

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

25

RESOLUTION NO. _____ **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 –
AUTHORIZATION TO USE THE ESSEX COUNTY RECREATION AND OPEN SPACE
TRUST FUND TO FUND DESIGN SERVICES FOR A NEW AMPHITHEATER AT
TURTLE BACK ZOO - IN THE AMOUNT NOT TO EXCEED \$600,000.00**

WHEREAS, the Essex County Department of Parks, Recreation and Cultural Affairs has been working closely with the Essex County Recreation and Open Space Trust Fund Advisory Board relative to specific needs and improvements in the County Park System; and

WHEREAS, on April 10, 2003, the Open Space Trust Fund Advisory Board reviewed and approved the Open Space Master Plan; and

WHEREAS, on July 8, 2019, the Essex County Recreation & Open Space Trust Fund Advisory Board reviewed and approved the allocation of funds for Design Services for a New Amphitheater at Turtle Back Zoo in the amount of \$600,000.00; and

WHEREAS, it is recommended the Essex County Board of Chosen Freeholders approve by resolution the approval of the allocation for Design Services for a New Amphitheater at Turtle Back Zoo, now, therefore be it

RESOLVED, by the Board of Chosen Freeholders of the County of Essex as follows:

1. That the County Executive is hereby authorized to approve the allocation to Fund Design Services for a New Amphitheater at Turtle Back Zoo in the amount not to exceed \$600,000.00 from the Essex County Recreation and Open Space Trust Fund.
2. That this Resolution shall take effect immediately.
3. That two (2) certified copies be forwarded to Daniel K. Salvante, Director, Department of Parks Recreation & Cultural Affairs and one (1) copy to the Chief Financial Officer and one to County Counsel.

RECEIVED
CLERK OF THE BOARD
2019 JUL 10 AM 9:40
ESSEX COUNTY
BOARD OF
CHOSEN FREEHOLDERS

Approved as to form and legality

Brendan W. Gill

Date

7/9/19

ESSEX COUNTY COUNSEL

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

Moved By Freeholder _____

Second by Freeholder _____

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 _____ meeting of the Board of Chosen Freeholders of the County of Essex, New Jersey held on _____.

Is Publication Required () Yes () No

Date Published _____

Brendan W. Gill, President

Open Space - New Turtle Back Zoo Amphitheater
db 7/8/19

July 10, 2019

Meeting Back-up

Documentation for

Resolution No. 25



COUNTY OF ESSEX

DECISION MEMORANDUM

COUNTY EXECUTIVE

BOARD AGENDA ITEM

COUNTY ADMINISTRATOR

DEPARTMENT: Parks

DIVISION: _____

TO: Robert Jackson
County Administrator

FROM: Daniel K. Salvante, Director

DATE: July 9, 2019

RE: **Freeholder Authorization to use Recreation and Open Space Trust Fund dollars based on the recommendation of the Recreation and Open Space Trust Fund Advisory Board to allocate an amount not to exceed \$600,000.00 for design services for a new amphitheater at Turtle Back Zoo**

INTRODUCTION

At their July 8, 2019, meeting, the Essex County Recreation and Open Space Trust Fund Advisory Board approved the allocation of Open Space Trust Fund money in an amount not to exceed \$600,000.00 for design services for a new amphitheater at Turtle Back Zoo (minutes attached).

RECOMMENDATION

It is recommended that the Board of Chosen Freeholders authorize an amount not to exceed \$600,000.00 for design services for a new amphitheater at Turtle Back Zoo.

REASON FOR RECOMMENDATION

These funds will help to continue the revitalization of the Essex County Park System; specifically, with improvements to Turtle Back Zoo.

FISCAL IMPACT

Funds are available in the Essex County Recreation & Open Space Trust Fund.



OFFICE OF ACCOUNTS AND CONTROL
HALL OF RECORDS, ROOM 542
NEWARK, NEW JERSEY 07102

CERTIFICATION OF FUNDS

Vendor Name County of Essex
Account Name Professional Services Trust Fund
Account # 03-287-19-370-001-028
Contract Period (If Applicable)
Purpose of Contract Authorization to use the Essex County Recreation and Open Space Trust
Fund to fund Design Services for a New Amphitheater at Turtle Back Zoo


600,000.00 Contract Amount

Funding

Temporary Budget Amount
Current Fund Budget Amount
Contingent Current Year Amount
Grant Funding
Capital Funding
600,000.00 Trust Funding
Contingent Subsequent Years

I, do hereby certify that the funding is legally appropriated per the above information for the purpose specified in the attached contract. Furthermore, it has been represented to me that the contracts have been processed in accordance with the applicable provisions of the Optional County Charter Law, the Essex County Administrative Code and the Essex County Standard Operating Policies and Procedures.

