

EXHIBIT A: Marquand Park Management and Use Agreement

I. Introduction

Marquand Park is an historic preserve of trees and woodlands, as well as open recreation space. The park is located on 17 acres bordered by Lovers Lane, Stockton Street and Mercer Street. There is a small parking lot for approximately 30 cars off Lovers Lane and pedestrian access from either Stockton Street or Mercer Street. The park contains a playground with a play structure and sand pit; softball / baseball field; picnic tables and benches; paved pathways; portable toilet on a seasonal basis; and an arboretum which is home to many native and exotic trees. A map of the park is provided as Exhibit A1.

The park is owned by Princeton. The Recreation Department oversees the active recreation areas (playground and ball field) and the Infrastructure & Operations Department oversees the arboretum and other passive park areas. Permits are issued by the Recreation Department for the group use of the ball field and / or picnic area. The Marquand Park Foundation (MPF) provides certain services in relation to the arboretum in accordance with this Plan.

It is the goal of this Plan to manage Marquand Park to (i) enhance opportunities for passive recreation, including walking and nature study; (ii) enhance opportunities for active recreation; (iii) enable Park users to experience the historic arboretum; (iv) enhance natural and wildlife habitat and prevent invasive species proliferation; (v) ensure public safety through the maintenance of walking paths and tree care; and (vi) avoid potential problems such as littering or unpermitted uses by appropriate policing.

II. Park Use

- A. Marquand Park is open to the public for use of the playground, picnic areas, pathways, and baseball field. Public use of Marquand Park shall only be allowed to the extent and in a manner that will not impair the park's natural, historic and manmade features.
- B. Small organized events are allowed by permit issued by the Recreation Department for groups up to 20 people. The permit application is available on the Princeton Recreation Department website. Larger groups will not be accommodated at this park unless the applicant arranges off-site parking in legal parking locations. Appropriate permits and traffic control assistance (if applicable) shall be sought through the Princeton Clerk's Office for organized events with more than 20 people in attendance.
- C. The Marquand Park Foundation may provide and / or sponsor guided walks / talks regarding the arboretum and history of the park and sponsor and hold

events attracting people to the Park for recreational, historical and participatory activities such as plant-a-tree, pot-a-plant, identify the most trees contests, Arbor Day celebrations, scavenger hunts, tree giveaways and children's events.

- D. The donation of a bench and / or tree will be considered for installation at the Park. A written request shall be made to the Infrastructure & Operations Department. Requests for donations shall be approved or denied by MPF, Recreation Department and the Infrastructure & Operations Department.
- E. The burial of human or pet cremains is not permitted in Marquand Park.

III. Park Flora Guidelines

The woods area located in the eastern area of the Park (as shown on Exhibit A1) shall be maintained with an emphasis on native plantings and the removal of invasive species. Any herbicide, pesticide or fungicide treatments for invasive species or plant disease control shall be approved by the Infrastructure & Operations Department prior to use.

The remaining Arboretum area, excluding the active softball / baseball field and playground, shall be managed to enhance the tree collection of rare and exotic species that are a legacy of the original estate as laid out in the 'Marquand Park Trust Tree Collections and Management Policy' dated April 9th, 2015 (Exhibit A2). A Tree Management Plan for Marquand Park was prepared for the MPF by Morris Arboretum in May 2014 (Exhibit A3) and constitutes the basis for the acquisition and management of the trees at Marquand Park. The Tree Management Plan shall be updated at least every 10 years and submitted to Princeton Recreation Department and Princeton Department of Infrastructure and Operations for review along with any updated versions of the 'Marquand Park Trust Tree Collections and Management Policy'.

No plants listed on the New Jersey Invasive Species Strike Team's (NJISST) 'Do Not Plant List' shall be planted. The annual NJISST Do Not Plant List, updated and distributed by the Friends of Hopewell Valley Open Space, is available on their website.

Habitat manipulation or restoration may be undertaken if preservation of a particular habitat type or species of native flora or fauna is included in the MPF Maintenance Plan and upon approval by Princeton of a specific habitat manipulation or restoration plan.

