and forms of communications and keep all records of corporation business.
- d. Treasurer - The treasurer shall receive and have care and custody of all funds of the corporation under the direction of the Executive Board. Shall co-sign with chairperson or vice-chair all checks for the corporation and keep all books of accounts which shall be open to inspection by officers of the County at all times. Shall serve as an ex officio member of the fundraising and finance committee.

#### Section II - Election of Officers

Officers shall be selected from the general membership and voted into office by majority of members at designated general meetings.

Each sub committee shall elect their own officers of which the chairperson or representative of the sub committee shall serve on the executive board as well.

#### Section III - Ex Officio Members

The chairperson or the executive committee shall appoint ex officio members from time to time as the need arises and special projects call for their need.

#### Section IV

A quorum of membership shall represent 50% of the executive board membership for voting purposes.

## Article II

### Purpose and Powers

#### Section I - Mission

It shall be the mission of the Essex County Parks Foundation A New Jersey Nonprofit Corporation to develop a series of programs and support systems to help recognize the historical and community achievements of Essex County Park System over the past 100 years. The mission is to include fundraising, historical documentation, research, recording, restorations, preservations and promotion of past and present activities of the Essex County Parks Centennial Celebration.

#### Section II - Purposes

The purpose of the corporation shall be education, charitable and historical, within the provision of and meaning of Section 501(C) (3) of the Internal Revenue Code (or corresponding provisions of any future United States Internal Revenue Law), with the purpose being:

1. To unite in one organization all professionals, business and lay people, service organizations and institutions interested in assisting in helping to recognize the 100 year history for the first County Park System in the United States.
2. To help develop a series of fundraising activities to partially or fully fund programs to celebrate and recognize the Essex County Park System's 100<sup>th</sup> Anniversary during the year 1995 and future endeavors.
3. To help research, record and publish the historical events and achievements of the park system to include preservation of important documents and artifacts.
4. To help in the restoration of important historical facilities or park locations for present and future use.
5. To help promote a series of special events, park activities and programs to reflect on the history of the Essex County Park System to include publications, photographic, artistic, media coverage, television coverage, flyers, posters, pamphlets and other handouts.
6. To recognize present and past achievements through award, recognitions and ceremonies of individuals, organizations or institutions who have or are contributions to the historical achievement of the park system.
7. To set up an organized work assignment program for all volunteers with specific work tasks and follow-up evaluation process.

- d. Historical Committee - This committee shall work to research the history of the Essex County Park System, record such findings, recommend restorations, official publications or preservation projects, research documents, records, artifacts and facilities. It shall present historical programs and work with the department to present public programs on the history of the Park System.
- e. Promotion Committee - This committee shall work with the department to promote all activities and events for the Centennial to include media coverage, posters, flyers, pamphlets, articles, billboards or any other media activity approved by the department to help promote the programs of the event.
- f. Awards and Recognition Committee - This committee shall recommend, arrange and solicit awards or plaques for programs, personnel, volunteers, locations or events relating to the Centennial Celebration and the past accomplishments of the park system. Particular attention shall be given to recognition of volunteers and an assigned person to recognize their contribution.
- g. Human Resources Committee - This committee shall recruit, assign, and schedule volunteers, organizations, companies, businesses, institutions, students and lay people to help with all activities and programs of the celebration. The committee shall prepare an assignment list for all volunteers to work on projects for the Parks Department.

## Article VII

### Non-Discrimination

The corporation shall not discriminate in any manner against any person by reason of race, color, sex, handicapped condition, origin or religious or political affiliation.



## Article VIII

### Amendments

The by-laws may be amended by a majority vote of the executive committee and presented to a general meeting of the corporation.

8. To lessen the burdens of the limited resources of the Essex County Department of Parks, Recreation and Cultural Affairs. To assist the parks staff where needed and work to accomplish common goals for the Centennial.
9. To cooperate with public, private and voluntary agencies and organizations for the mutual benefit of the Essex County Parks Centennial Celebration program.
10. To develop an ongoing Parks awareness and community support system for present and future needs, programs and values.