CM Date: 7/9/2019
Cert: 238


Hossam Mohamed
Temporary Chief Financial Officer

ESSEX COUNTY RECREATION & OPEN SPACE ADVISORY BOARD

MEETING MINUTES

July 8, 2019

5:00 p.m.

Members Present:) Dan Salvante, Anthony Puglisi, Mel Levine, Tara Casella, Chris Weis,
Nicole Williams

Staff/Guests: Kate Hartwyk, Joshua Zaitz, Ann Rosenthal, Janet Liszar, Judith
Rosenthal, Robert Rashkes, Sally Malanga, Harvey Grossman, Marina
Romo, Charlotte Wescott, Gary Van Glick, Loren Svetnilas, Carol Schlitt,
Michael Brick, Susan Hammer

Vice President Mel Levine called the meeting to order at approximately 5:05 p.m.

The minutes of June 6, 2019 were approved.

Financial Report

The financial report was discussed. Approximately \$2.65 million is available.

\$155,318.00 for Weequahic Park Fence

Daniel Salvante discussed with the Board the Weequahic Park Fence Project. He said the project would include:

- *Removal/Restoration of Wrought Iron Fence: 5,600 LF*
- *Restoration of Iron Fence Post and Caps: 1,500 Units*
- *Installation of New Iron Picket fence sections: 1,000 LF*
- *New Iron fence posts and caps: 600 Units*

Nicole Williams made a motion to approve an amount not to exceed \$115,318.00 for the Weequahic Park Fence. Tara Casella seconded the motion. The motion was approved.

\$191,500.00 for Vailsburg Park Perimeter Fence

Dan Salvante discussed with the Board the Vailsburg Park Perimeter Fence Project. The project will include the following:

- *Installation of new steel fence panels: 2,500 LF*
- *Tree trimming.*

Tara Casella made a motion to approve an amount not to exceed \$191,500.00 for the Vailsburg Park Perimeter Fence. Nicole Williams seconded the motion. The motion was approved.

\$600,000.00 for Design Services for the New Amphitheater at Turtle Back Zoo

Kate Hartwyk discussed with the Board the new amphitheater at the Turtle Back Zoo. The design services will include the following:

- The amphitheater must adhere to all federal, state and local laws (i.e. U.S.D.A. and U.S. Fish & Wildlife regulations, N.J.D.E.P. standards, local building codes, etc.) and meet or exceed standards set forth by the Association of Zoos and Aquariums (A.Z.A.), Zoological Association of America (Z.A.A.), and American Humane.
- The consultant shall design an amphitheater stage with a main pool to be approximately 150,000 gallons. The front wall of the pool shall be acrylic window facing the seating. The amphitheater shall comfortably seat 300 guests. There shall be a roof structure covering the seating as well as the pool and stage.
- The stage structure shall be engineered to safely accommodate rigging for lighting and sound.
- Stage set shall include but not limited to LED panel screens with artistic design, various entry points for access, various themed props, custom theatrical sound and lighting package.
- A control booth will be located at the back of the amphitheater that shall be designed to control all aspects of lighting, sound, and special effects. The booth shall have adequate HVAC for heating and cooling.
- Four additional elevated stage platforms will be located throughout the amphitheater connected by a chute system and include a stage lift in each.
- There shall be a 5,000 sq. ft. animal support building consisting of various animal habitats that may include but not limited to aquatic and terrestrial environment, indoor/outdoor yards, food preparation space, office, garage with loading dock, sky lights, interactive guest space, crate storage, walk in freezer and cooler, restroom/scuba locker room.
- HVAC system within animal support building shall provide 10 air changes per hour and will be adjustable within the various habitats to accommodate particular species.
- Two additional outdoor above ground circular pools will be connected to the animal support building. They shall be covered with shade structure and include adequate animal separation and housing. Each pool will hold approximately 40,000 gallons.
- A qualified sub consultant will design life support systems and have at least 5 years verifiable experience.
- Animal support building as well as life support systems will be connected to a generator that will adequately power all systems if there is a loss of power.
- Life Support Systems (LSS) may include but not be limited to sand filtration, protein fractionation; ozone disinfection, pool chiller and heater and will be housed in a separate room.
- A sound engineer shall provide all required to ensure that the amphitheater is adequately engineered for vocal and musical performances to maximize the listening experiencing for the audience.
- A theatrical design sub consultant will design lighting, special effects, and sound coordination for performance.
- The consultant shall include the necessary provision for the demolition and/or removal any exhibit within the new construction site.

Nicole Williams made a motion to approve an amount not to exceed \$600,000.00 for design services for the new amphitheater at Turtle Back Zoo. Chris Weis seconded the motion. The motion was approved.

