

WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

Department of Land Preservation

P.O. Box 179

500 Mt. Pisgah Avenue

Oxford, NJ 07863

Meeting Minutes January 16, 2014

The regular monthly meeting was held at the office of the Department of Land Preservation, 500 Mt. Pisgah Avenue, Oxford, New Jersey. The meeting was called to order by Chairman Schnetzer at 7:37 p.m. An announcement was read as required by the Open Public Meetings Act, N.J.S.A. 10:4-6-21.

Members present: Lou Baduini, Tim Bodine, Frank Gibbs, Joe Gourniak, Jason Menegus, Joel Schnetzer, Wendy Willever

Members absent: none

Others present: C. Tierney, T. Kaminski, Staff; Michael Lavery, Special County Council; Tom Sharko, Alba Vineyards, Won K. Yun, Pohatcong Twp.; Mitchell Jones, Ellen Demeter, White Twp.; Giulia Iannitelli; Gary Pohorely, SADC.

Chairman Schnetzer led the Pledge of Allegiance.

Ms. Kaminski took over the meeting and asked for nominations for Chairman. Mr. Baduini nominated Mr. Schnetzer and Mr. Gibbs seconded the motion.

Roll Call: Mr. Schnetzer – abstain; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Gibbs – yes;
Mr. Gourniak – yes; Ms. Willever – yes; Mr. Menegus – yes

Motion carries.

Chairman Schnetzer took over the meeting from Ms. Kaminski and asked for nominations for Vice-Chairman. Ms. Willever nominated Mr. Baduini, Mr. Bodine seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Gibbs – yes;
Mr. Gourniak – yes; Ms. Willever – yes; Mr. Menegus – yes

Motion carries.

Chairman Schnetzer asked for nominations for Secretary. Mr. Baduini nominated Mr. Gourniak, Ms. Willever seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Gibbs – yes;
Mr. Gourniak – abstain; Ms. Willever – yes; Mr. Menegus – yes

Motion carries.

Minutes of the meeting held on December 19, 2013 were approved on a motion by Mr. Baduini and seconded by Mr. Menegus.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Gibbs – yes;
Mr. Gourniak – yes; Ms. Willever – yes; Mr. Menegus – yes

Motion carries.

Executive Minutes of the meeting held on December 19, 2013 were approved on a motion by Mr. Baduini and seconded by Mr. Gibbs.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Gibbs – yes;
Mr. Gourniak – yes; Ms. Willever – yes; Mr. Menegus – yes

Motion carries.

Correspondence: Noted

Public Input (Non-agenda Items):

Old Business;

Warren County ADA Amendment Resolution #14-01 – Mr. Gourniak made a motion to approve this resolution which was seconded by Mr. Gibbs.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Gibbs – yes;
Mr. Gourniak – yes; Ms. Willever – yes; Mr. Menegus – yes

Mr. Menegus noted that Widdows should be changed to Bartha on the amendment since Mr. Bartha is now the owner. Mr. Tierney confirmed that he will make the change. Motion Carries.

Bartha – BL 12 L 16 & 16.01, Oxford Township, 16.2764 acres

Barton #1 – BL 23 L 1, Independence Township, 21.8501 acres

Oberly – BL 97 L5, Alpha Borough, 7.675 acres

Klimas – BL 14, L 10 & 12.01, Independence Township, 48.999 acres

Total 94.8005 Acres

One request from White Township regarding amending the County ADA for a target farm on their MUNI PIG:

Fratezi – BL 51 L 4, 22.6412 acres

Request from Frelinghuysen Township to amend the County ADA for expansion of their target farm on their MUNI PIG:

BL 201 L 17, 17.02, 21, 22, 23, 31, 32 32.06, 32.07, & 33

Total 337.6021 acres

Total GIS acres for the ADA amendments are 455.0437 and the ADA percentage is at 85.87% of the County's farm assessed land and is below the threshold of 90% per the SADC requirements.

Chelsea Forge Vinters, LLC/Tom Sharko, Alba Vineyards Certification of Commercial Farm Resolution #14-02, BL 110 L 13 & 13.04, Pohatcong Township– Mr. Baduini made a motion to accept the resolution as presented and to memorialize a decision on the certification of Chelsea Forge Vintners at the December 19, 2013 meeting. Mr. Gibbs seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Gibbs – yes;
Mr. Gourniak – yes; Ms. Willever – yes; Mr. Menegus – yes

Motion carries.