### Section III - Corporation Status

The corporation shall not exercise any power that would

- (a) prevent it from obtaining exemption from federal income taxation as a corporation described in Section 501 (C) (3) of the Internal Revenue Code or
- (b) cause it to lose such status through trade or business for profit.

The Corporation shall not participate or intervene in any political campaign on behalf of any candidate for public office; none of the assets, income or property of the corporation shall inure to the private benefit of any donor, member, administrative council member, officer or other individual; and in the event of liquidation, dissolution or winding up of the corporation the remaining assets of the corporation, after payment of all debts shall be turned over to an Essex County Parks Foundation or the Essex County Department of Parks, Recreation & Cultural Affairs for the exclusive purpose of park preservation and restoration.

## ARTICLE III

### Representation

The Chairman or his or her designee shall represent the corporation in all matters involving the corporations affiliation to the County or County Park System.

## Article IV

### Members

#### Section I - Numbers - Executive Committee

The total members of the corporation shall be approximately 200 active members with an executive committee not to exceed 15 members. Appointed subcommittees as deemed necessary by the executive committee will be established.

#### Section II - Classes

Membership shall be recruited from but not limited to representatives from local businesses, corporations, institutions, organizations, individuals, students, and associates who wish to assist or contribute to the purpose of the corporation for the Centennial.

#### Section III - Dues and Memberships

There will be no set dues to become a member of the corporation. There will be a special category entitled "Contributory Member" where recognition shall be given to persons or organizations who do make contributions to the corporation for the purpose of its centennial activities.

#### Section IV - Voting and Privileges

The power of voting on corporation business or financial transactions shall rest with the executive committee and its appointed officers.

#### Section V - Meetings

- a. There shall be at least one general membership meeting per year to be held on or near the anniversary date of the corporation. At this meeting an annual report shall be presented to the members, the public and county.
- b. The executive committee shall meet at least once a month. Minutes of these meetings shall be kept and recorded accordingly.

## Article V Executive Committee

### Section I - Organization

The executive committee or steering committee as sometimes referred to shall include chairperson, vice chairperson, secretary, treasurer, appointed executive committee general members, and chairperson or representatives of each subcommittee so designated by the executive board. The term of office of each officer shall run for a period of two years.

### Section II - Authority

The executive committee shall have the power to raise and disburse money for the corporation. It shall coordinate with and serve to assist the Park System on centennial activities and it should help to develop support groups or committees to work with Parks Department staff to carry out said mission. The executive committee shall establish their own policies and shall adhere to or follow the Parks Department policies at all times. The executive committee can amend these by-laws by a majority vote of its members. Any office of the executive committee which shall become vacant may be filled on a temporary basis by an appointee made by the chairperson and later ratified by the executive committee. The executive committee shall appoint members to serve on the subcommittees listed in Section III of Article V.

### Section III - Subcommittees

The subcommittees listed below, but not limited, shall carry out specific tasks as assigned and report to the executive committee their needs, progress, schedules and financial bills as needed to accomplish their assigned tasks. All committees shall have necessary officers and designated appointees to the executive committee and shall work with each other on programs or projects.

- a. Fundraising/Finance Committee - This committee shall administer, control, apply and solicit contributions to the corporation for the purpose of the Centennial. They shall record, disburse and approve all financial transactions of the corporations bank account and authorize the needed signatures for checks and deposits.
- b. Program Committee - This committee shall work with the Parks Department staff to help develop, schedule, supply, supervise and promote a series of programs and special events for the Centennial. This will include department and non department programs provided by outside groups. They shall provide a master schedule of events and coordinate with the department for necessary permits and safety standards.
- c. Parks and Facilities Resources Committee - This committee shall be responsible for the support of past and present park facilities to include finding resources, supplies or equipment to help maintain, improve or renovate these facilities for the Centennial celebration in cooperation with the Parks Department maintenance staff.