\$1,538,000.00 for the New Baseball Field at Weequahic Park

Dan Salvante discussed with the Board the new baseball field at Weequahic Park. The project will include the following:

- *Installation of a full Synthetic Turf Baseball Field.*
- *Construction of dugouts*
- *Construction of Synthetic Turf bullpens.*
- *Installation of baseball backstop.*
- *Construction of concrete and asphalt pavement, 5-row bleachers.*
- *Installation of trash receptacles, sports lighting system, scoreboard, outfield distance markers.*
- *Installation of 4', 6' and 10' height PVC coated chain link fence.*
- *Installation of foul poles, flag poles.*
- *Miscellaneous drainage.*
- *Selective trimming and landscape.*

Anthony Puglisi made a motion to approve an amount not to exceed \$191,500.00 for the Vailsburg Park Perimeter Fence. Dan Salvante seconded the motion. The motion was approved.

Additional Items

Vice President Mel Levine addressed the members of the public who attended the meeting and stated that if they have any comments this is portion of the meeting where comments are allowed.

Many members of the public made comments; mostly against the design/creation of the proposed Amphitheater at the Turtle Back Zoo. Those comments – paraphrased – are as follows:

Judy Rosenthal

- Urged the Open Space Advisory Board to take a look at the board's name and place an emphasis on open space
- Lots of flooding in Millburn
- What environmental impacts/effect on wildlife will the amphitheater have?

Janet Liszar

- A third-generation resident who grew up visiting South Mountain Reservation
- Open Space is needed to provide respite from urban areas

- The Reservation should be preserved for future generations. The encroachment just goes on and on. This is not what was intended for the Reservation
- Greatest asset is Open Space and nature
- There are enough amusement parks
- Constituents are the co-owners of the Reservation and its stakeholders.

Charlotte Wescott

- Not normal for wildlife to come visit her backyard including deer, woodchucks and foxes. Why is that? Destruction of their habitat and nowhere else to go.
- Traffic on Northfield Avenue is horrendous. Avoids the area during the weekend.
- Is there an environmental impact study for the amphitheater?
- How will this affect flooding in the area?
- How much ICE money is put into the Essex County Parks System

Sally Malanga

- Shared photos of flooding in South Mountain Reservation from early June with the Board.
- The zoo is turning into a major event complex
- The zoo causes too much traffic and noise.
- What is the environmental impact?
- Requests the Open Space Board withdraw their approval of the \$600,000.00 for the amphitheater design.
- A lot of money from the Open Space Trust Fund is spent on non-open space. Rather, the fund should be used to acquire land.
- The animal entertainment at the amphitheater reminds her of circuses from the 1800s. People should learn about animals in their habitat, not at a parade on stage

Gary Van Glick

- Concurred with previous speakers
- Seen improvements around the reservoir with walking paths for recreation but the focus of the Open Space Advisory Board should be on Open Space; not development of the Reservation as an entertainment complex.
- The amphitheater is not in line with the animals' point of view.
- Concerned with taking down trees.

Robert Rashkes

- When the County was designing the improvements to Riker Hill Art Park, there were several meetings with residents to discuss the project. Why were there no meetings with residents to discuss plans for the amphitheater?
- There should be community meetings to include the opinions of the people who live in the area.
- Waiting for the County to adopt the zoo's updated master plan
- The public has not been informed where the amphitheater will be located
- What kind of sound system will it use?

Ann Rosenthal

- Grew up in the area around the Reservation.
- Remembers how it used to be.
- Sad to see what has happened to the Reservation.
- Is disappointed because the Reservation has turned into something it wasn't intended to be.
- Please reconsider your recommendations

Loren Svetnilas

- Moved to West Orange because it was green, safe and affordable.
- There's nothing "open space" about an amphitheater

Carol Schlitt

- Loves West Orange for its open space, trees, reservation and the ability to have children play in open space
- Doesn't want commercialism in the Reservation
- Wants to preserve open space for picnics, for children to play and for bike riding
- Stop overdevelopment
- The Open Space Board's job is to reflect the voices of the community.

Marina Romo

- During the Christmas season, she can hear the music from the zoo in her house.
- What will the noise level be at the amphitheater?
- How will the noise affect the animals and neighbors?

Susan Hammer

- As a real estate agent, the development of the zoo has been great.
- The zoo has reached a turning point; if it grows any bigger it will not be good.
- The noise level could be harmful to the animals
- Don't turn something good into something horrible.

Harvey Grossman

- Countless auto accidents have occurred due to the amount of traffic from people visiting the zoo.

Mike Bridge

- Ill-advised to do what the Board plans to do with this money.
- Ask the Board to reconsider

The meeting was adjourned at approximately 6:08 p.m.