

WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

Department of Land Preservation

P.O. Box 179

500 Mt. Pisgah Avenue

Oxford, NJ 07863

Meeting Minutes

January 18, 2018

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 Mr. Schnetzer at 7:31 p.m. An announcement was read as required by the Open Public Meetings Act, N.J.S.A. 10:4-6-21.

Mr. Schnetzer led the Pledge of Allegiance.

Members present: Lou Baduini, Tim Bodine, Bradley Burke, Dave Dempski, Jason Menegus, Joel Schnetzer

Members absent: none

Others present: C. Tierney, T. Kaminski Staff, Katrina Campbell, County Counsel.

Reorganization

Ms. Campbell called for nomination for Chairman. Mr. Baduini nominated Mr. Schnetzer. Mr. Burke seconded the motion. Mr. Baduini made a motion to close the nominations for Chairman which was seconded by Mr. Dempski. Motion carries.

Chairman Schnetzer took over the meeting and asked for nominations for Vice-Chairman. Mr. Bodine nominated Mr. Baduini which was seconded by Mr. Dempski. Mr. Burke made a motion to close the nominations for Vice-Chairman which was seconded by Mr. Dempski. Motion carries.

Chairman Schnetzer asked for nominations for Secretary. Mr. Baduini nominated Mr. Dempski which was seconded by Mr. Menegus. Motion carries.

Approval of 2018 Meeting Schedule

Mr. Dempski made a motion to approve the meeting dates for 2018 which was seconded by Mr. Burke. Motion carries.

Minutes of the meeting held on November 16, 2017 were approved on a motion by Mr. Baduini and seconded by Mr. Burke. Motion carries.

Correspondence: Noted

Public Input (Non-agenda Items): None

Old Business:

PVCA Update

Mr. Tierney expects the analysis reports from the appraisers at the end of February and mid-March.

O'Dowd Auction Update

To be discussed in Executive Session.

Highland Septic Density

Mr. Baduini had stated that, even though Senator Oroho supported the change and made a good effort to the reduction in the septic density in the Highlands region, it was overturned due to the charge against the DEP acting without proper legislation.

Great Meadows Wetlands Mitigation

Mr. Burke brought up the wetlands mitigation issues in the Great Meadows area. Mr. Baduini had stated that the litigation didn't get anywhere and the appeal hasn't been heard by the Court yet. The Board discussed the problem and what they could do to help. Mr. Baduini had stated that Bob Frey wrote an excellent letter regarding how the Highlands Act has affected the economy of this area.

New Business:

Certification of Commercial Farm - Anderson Farm, Richard Anderson, BL 1103 L 9 & BL 1104 L 6 & , Hardwick Township – Tabled until Mr. Tierney examines the receipts provided by Mr. Anderson.

County PIG Applications**Pear Tree Realty, BL 15 L 5, Franklin - CADB Approval to forward to SADC**

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 66.98. There are a total of approximately 63.14 gross acres, 54.87 tillable acres used for field crops, 11.84 acres woodland. There are 40.27 acres of Prime soil and 26.421 acres of Statewide soils. There are no structures on the premises to be preserved and non-ag uses on the premises. There is a one acre exception for future single family residence restricted to one residential unit. There is a 1 +/- acre easement for the Morris Canal. It currently is being leased to the Roger Woolf. The application is located in the SouthEast Project Area and the Highlands Preservation Area and falls into the Pohatcong Valley Contamination Area. Mr. Baduini made a motion to approve the application as presented and to send to the SADC for Green Light Approval. Mr. Menegus seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Burke – yes; Mr. Dempski – yes; Mr. Menegus – yes.
Motion carries.