# **OPERATING AND MAINTENANCE EXPENSES**

## **Operating Costs**

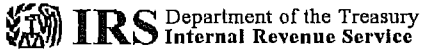
### ***Turtle Back Zoo New Bear Exhibit***

The Essex County Department of Parks, Recreation, and Cultural Affairs owns and operates the project property. The Department operates this park, in addition to the rest of its properties, on an annual budget of approximately \$20 million annually. These funds are allocated generally for personnel, equipment, utilities, and other expenses as they arise, the largest of which is maintenance. Other expenses include those allocated for quality of life programming, which includes, but is not limited to, educational programming, festivals, summer camps, arts & crafts, distance runs, and the staging of roughly thirty annual concerts throughout twenty locations. The budgetary framework of the County park system is such that the Department's maintenance division services the entirety of the County park system, with the most critical cost of operations for county parks is derived mainly from the cost of maintenance.

However, the County does not anticipate the proposed improvements to increase the existing operations and maintenance cost of Turtle Back Zoo. The project site is currently in use as the Wild New Jersey exhibit and requires the expenditure of staff time and other resources within the existing zoo budget. As the site is already an existing zoo exhibit, there are no anticipated increases in the cost of maintenance. Any costs related to operations will be consumed by the Turtle Back Zoo budget as part of operations for the overall Zoo facility.

# **NONPROFIT VERIFICATION**





OGDEN UT 84201-0038

014981.933944.0064.002 1 AB 0.374 540



ESSEX COUNTY PARKS FOUNDATION A NEW  
JERSEY NON-PROFIT CORPORATION  
% CODEY ARENA  
95 OLD SHORT HILLS RD  
WEST ORANGE NJ 07052-1008

014981

CUT OUT AND RETURN THE VOUCHER AT THE BOTTOM OF THIS PAGE IF YOU ARE MAKING A PAYMENT,  
EVEN IF YOU ALSO HAVE AN INQUIRY.

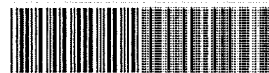
The IRS address must appear in the window.

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BODCD-TE

Use for payments

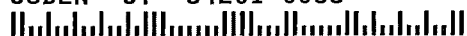
Letter Number: LTR4168C  
Letter Date : 2012-01-30  
Tax Period : 000000



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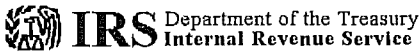
INTERNAL REVENUE SERVICE

OGDEN UT 84201-0038



ESSEX COUNTY PARKS FOUNDATION A NEW  
JERSEY NON-PROFIT CORPORATION  
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95 OLD SHORT HILLS RD  
WEST ORANGE NJ 07052-1008

223315648 TZ ESSE 00 2 000000 670 000000000000



OGDEN UT 84201-0038

In reply refer to: 0438077500  
Jan. 30, 2012 LTR 4168C 0  
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BODC: TE

ESSEX COUNTY PARKS FOUNDATION A NEW  
JERSEY NON-PROFIT CORPORATION  
% CODEY ARENA  
95 OLD SHORT HILLS RD  
WEST ORANGE NJ 07052-1008



014981

Employer Identification Number: 22-3315648  
Person to Contact: Mike Lecker  
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your Jan. 19, 2012, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(03) of the Internal Revenue Code in a determination letter issued in April 1994.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

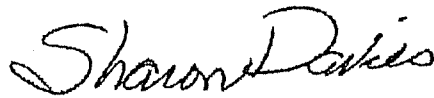
Please refer to our website [www.irs.gov/eo](http://www.irs.gov/eo) for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

0438077500  
Jan. 30, 2012 LTR 4168C 0  
22-3315648 000000 00  
00029550

ESSEX COUNTY PARKS FOUNDATION A NEW  
JERSEY NON-PROFIT CORPORATION  
% CODEY ARENA  
95 OLD SHORT HILLS RD  
WEST ORANGE NJ 07052-1008

If you have any questions, please call us at the telephone number  
shown in the heading of this letter.