IV. Park Development Guidelines

- A. Creation of new permanent vehicular access and / or parking shall be prohibited.

- B. Construction of new buildings in the Park shall be prohibited. Other non-habitable structures may be constructed, subject to prior approval by Princeton, provided the structures directly or indirectly contribute to the management objective (e.g. informational kiosks, signs, postings);

V. Management Responsibilities - Princeton

- A. The following tasks shall be performed at the Park by the Princeton Recreation Department:
 - 1. Issuance of permits for small, organized use of the picnic area and / or ball field;
 - 2. Removal of snow from the pathways and parking lot;
 - 3. Provision of trash and recycling receptacles, and collection of waste from same;
 - 4. Maintenance of the water distribution system and water fountain, including payment of the utility invoice;
 - 5. Mowing of all grass areas;
 - 6. Maintenance of picnic tables;
 - 7. Installation and maintenance of a portable toilet for the spring through fall season;
 - 8. Maintenance and new installation of fencing;
 - 9. Maintenance of the playground and sand pit including annual sand replenishment and periodic broken toy removal; and
 - 10. Maintenance of the softball / baseball diamond.
- B. The following tasks shall be performed at the Park by the Department of Infrastructure and Operations:
 - 1. Attendance at quarterly meetings with the MPF;
 - 2. Creation and maintenance of pathways, including paving;
 - 3. Removal of organic debris generated by MPF volunteers. Contractors hired by MPF or Princeton shall be responsible to remove the organic debris generated from their work;
 - 4. Contracting for an appropriate wood mulch installation in specific planted areas. MPF is responsible to pay for 60% of the cost; Princeton is responsible to pay for 40% of the cost.
 - 5. Removal of trees and pruning of tree limbs which pose a danger to the public; and
 - 6. Maintenance of the parking lot as needed, including paving.

VI. Management Responsibilities – Marquand Park Foundation

The following management responsibilities shall be assumed by MPF:

- 1. Creation of a Management Plan for the Arboretum flora, prepared by a licensed arborist;

2. Control and treatment of biologic enemies of the Arboretum flora, including plant species, pests and diseases using biological, mechanical, or chemical methods, as indicated in the Management Plan;
3. Installation of necessary controls to limit deer damage;
4. Planting, pruning, weeding, and watering of trees and other non-lawn landscaping. MPF shall submit tree planting and tree removal / relocation plans to the Department of Infrastructure and Operations for approval prior to work being undertaken;
5. Maintenance of the Wisteria pergola, the Children's Arboretum, the little lending library and the kiosk structures;
6. Installation and maintenance of lightning rods; and
7. Organization of educational outreach and tours including but not limited to the activities outlined in Section II C, as well as clean-up and volunteer events. Any trustees and volunteers of the MPF participating in such activities and events shall be required to sign the Adopt-A-Park Waiver Form approved by Princeton and attached as Exhibit B to this Adopt-A-Park Agreement. Other attendants shall not be required to sign the waiver form to participate in the functions and activities.

VII. Prior Written Approvals Required

1. Requests to conduct scientific research at the Park shall be submitted in writing to the Department of Infrastructure and Operations for approval by Princeton mayor and council.
2. Requests to remove trees 6" or greater DBH and plant trees in the Arboretum shall be submitted to the Department of Infrastructure and Operations for approval by the Municipal Arborist.
3. Requests to use chemical methods for the management of invasive species shall be submitted to the Department of Infrastructure and Operations for approval by the Open Space Manager.
4. Request for donation tree planting and / or bench installations shall be approved by the MPF, Princeton Recreation Department, and Princeton Department of Infrastructure and Operations.
5. MPF shall submit to the Department of Infrastructure and Operations an annual list of proposed public outreach and tour activities sponsored at the Park, including the estimated number of attendees. MPF shall submit updates as needed when changes are made to the proposed list.
6. Projects to add or substantially modify existing pathways and the parking lot shall be reviewed by MPF. MPF shall provide a written review response to Mayor and Council.