New Business:

Mr. Gourniak made a motion to enter into Executive Session which was seconded by Ms. Willever.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Gibbs – yes;
Mr. Gourniak – yes; Ms. Willever – yes; Mr. Menegus – yes

Motion carries. The Board entered into Executive Session at 7:45 pm.

Mr. Gourniak made a motion to come out of Executive Session which was seconded by Mr. Menegus.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Gibbs – yes;
Mr. Gourniak – yes; Ms. Willever – yes; Mr. Menegus – yes

Motion carries. Mr. Lavery stated that the Board came out of Executive Session at 8:08 where the Board discussed attorney/client privilege matters on Chelsea Forge Vintners where no official action was taken and that these minutes will be made available to the public when the CADB deems that there will be no harm to the public.

Mr. Baduini made a motion that this Site Specific Hearing be postponed until next month. Mr. Bodine seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Gibbs – yes;
Mr. Gourniak – yes; Ms. Willever – yes; Mr. Menegus – yes

Motion carries.

McCullough Land Development, LLC, Funding Resolution #14-03 – BL 47, L 9, Washington Township. Mr. Baduini made a motion to accept the funding resolution as presented of WC's cost-share of \$140,595 contingent upon receiving FRPP funding of \$140,595 and to recommend this farm for farmland preservation approval to the Freeholders. Mr. Gibbs seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Gibbs – yes;

Mr. Gourniak – yes; Ms. Willever – yes; Mr. Menegus – yes

Motion carries.

CADB Approval of County Farmland Applications

- **Bartha Farm** – BL 2 L 16 & 16.01, Oxford Twp., BL 15 L 1, White Twp. approx. 50.1 acres. This application meets the minimum eligibility criteria of 25 tillable acres or 50% of the land whichever is less and has a County rank score of 51.76. There are 26.46 tillable acres used for corn and clover, and 15.17 acres of woodland, with Prime Soil consisting of 16.75 and 22.57 acres of Statewide soil. The structures on the premises to be preserved are one single family residence, one barn, 2 silos, one storage facility and one shed. The NJ GIS Mapping indicates that the property contains a Category I stream. The landowner is taking a 1 acre non-severable exception area for future single family residence which the CADB approved the exception area being moved into the woods and to take an exception area around a portion of the excavating business that is located on Lot 16. The Oxford lots are outside the County ADA and are part of the amendment. This farm is located in the West Project Area and in the Highlands Planning Area.

Mr. Gourniak made a motion to approve the Bartha County Farmland Application and for submission to the SADC for preliminary Green Light Approval. Mr. Menegus seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Gibbs – yes; Mr. Gourniak – yes;
Ms. Willever – yes; Mr. Menegus – yes

Motion carries.

- **O'Dowd Farm South** – BL 18 L 3, BL 19 L 1, Greenwich Township, and BL 41 L 1 & BL 42 L 1, Franklin Township, approximately 119 acres. This application meets the minimum tillable acreage eligibility criteria, has a County ranking score of 73.54, 112 tillable acres used for corn, 5 acres of woodland, with 101 acres of Prime Soil, and 17 acres of Statewide soil. This application has a 1 non-severable exception of 1 acre around one existing residence. There is one barn and four silos on premises to be preserved. There is a Transcontinental Gas line easement and water line easement on the property. This application is within the County ADA and in the Southeast Project Area and located in the Highlands Planning Area.

Mr. Baduini made a motion to approve the O'Dowd Farm South County Farmland Application and for submission to the SADC for preliminary Green Light Approval. Mr. Gibbs seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Gibbs – yes; Mr. Gourniak – yes;
Ms. Willever – yes; Mr. Menegus – yes

Motion carries.

- **O'Dowd Farm East** – BL 17 L 1 & 2, Greenwich Township, and BL 40 L 1, Franklin Township, approximately 94 acres. This application meets the minimum tillable acreage eligibility criteria, has a County ranking score of 76.80, 89.5 tillable acres used for corn, 3.35 acres of woodland, with 77 acres of Prime Soil, and 15 acres of Statewide soil. This application has a 1 non-severable exception of 1 acre for future single family residence. There are no structures or easements on the premises to be preserved. There is a Category I Stream, Pohatcong Creek on the premises. This application is within the County ADA and in the Southeast Project Area and located in the Highlands Planning Area.

Mr. Baduini made a motion to approve the O'Dowd Farm East County Farmland Application and for submission to the SADC for preliminary Green Light Approval. Mr. Menegus seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Gibbs – yes; Mr. Gourniak – yes;
Ms. Willever – yes; Mr. Menegus – yes

Motion carries.