Sincerely yours,

A handwritten signature in cursive script that reads "Sharon Davies".

Sharon Davies  
Accounts Management I

SBHCS C/O LOU LASALLE  
95 OLD SHORT HILLS ROAD  
WEST ORANGE, NJ 07052

### Instructions for Recipients

**Account number.** May show an account or other unique number the payer assigned to distinguish your account.

**Amounts shown may be subject to self-employment (SE) tax.** If your net income from self-employment is \$400 or more, you must file a return and compute your SE tax on Schedule SE (Form 1040). See Pub. 334 for more information. If no income or social security and Medicare taxes were withheld and you are still receiving these payments, see Form 1040-ES, Estimated Tax for Individuals. Individuals must report as explained for box 7 below. Corporations, fiduciaries, or partnerships report the amounts on the proper line of your tax return.

**Boxes 1 and 2.** Report rents from real estate on Schedule E (Form 1040). If you provided significant services to the tenant, sold real estate as a business, rented personal property as a business, or you and your spouse elected to be treated as a qualified joint venture, report on Schedule C or C-EZ (Form 1040). For royalties on timber, coal, and iron ore, see Pub. 544.

**Box 3.** Generally, report this amount on the "Other income" line of Form 1040 and identify the payment. The amount shown may be payments received as the beneficiary of a deceased employee, prizes, awards, taxable damages, Indian gaming profits, payments from a former employer because you are serving in the Armed Forces or the National Guard for a period of 30 or fewer days, or other taxable income. See Pub. 525. If it is trade or business income, report this amount on Schedule C, C-EZ, or F (Form 1040).

**Box 4.** Shows backup withholding or withholding on Indian gaming profits. Generally, a payer must backup withhold at a 28% rate if you did not furnish your taxpayer identification number. See Form W-9, Request for Taxpayer Identification Number and Certification, and Pub. 505, for more information. Report this amount on your income tax return as tax withheld.

**Box 5.** An amount in this box means the fishing boat operator considers you self-employed. Report this amount on Schedule C or C-EZ (Form 1040). See Pub. 334.

Report this amount on Schedule C or C-EZ (Form 1040). See Pub. 334.  
**Box 6.** For individuals, report on Schedule C or C-EZ (Form 1040).

**Box 7.** Shows nonemployee compensation. If you are in the trade or business of catching fish, box 7 may show cash you received for the sale of fish. If payments in this box are SE income, report this amount on Schedule C, C-EZ, or F (Form 1040), and complete Schedule SE (Form 1040). You received this form instead of Form W-2 because the payer did not consider you an employee and did not withhold income tax or social security and Medicare tax. Contact the payer if you believe this form is incorrect or has been issued in error. If you believe you are an employee and cannot get this form corrected, report the amount from box 7 on Form 1040, line 7 (or Form 1040NR, line 8). You must also complete and attach to your return Form 8919, Uncollected Social Security and Medicare Tax on Wages.

**Box 8.** Shows substitute payments in lieu of dividends or tax-exempt interest received by your broker on your behalf as a result of a loan of your securities. Report on the "Other income" line of Form 1040.

**Box 9.** If checked, \$5,000 or more of sales of consumer products was paid to you on a buy-sell, deposit-commission, or other basis. A dollar amount does not have to be shown. Generally, report any income from your sale of these products on Schedule C or C-EZ (Form 1040).

Box 10. Report this amount on line 8 of Schedule F (Form 1040).

**Box 13.** Shows your total compensation of excess golden parachute payments subject to a 20% excise tax. See the Form 1040 instructions for where to report.

**Box 14.** Shows gross proceeds paid to an attorney in connection with legal services. Report only the taxable part as income on your return.

**Box 15a.** May show current year deferrals as a nonemployee under a nonqualified deferred compensation (NQDC) plan that is subject to the requirements of section 409A, plus any earnings on current and prior year deferrals.