Dykstra Properties, LLC, BL 601.02 L 44, BL 601.03 L 48 – CADB Approval, was SADC Direct

This application was an SADC Direct application, but fell short in the competitive round and is being transferred as a County Application. 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 56.60. There are a total of approximately 302.91 gross acres, 93.4 tillable acres used for corn and soy, 206 acres woodland. There are 118.17 acres of Prime soil and 24.49 acres of Statewide soils. There is one single family residence and barn on the premises to be preserved. There are three exception areas: 1) 4 acre non-severable exception area for future single family residence restricted to one single family residential unit; 2) 8.5 acre non-severable exception area for existing single family residence & improvement and future flexibility and is restricted to one single family residential unit; and 3) 1 non-severable exception area for the cell tower. It currently is being leased to the Hannema Family. The application is located in the Central Project Area and the Highlands Preservation Area. Mr. Menegus made a motion to approve the transfer from the SADC to the County for application. Mr. Burke seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Burke – yes; Mr. Dempski – yes; Mr. Menegus – yes.
Motion carries.

Resolutions**Nonnenmacher #1 MUNI PIG, BL 506 L 9, 100.52 acres, Blairstown Funding Resolution #18-01**

With normal MUNI PIG Cost Share as follows: SADC Cost Share \$227,175.20 (\$2,260/acre), Warren County Cost Share \$42,218.40 (\$420/acre), Frelinghuysen Cost Share \$42,218.40 (\$420/acre), Total Cost \$311,612 (\$3,100/acre - CMV). There are no existing structures on the premises and no ag labor housing units on premises to be preserved, one non-severable exception of 6 acres for future single family residence restricted to one single family residential unit and for future flexibility of possible non-ag use. No RDSOs allocated, no preexisting non-agriculture uses on premises and no proposed trails. There is the Lackawanna RR ROW 1908 easement on the property and other easements to be determined with title search. The application is in the not in the Highlands.

Nonnenmacher #2 MUNI PIG, BL 506 L 8.04, 16.63 acres, Blairstown Funding Resolution #18-02

With normal MUNI PIG Cost Share as follows: SADC Cost Share \$56,542.00 (\$3,400/acre), Warren County Cost Share \$13,304.00 (\$800/acre), Frelinghuysen Cost Share \$13,304.00 (\$800/acre), Total Cost \$83,150.00 (\$5,000/acre - CMV). There are no existing structures on the premises and no ag labor housing units on premises to be preserved, one non-severable exception of 1 acre on for future single family residence restricted to one single family residential unit and for future flexibility of possible non-ag use. No RDSOs allocated, no preexisting non-agriculture uses on premises and no proposed trails. There is the Lackawanna RR ROW 1908 easement on the property and other easements to be determined with title search. The application is in the not in the Highlands.

Mr. Baduini made a motion to support both Nonnenmacher Farm MUNI PIG funding Resolutions #18-01 and 18-02 as presented and to make a recommendation to the Freeholders which was seconded by Mr. Dempski.

Roll Call: Mr. Bodine – yes; Mr. Baduini – yes; Mr. Dempski – yes; Mr. Burke – yes; Mr. Menegus – yes.
Motion carries.

Executive Session – Mr. Burke made a motion to enter into Executive Session which was seconded by Mr. Dempski. Motion carries. The Board entered into Executive Session at 8:32 pm. Mr. Baduini made a motion to come out of Executive Session which was seconded by Mr. Menegus. Motion carries and the Board came out of Executive Session at 9:10 where Ms. Campbell stated that three issues were discussed, two contractual issues regarding O'Dowd South contract and the O'Dowd East & West auction and the litigation issue brought forth by Henry Riewerts regarding a driveway issue on a preserved farm.

Mr. Baduini made a motion to use the values that was discussed in Executive Session for the minimum bid on the O'Dowd Farms auction and to make that recommendation to the Freeholders. Mr. Burke seconded the motion.

Roll Call: Mr. Bodine – yes; Mr. Baduini – yes; Mr. Dempski – yes; Mr. Burke – yes; Mr. Menegus – yes.
Motion carries.

Noel, Franklin Township – Mr. Menegus brought up the Noel farm in Franklin that was on the Freeholder Agenda for Open Space purchase. The Board requested a list of all land that the Board of Recreation Commissioners is looking at that has agriculture.

