

WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

Department of Land Preservation

P.O. Box 179

500 Mt. Pisgah Avenue

Oxford, NJ 07863

Meeting Minutes

March 15, 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 Chairman 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.

Chairman Schnetzer led the Pledge of Allegiance.

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

Members absent: Abigail Postma

Others present: C. Tierney, T. Kaminski Staff, Katrina Campbell, County Counsel, Richard Anderson, Hardwick Township, Stefanie Miller, SADC.

Minutes of the meeting held on February 15, 2018 were approved on a motion by Mr. Baduini and seconded by Mr. Menegus. Chairman Schnetzer abstained. Motion carries.

Executive Minutes of the meeting held on February 15, 2018 were approved on a motion by Mr. Baduini and seconded by Mr. Burke. Chairman Schnetzer abstained. Motion carries.

Correspondence: Noted

Public Input (Non-agenda Items): None

Old Business:

O'Dowd Auction Update

To be discussed in Executive Session.

PVCA Update

Mr. Tierney expects the analysis reports from the appraisers at the end of March.

Riewerts Driveway

To be discussed in Executive Session.

New Business:

Certification of Commercial Farm - Anderson Farm, Richard Anderson, BL 1103 L 9 & BL 1104 L 6 & 7, Hardwick Township

Richard Anderson owns BL 1103 L 9 and BL 1104 L 6 & 7 in Hardwick Township. This application meets the eligibility criteria for Certification of a Commercial Farm which is: (1) Five or more acres, applicant supplied tax map, and; (2) \$2,500 annual income from agricultural and/or horticultural products which was provided by 2017 receipts, and; (3) Satisfies the eligibility criteria for differential property taxation pursuant to the Farmland Assessment Act of 1964, applicant provided Farmland Assessment Form (FA-1 Form), and; (4) Is located in an area in which, as of December 31, 1997 or thereafter, agriculture has been a permitted use under the municipal zoning ordinance and is consistent with the municipal master plan. Ms. Campbell swore in Mr. Anderson for testimony. Chairman Schnetzer asked why on the 2017 receipts sales tax was charged to agricultural products. Mr. Anderson replied that he did thought that he was supposed to apply sales tax to the service and product.

Mr. Baduini made a motion to justify the Certification of Commercial Farm for Richard Anderson, BL 1103 L 9 & BL 1104 L 6, in Hardwick Township with condition that if Mr. Anderson seeks a SSAMP, a copy of the 2017 Schedule F would need to be provided. Mr. Bodine seconded the motion.

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

Highlands Open Space Partnership Funding Grant

Mr. Tierney explained to the Board that he had been notified by the Highlands Council that funds became available for the farmland projects that were submitted for a grant that were previously turned down. All of the farms listed except O'Dowd South have applied for Federal Grant funding and O'Dowd South Farm is on hold. The Board discussed the figures for the Highlands Grant and the Federal Grant for the four farms.

- Skip Smith#2 – BL 18 L 26, Franklin Twp.; \$58,586
- Crouse – BL 16 L 4, Washington Twp.; \$282,541
- Hart #1 – BL 34 L 9, Franklin Twp.; \$180,800
- Hart #2 – BL 41 L 3, 5, 13, Franklin Twp.; \$520,600
- O'Dowd South – BL 18 L 3, BL 19 L 1, Greenwich Twp. & BL 41 L 1, BL 42 L 1, Franklin Twp.; \$116,701

Skip Smith #2 and Crouse farms had received CMV. Skip Smith#2 has a fully executed contract and Crouse has a signed offer letter for the amounts. Hart #1 & #2 appraisals were adjusted down approximately 20% for the PVCA. An encumbrance of \$58,586 for Skip Smith #2 and an encumbrance of \$282,541 has already been approved by Freeholder resolutions. For 50% cost-share split with the Highlands Grant amount for Skip Smith #2, the additional amount the County would pay is \$16,665 and for Crouse, the additional amount for the 50% cost-share split would be \$56,917 for the development easement. Mr. Tierney had also discussed with the Board about paying for the Morris Canal easement out of the Open Space funds on Crouse. Mr. Tierney said that he would have to talk to Mr. Hart regarding the figures and get back to the Board. Mr. Baduini made a motion to move forward to accept the Highlands matching grant of up to 50% on both Skip Smith#2 Farm and the Crouse Farm. Mr. Bodine seconded the motion.

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

TLC Non-Profit Cost-share Grant Application 2018

TLC-NJ had noticed the Board on the Non-Profits applications below and will be submitting to the SADC for the next non-profit round. No decision by the CADB needs to be made at this time.

- Mountain View Acres – BL 43 L 10 & 11.01, 55.3 acres, Franklin Twp.
- Deer Haven Farm – BL 1301 L 23.01, 15.36 acres, Frelinghuysen Twp.
- Piper Hill Farms, BL 48 L 72, 27.4 acres, Washington Twp.

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

SADC Update

Ms. Miller stated that the SADC is continuing its outreach with the municipalities regarding Right-to-Farm procedures and issues within the region.