**Box 15b.** Shows income as a nonemployee under an NQDC plan that does not meet the requirements of section 409A. This amount is also included in box 7 as nonemployee compensation. Any amount included in box 15a that is currently taxable is also included in this box. This income is also subject to a substantial additional tax to be reported on Form 1040. See "Total Tax" in the Form 1040 instructions.

☐ CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. LIVINGSTON SERVICES CORPORATION  94 OLD SHORT HILLS ROAD  WEST ORANGE, NJ 07052 732-923-8612		1 Rents \$ 0.00 2 Royalties \$ 0.00 3 Other income \$ 0.00		OMB No. 1545-0115  <b>2011</b> Form 1099-MISC		Miscellaneous Income	
PAYER'S federal identification no. 222465402		RECIPIENT'S identification no. 223315648		5 Fishing boat proceeds \$ 0.00		6 Medical and health care payments \$ 0.00	
RECIPIENT'S name ESSEX COUNTY PARKS FOUNDATION		7 Nonemployee compensation \$ 2,500.00		8 Substitute payments in lieu of dividends or interest \$ 0.00		<b>Copy B For Recipient</b>  This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.	
Street address (including apt. no.) SBHCS C/O LOU LASALLE 95 OLD SHORT HILLS ROAD		9 Payer made direct sales of \$5,000 or more of consumer products to a buyer (recipient) for resale <input type="checkbox"/>		10 Crop insurance proceeds \$ 0.00			
City, state, and ZIP code WEST ORANGE, NJ 07052		11		12			
Account number (see instructions) 0000147630		13 Excess golden parachute payments \$ 0.00		14 Gross proceeds paid to an attorney \$ 0.00			
15a Section 409A deferrals \$		15b Section 409A income \$		16 State tax withheld \$ 0.00		17 State/Payer's state no.	
						18 State income \$ 0.00	

Form 1099-MISC

(keep for your records)

Department of the Treasury - Internal Revenue Service

872-C

Page July 1993

Department of the Treasury  
Internal Revenue ServiceConsent Filing Period of Limitation Upon  
Assessment of Tax Under Section 4940 of the  
Internal Revenue Code

(See instructions on reverse side.)

OMB No. 1545-0048

To be used with  
Form 1023-Substantive  
in duplicate

Under section 6501(c)(4) of the Internal Revenue Code, and as part of a request filed with Form 1023 that the organization named below be treated as a publicly supported organization under section 170(b)(1)(A)(v) or section 509(a)(2) during an advance ruling period,

Essex County Parks Centennial, a New Jersey Non-profit Corporation

(Exact legal name of organization as shown in organizing document)

115 Clifton Ave., Newark, NJ 07102

(Name, street, city or town, state, and ZIP code)

District Director of  
Internal Revenue, or  
Assistant  
Commissioner  
(Employee Plans and  
Exempt Organizations)

Baltimore, Maryland

Consent and agree that the period for assessing tax (imposed under section 4940 of the Code) for any of the 5 tax years in the advance ruling period will extend 8 years, 4 months, and 15 days beyond the end of the first tax year.

However, if a notice of deficiency in tax for any of these years is sent to the organization before the period expires, the time for making an assessment will be further extended by the number of days the assessment is prohibited, plus 60 days.

Ending date of first tax year December 31, 1994

(Month, day, and year)



Essex County Parks Centennial, a New Jersey Non-profit Corporation

Name of organization (as shown in organizing document)

Louis LaSalle

Date

4/13/95

Officer or trustee having authority to sign

Signature of

Louis LaSalle

Title - Chairperson

For IRS use only

District Director or Assistant Commissioner (Employee Plans and Exempt Organizations)

Date

Carol A. Thurgate

5/4/95

By

Walter J. Humpal Group Manager

For Paperwork Reduction Act Notice, see page 1 of the Form 1023-Substantive.