Proposed Bee Keeper Rules letter – To be discussed at next meeting.

Administrator's Report: Mr. Tierney went over the report.

New Applications:

County Applications

- **Claeysens** – Liberty Township (Approx. 100 acres) Does not meet minimum eligibility requirements. Landowner stated that more acreage has been cleared. Will require a site visit. Currently has an application with Highlands Council.
 - **DeLorenzo** – Blainstown & Knowlton Townships (Approx. 57.07) Checking on tillable acreage. Asked landowner about adding another lot.
 - **Noel** – Franklin Township (Approx. 44 ac.) On hold pending PVCA review.
 - **Pear Tree Realty** – Franklin Township (Approx. 62 ac.) On hold pending PVCA review. For CADB approval.
 - **Pereira** – Franklin Township (Approx. 30 ac.) On hold pending PVCA review. Applicant wants to enlarge exception area.
- Total Applications: 5 Total Acres: 293**

Non-Profit Applications

- **Heeres** – Harmony Twp. (Approx. 67 ac.)
 - **Hensler** – White Twp. (Approx. 40 ac.)
- Total Applications: 2 Total Acres: 107**

Awaiting Green Light Approval:

County Applications

- **Haydu** – Harmony Township (Approx. 46 ac.).
 - **Hoffman-LaRoche** – White (Approx. 93 ac.)
 - **LaBarre Family Limited Partnership** – Knowlton & Hope Townships (Approx. 107 ac.)
- Total Applications: 3 Total Acres: 246**

Received Green Light Approval:

County Applications

- **Shandor** – Harmony Township (Approx. 100 ac.) Appraisals underway.
- Total Applications: 1 Total Acres: 100**

Municipal Applications

- **Mazza** – Knowlton (Approx. 21 ac.)
- Total Applications: 1 Total Acres: 21**

Received CMV & Offer Made:

County Applications

- **O'Dowd (Water St.)** – Greenwich (Approx. 20 ac.) CMV \$4,500. On hold; O'Dowd South contract terminated.
- Total Applications: 1 Total Acres: 20**

Municipal Applications

- **Pittenger (Dark Moon)** – Frelinghuysen (Approx. 92 ac.) CMV \$3,700. Received Highlands Grant. SADC pulled from Agenda pending contract with Highlands
- Total Applications: 1 Total Acres: 92**

Non-Profit Applications

- **Murlan Farm** – Frelinghuysen Twp. (Approx. 251 ac.) CMV \$4,000. Landowner considering offer.
 - **Shoemaker I** – White Twp. (Approx. 115 ac.) CMV rcvd (\$5,650) Under contract review.
 - **Shoemaker II** - White Twp. (Approx. 12 ac.) CMV \$5,000. Under contract review.
 - **Tjalma II** – Harmony Twp. (Approx. 61 ac.) CMV rcvd (\$4,900) Landowner considering offer. On SADC for final approval.
 - **Tjalma III** – Harmony Twp. (Approx. 36 ac.) CMV \$1,700. Landowner considering offer. On SADC for final approval.
- Total Applications: 5 Total Acres: 475**

Under Contract (Title Search & Survey):

County Applications

- **Smith, John & Jean #1** – Harmony/White Twp. (Approx. 82 ac.) CMV \$4,600. Subdivision resolution received. Inspection performed. Still waiting for Highlands Application to be submitted.
 - **Smith, John & Jean #2** – Harmony (Approx. 36 ac.) CMV \$6,000. Subdivision resolution received. Highlands Council has issue with exemption on this property, trying to get a waiver for the HPAA permits. Inspection performed. Still waiting for Highlands Application to be submitted.
- Total Applications: 2 Total Acres: 118**

Municipal Applications

- **Nonnenmacher #1** – Blairstown (Approx. 106 ac.) CMV \$3,100. Waiting on landowner to sign contract.
 - **Nonnenmacher #2** – Blairstown (Approx. 17 ac.) CMV \$5,000. Waiting on landowner to sign contract.
- Total Applications: 2 Total Acres: 123**