Executive Session – Mr. Baduini made a motion to enter into Executive Session which was seconded by Mr. Dempski.

Roll Call: Mr. Schnetzer - Mr. Bodine – yes; Mr. Baduini – yes; Mr. Burke – yes; Mr. Dempski – yes; Mr. Menegus – yes. Motion Carries. The Board entered into Executive Session at 8:27 pm.

Mr. Baduini made a motion to come out of Executive Session which was seconded by Mr. Bodine.

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

Motion carries and the Board came out of Executive Session at 9:09 pm where Ms. Campbell stated that Riewerts litigation and the O'Dowd potential litigation issues were discussed and no official action was taken.

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

New Applications:

County Applications

- **Anema, Kris** – Washington (Approx. 20 ac.) Processing application.
 - **Anema, Ralph** – Washington (Approx. 115 ac.) Processing application.
 - **DeLorenzo** – Blairstown & Knowlton Townships (Approx. 57.07) Checking on tillable acreage. Asked landowner about adding another lot. Determined ineligible by SADC. *To be removed from next report.*
 - **Nevins** – Allamuchy (Approx. 50 ac.) Processing application.
 - **Noel** – Franklin Township (Approx. 44 ac.) On hold pending PVCA review.
 - **Pear Tree Realty** – Franklin Township (Approx. 62 ac.) On hold pending PVCA review. Need access confirmed.
 - **Pereira** – Franklin Township (Approx. 30 ac.) On hold pending PVCA review. Applicant wants to enlarge exception area.
- Total Applications: 7 Total Acres: 328**

Municipal Applications

- **Del-Gap (McConnell)** – White (Approx. 18 ac.) SADC determined ineligible. *To be removed from next report.*
- Total Applications: 1 Total Acres: 18**

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*

- **Hoffman-LaRoche** – White (Approx. 93 ac.) SADC reviewing previous sludge issue.
- Total Applications: 1 Total Acres: 93**

Received Green Light Approval:*County Applications*

- **Dykstra** – Mansfield Township (Approx. 209 ac.) Appraisals underway.
 - **Haydu** – Harmony Township (Approx. 46 ac.) Appraisals underway.
 - **LaBarre Family Limited Partnership** – Knowlton & Hope Townships (Approx. 107 ac.) RFP's out for appraisals.
 - **Shandor** – Harmony Township (Approx. 100 ac.) Appraisals sent to SADC for CMV.
- Total Applications: 4 Total Acres: 462**

Municipal Applications

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

Received CMV & Offer Made:*County Applications*

Total Applications: 0 Total Acres: 0

Municipal Applications

Total Applications: 0 Total Acres: 0

Non-Profit Applications

- **Tjalma III** – Harmony Twp. (Approx. 36 ac.) CMV \$1,700. Rejected offer. *To be removed from next report.*
- Total Applications: 1 Total Acres: 36**

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. Highlands Application has been 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. Highlands Application has been submitted.
- Total Applications: 2 Total Acres: 118**

Municipal Applications

- **Nonnenmacher #1** – Blairstown (Approx. 106 ac.) CMV \$3,100. Received signed contract. Ordered Title Search.
 - **Nonnenmacher #2** – Blairstown (Approx. 17 ac.) CMV \$5,000. Received signed contract. Ordered Title Search.
- Total Applications: 2 Total Acres: 123**

Non-Profit Applications

- **Murlan Farm** – Frelinghuysen Twp. (Approx. 251 ac.) CMV \$4,000. Survey underway.
 - **Shoemaker I** – White Twp. (Approx. 115 ac.) CMV rcvd (\$5,650) Survey underway.
 - **Shoemaker II** - White Twp. (Approx. 12 ac.) CMV \$5,000. Survey underway.
 - **Tjalma II** – Harmony Twp. (Approx. 61 ac.) CMV rcvd (\$4,900) Survey underway.
- Total Applications: 4 Total Acres: 439**

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.
 - **Unangst** – White Twp. (Approx. 85 ac.) CMV \$3,625. Inspection performed. Estate issues being worked out.
- Total Applications: 2 Total Acres: 150**

Municipal Applications

- **Conti** – Knowlton (Approx. 280 ac.) CMV \$3,750. Final survey received. Engineering department reviewing survey.
 - **DeBoer** – White Twp. (Approx. 56 ac.) CMV \$5,100. Final survey received.
 - **Pittenger (Dark Moon)** – Frelinghuysen (Approx. 92 ac.) CMV \$3,700. Received Highlands Grant. Received final survey.
- Total Applications: 3 Total Acres: 428**

Recent Closings:

None.

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 \$2,325/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 \$3,750/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.) Awaiting valuation analysis. Federal Appraisal of \$4,200/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 \$4,500/ac. being reviewed.

Total Applications: 4 Total Acres: 492

2018 Closings YTD: 5 farms totaling 443.5205 acres

Program Totals: 280 farms totaling 24,861 acres

Adjournment: A motion for adjournment was made by Mr. Dempski and seconded by Mr. Baduini. Motion carries. Chairman Schnetzer adjourned the meeting at 9:24 pm.

Respectfully submitted,

Teresa Kaminski