Cat. No. 1023-0

INTERNAL REVENUE SERVICE  
DISTRICT DIRECTOR  
31 HOPKINS PLAZA  
BALTIMORE, MD 21201

Date:

JUN 26 1995

ESSEX COUNTY PARKS CENTENNIAL  
A NEW JERSEY NONPROFIT CORPORATION  
C/O LOUIS LASALLE  
160 FAIRVIEW AVENUE  
CEDAR GROVE, NJ 07009

*Center*

DEPARTMENT OF THE TREASURY

Employer Identification Number:  
22-3315648Case Number:  
525067094Contact Person:  
MS. L. MONTGOMERYContact Telephone Number:  
(410) 962-3414Accounting Period Ending:  
December 31Foundation Status Classification:  
509(a)(1)Advance Ruling Period Begins:  
August 2, 1994Advance Ruling Period Ends:  
December 31, 1998Addendum Applies:  
Yes

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make a final determination of your foundation status.

If we publish a notice in the Internal Revenue Bulletin stating that we will no longer treat you as a publicly supported organization, grantors and contributors may not rely on this determination after the date we publish the notice. In addition, if you lose your status as a publicly supported organization, and a grantor or contributor was responsible for, or was aware of, the

Letter 1045 (DO/CG)

-2-

## ESSEX COUNTY PARKS CENTENNIAL

act or failure to act, that resulted in your loss of such status, that person may not rely on this determination from the date of the act or failure to act. Also, if a grantor or contributor learned that we had given notice that you would be removed from classification as a publicly supported organization, then that person may not rely on this determination as of the date he or she acquired such knowledge.

If you change your sources of support, your purposes, character, or method of operation, please let us know so we can consider the effect of the change on your exempt status and foundation status. If you amend your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, let us know all changes in your name or address.

As of January 1, 1984, you are liable for social security taxes under the Federal Insurance Contributions Act on amounts of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the private foundation excise taxes under Chapter 42 of the Internal Revenue Code. However, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Internal Revenue Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Donors may deduct contributions to you only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, gives guidelines regarding when taxpayers may deduct payments for admission to, or other participation in, fundraising activities for charity.

You are not required to file Form 990, Return of Organization Exempt From Income Tax, if your gross receipts each year are normally \$25,000 or less. If you receive a Form 990 package in the mail, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If you are required to file a return you must file it by the 15th day of the fifth month after the end of your annual accounting period. We charge a penalty of \$10 a day when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty we charge cannot exceed \$5,000 or 5 percent of your gross receipts for the year, whichever is less. We may also charge this penalty if a return is not complete. So, please be sure your return is complete before you file it.

Letter 1045 (DQ/CG)



-3-

## ESSEX COUNTY PARKS CENTENNIAL

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

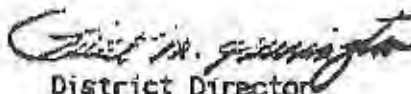
You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, we will assign a number to you and advise you of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

If we said in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help us resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,

  
District Director

Addendum  
Form 872-C

-4-

## ESSEX COUNTY PARKS CENTENNIAL

You are required to make available for public inspection a copy of your exemption application, and supporting documents, and this exemption letter. If you are required to file an annual information return, you are also required to make a copy of the return available for public inspection for three years after the return is due. Failure to make these documents available for public inspection may subject you to a penalty of \$10 per day for each day there is a failure to comply (up to a maximum of \$5,000 in the case of an annual return). See Internal Revenue Service Notice 88-120, 1988-2 C.B. 454, for additional information.

Guidelines under which private foundations may rely on this determination, for gifts, grants, and contributions made after March 13, 1989, were liberalized and published in Rev. Proc. 89-23, Cumulative Bulletin 1989-1, page 844.

Since you have not indicated that you intend to finance your activities with the proceeds of tax exempt bond financing, in this letter we have not determined the effect of such financing on your tax exempt status. You may obtain a confirmation ruling concerning the effect of tax-exempt bond financing on your exempt status from the Exempt Organizations Technical Division, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D. C. 20224, Attn: E:EO.