- **O'Dowd Farm West** –BL 16 L 6, Greenwich Township, approximately 112 acres. This application meets the minimum tillable acreage eligibility criteria, has a County ranking score of 70.33, 93.99 tillable acres used for corn, 10.17 acres of woodland, with 95.81 acres of Prime Soil, and 15.47 acres of Statewide soil. This application has a 1 non-severable exception of 1 acre around existing single family residence and garage. There are 5 silos, 1 corn crib, 2 storage structures and 2 barns on premises to be preserved. There is a Category I stream, Merrill Creek on the premises. The Morris Canal Public Access & Conservation Easement of 3.6625 acres will be placed on the property. There are gas and water line easements. This application is within the County ADA and in the Southeast Project Area and located in the Highlands Planning Area.

Mr. Gibbs made a motion to approve the O'Dowd Farm West County Farmland Application and for submission to the SADC for preliminary Green Light Approval. Mr. Gourniak seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Gibbs – yes; Mr. Gourniak – yes;
Ms. Willever – yes; Mr. Menegus – yes

Motion carries.

2014 CADB Meeting Schedule - Mr. Gibbs made a motion to approve the 2014 CADB Meeting Schedule which was seconded by Mr. Menegus.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Gibbs – yes; Mr. Gourniak – yes;
Ms. Willever – yes; Mr. Menegus – yes

Motion carries.

Appoint CADB Member to MCCTFC – Mr. Baduini made a motion to nominate Mr. Bodine as the CADB representative to the MCCTFC which was seconded by Mr. Gourniak.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – abstain; Mr. Baduini – yes; Mr. Gibbs – yes;
Mr. Gourniak – yes; Ms. Willever – yes; Mr. Menegus – yes

Motion carries.

Administrator's Report: Mr. Tierney briefly went over the status of the applications on the report.

New Applications:

- **Barton #1** – Mansfield/Independence Twps. (Approx. 43 acres) One lot outside ADA. Processing application.
 - **Barton #2** – Mansfield/Liberty Twps. (Approx. 70 acres) Processing application.
 - **Barton #3** – Mansfield/Liberty Twps. (Approx. 36 acres) Processing application.
 - **Barton #4** – Mansfield/Liberty Twps. (Approx. 49 acres) Processing application.
 - **Burke/Dinsmore Farm #1** – Harmony Twp. (Approx. 81 acres) Processing application.
 - **Burke/Dinsmore Farm #2** – Harmony Twp. (Approx. 18 acres) Processing application.
 - **Kinney Estate** – Blairstown/Knowlton Twps. (Approx. 34 acres) Waiting for subdivision.
 - **Smith/Demers** – Knowlton Twp. & White Twp. (Approx. 79 acres) Investigating access issues with road. Applicant claims lawyer has requested documents regarding parcel ownership in White Twp.; request made to lawyer to acquire access easement from NJ DEP.
 - **Thompson Farm** – White Twp. (Approx. 38 acres) Processing application.
 - **Twin Brook Farm** – Harmony Twp. MUNI PIG (Approx. 22 acres)
- Total Applications: 10 Total Acres: 470**

CADB Approval:

- **Bartha** – White/Oxford Twps. (Approx. 52 acres) Two lots outside ADA.
- **O'Dowd Farm (West) #1** – Greenwich Twp. (Approx. 113 acres)
- **O'Dowd Farm (East) #2** – Greenwich & Franklin Twps. (Approx. 94 acres)
- **O'Dowd Farm (South) #3** – Greenwich & Franklin Twps. (Approx. 119 acres)

Total Applications: 4 Total Acres: 378

Awaiting Green Light Approval:

- **715 Harmony Station Rd. (Crouse, Rich)** – Harmony Twp. (Approx. 108 acres)