Waiting to Close (Final Legal Review):*County Applications*

- **Apple Mountain**– White Twp. (Approx. 65 ac.) CMV \$3,900. Awaiting response from landowner regarding title issues.
 - **Burke/Dinsmore Farm #1** – Harmony Twp. (Approx. 81 ac.) CMV \$3,500. Closing scheduled for 1/22/18.
 - **Burke/Dinsmore Farm #2** – Harmony Twp. (Approx. 18 ac.) Revised \$7,800. Closing scheduled for 1/22/18.
 - **Unangst** – White Twp. (Approx. 85 ac.) CMV \$3,625. Inspection performed. Estate issues being worked out.
- Total Applications: 4 Total Acres: 249**

Municipal Applications

- **Buckaloo View (Maertens)** – Hope Twp. (Approx. 22 ac.) CMV \$4,200. Closing scheduled for 1/23/18.
 - **Conti** – Knowlton (Approx. 280 ac.) CMV \$3,750. Received draft survey.
 - **DeBoer** – White Twp. (Approx. 56 ac.) CMV \$5,100. CADB & SADC final funding approval.
 - **Murphy Farm** – Frelinghuysen Twp. (Approx. 206 ac.) CMV \$4,800. Closing scheduled for 1/23/18.
- Total Applications: 4 Total Acres: 564**

Withdrawn/Terminated/Other

- **O'Dowd Farm (South) #3** – Greenwich & Franklin Twps. (Approx. 119 ac.)

Recent Closings:

- **Santini/Resnick** – Pohatcong Twp. (Approx. 84.5 ac.) CMV \$4,400. Closed on 12/14/17!
- **Santini/Chambers** – Pohatcong Twp. (Approx. 56 ac.) CMV \$3,000. Closed on 12/14/17!
- **K-J Farm** – Harmony Twp. (Approx. 60 ac.) CMV \$3,850. Closed on 12/29/17!
- **Ardia (High Acres) Farm** – Blairstown Twp. (Approx. 121 ac.) CMV \$4,800. Closed on 1.12.18!

Pohatcong Contamination Area Projects:SADC restrictions and conditions for appraisals:

- **Hart Farm #1** – Franklin Twp. (Approx. 113 acres) Landowner stated revised SADC value not enough, but is reviewing options. Awaiting valuation analysis. Federal Appraisal of \$5,000/ac. being reviewed.
- **Hart Farm #2** – Franklin Twp. (Approx. 267 acres) Landowner stated revised SADC value not enough, but is reviewing options. Awaiting valuation analysis. Federal Appraisal of \$4,250/ac. being reviewed.
- **Myers/Toretta** – Franklin Township (Approx. 38 acres) Applicant wants to do an agricultural lot line adjustment and submit the portion of the parcel that is not in the PVCA for preservation.

Received CMV & Offer Made:

- **Crouse, Carl** – Washington Twp. (Approx. 90 ac.) Estimated CMV \$6,244 removal of two lots. Awaiting valuation analysis. Federal Appraisal of \$5,400/ac. being reviewed.

Under Contract (Title Search & Survey):

- **Smith, Skip #2** – Franklin Twp. (Approx. 22 ac.) CMV \$5,500. Awaiting valuation analysis. Federal Appraisal of \$6,000/ac. being reviewed.

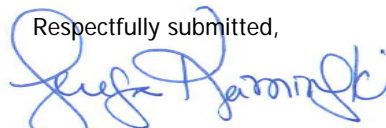
Total Applications: 4 Total Acres: 492

2017 Closings YTD: 12 farms totaling 822.191 acres

Program Totals: 276 farms totaling 24,538 acres

Public Comment – Chairman Schnetzer noted that no one was in the audience to open it up for public comment.

Adjournment: A motion for adjournment was made by Mr. Menegus and seconded by Mr. Bodine. Motion carries. Chairman Schnetzer adjourned the meeting at 9:35 pm.

Respectfully submitted,

 Teresa Kaminski