- **Bullock (Yellow Rock Horse Farm)** – White Twp. (Approx. 64 acres)
 - **Cericola Farm #1** – Franklin Twp. (Approx. 182 acres)
 - **Cericola Farm #2** – Franklin Twp. (Approx. 31.5 acres)
 - **Klimas** – Independence/Mansfield Twp. (Approx. 174 acres) Two lots outside of ADA.
 - **Oberly, Jack** – Pohatcong/Alpha (Approx. 92 acres) Requested more info.
 - **Paternostro** – Franklin Twp. MUNI PIG (Approx. 40 acres)
 - **Santini, R&S** – Harmony Twp. (Approx. 71 acres) SADC requested town vacate Esposito Rd. through property.
 - **Smith Farm #1, J&K** – Harmony Twp. (Approx. 49 acres)
 - **Smith Farm #2, J&K** – Harmony Twp. (Approx. 53 acres)
 - **Smith, Skip** – Franklin Twp. (Approx. 44 acres)
 - **Meadows at Mansfield** – Mansfield Twp. (Approx. 124 acres) Application on hold until appeal is resolved.
 - **Myers/Toretta** – Franklin Twp. Muni-PIG (Approx. 48 acres)
 - **Smith, John & Jean** – Harmony/White Twp. (Approx. 119 acres)
- Total Applications: 14 Total Acres: 1199.5**

Active Projects:

State Applications

- **Kleindienst** – Frelinghuysen Twp. & Stillwater Twp., Sussex County (Approx. 130 acres, 45 acres in Warren) Survey & Title Search underway.
 - **Santini** – Lopatcong/Greenwich Twp. (Approx. 105 acres) Appraisals underway.
- Total Applications: 2 Total Acres: 150**

County Applications

- **Beaver Brook Farm** – Hope Twp. (Approx. 137 acres) Received appraisals; sent to SADC for CMV.
- **Bowers** – Pohatcong Twp. (Approx. 50 acres) FRPP appraisal review received, closing soon.
- **Brandywine** – Franklin Twp. (Approx. 64 acres) Received GLA 1/6/14.
- **Czar Farm** – Pohatcong Twp. (Approx. 94 acres) Survey underway; requested title search;
- **Cooke** – Hope & Frelinghuysen Twp. (Approx. 59 acre County-PIG) Survey & FRPP appraisal underway, requested title search.
- **Freedom Group, L.P.** – Mansfield Twp. (Approx. 42 acres) CMV \$9,000; awaiting landowner decision.
- **McConnell** – Oxford Twp. (Approx. 52 acres) Under final legal review; ownership issue on Lot 11.
- **McCullough** – Washington Twp. (Approx. 44 acres) Preparing Agreement to Sell Contract.
- **Pruden** – Hope Twp. (Approx. 162 acres) Under final legal review; expect to close soon.
- **Race, Sam & Jean** – White Twp. (Approx. 85 acres) Received GLA, but under revision.

Total Applications: 10 Total Acres: 789

Municipal Applications

- **Apgar Cider Press** – Harmony (Approx. 19 acres - Muni PIG) CMV \$7,000. Received contract.
- **Al-Ruby Farm** (Waters & Schanzlin) – Harmony Twp. (Approx. 27 acres – Muni PIG) CMV \$7,000. In contract review.
- **Anderson** – Knowlton Twp. Muni-PIG (Approx. 119 acres) Appraisals sent for CMV.
- **Erhardt** – White Twp. Muni-PIG (Approx. 27 acres) SADC waiting for closing docs; FRPP Appraisal update ordered.
- **Farley Acres (Stern)** – Harmony Twp. (Approx. 108 acres - Muni PIG) On SADC Agenda for CMV 1/23/14.
- **Schanzlin** – Harmony Twp. (Approx. 87 acres - Muni PIG) CMV \$6,000. In contract review.
- **Walburn Farm** – White Twp., (Approx. 28 acres – Muni-PIG) CMV \$5,900; On SADC Agenda for Final Approval 1/23/14.

Total Applications: 7 Total Acres: 415

Non-profit Applications

- **K-J Farm** – Harmony Twp., Non-Profit (Approx. 104.72 acres) \$3,175 CMV. In contract review.
- **May** – Hope Twp., Non-Profit (Approx. 22.8 acres) \$5,950 CMV. Signed contract, survey ordered.
- **Star D Farm** – Harmony Twp., Non-Profit (Approx. 46.74 acres) \$6,900 CMV. In contract review.

- **Sunny Hill Farm** – Harmony Twp. & Lopatcong Twp., Non-Profit (Approx. 30.647 acres) \$6,650 CMV. Title & Survey underway.
Total Applications: 4 Total Acres: 205

Closings:

- **Ritter** – Knowlton Twp. Muni-PIG (Approx. 7 acres) Closed on 12/30/13!!

Public Comment: None

Adjournment: A motion for adjournment was made by Mr. Baduini and seconded by Mr. Gibbs. Motion carries. Chairman Schnetzer adjourned the meeting at 8:42 pm.

Respectfully submitted,


Teresa Kaminski