

WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

Department of Land Preservation

P.O. Box 179

500 Mt. Pisgah Avenue

Oxford, NJ 07863

Meeting Minutes

April 19, 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, Marilyn Heath, Washington Township.

Minutes of the meeting held on March 15, 2018 were approved on a motion by Mr. Baduini and seconded by Mr. Burke. Motion carries.

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

Correspondence: Noted

Public Comment:

Proposed construction of NJ American Water Tower on BL 48 L 78 in Washington Township

Marilyn Heath of Washington Township approached the Board about the construction of the proposed water tower on Block 48 Lot 78 in Washington Township. She stated that the site was an industrial waste dump in started in the 1930's and the dumping stopped when it became illegal in the 1970's and has not been used since 1982. This site is alongside the preserved Heath and Kingsbury farms and also Randy Harrison's farm (which is not preserved). She inherited her farm from her father, and when she was younger, she remembers seeing colored water (red, pink, green, blue) after it rained along the lower field where her grass fed beef cattle now graze. Her father had spent a lot of time cleaning the field. She has four eye witnesses to the dumping on the proposed site. She has asked the DEP to test the dump, they replied that they could not get involved until it leaked, and the EPA could not get involved until the DEP referred to them. She was concerned also because the Washington area's water is contaminated with the Pohatcong Valley Superfund and a breakage in this containment site could cause more contamination to the area. The tower will be 110 feet tall and hold 400,000 pounds of water. She stated that the legacy dump at the Love Canal was contained when left alone, but leaked after construction on the site. The Board discussed its options on the matter. Mr. Tierney read the email from the SADC to NJ American Water regarding the notification due to the CADB & SADC for the proposed construction of the water tower because it was located in the ADA. Mr. Burke made a motion to compose and send a letter to Washington Township Land Use Board and the Mayor to request it be a condition of approval that the CADB & SADC be notified. Mr. Dempski seconded the motion.

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

Old Business:

O'Dowd Farms Remediation Status

Remediation to take place on Wednesday, May 16, 2018.

PVCA Update

Mr. Tierney received one report analysis and the other report is expected end of this month.

Riewerts Driveway

To be discussed in Executive Session.

Executive Session

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

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 8:09 PM.

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

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 8:13 pm where Ms. Campbell stated that Riewerts litigation issue was discussed and that the minutes will be available at a later time to the public when the Board deems there is no harm and no official action was taken.

Highlands Open Space Grant update for Crouse & Skip Smith #2

Mr. Tierney stated that the contracts were ready to be sent out and was reviewing the Deed of Easement. Mr. Tierney spoke with Mr. Hart, but he wasn't optimistic that it would be enough money.

New Business:

Certification of Commercial Farm - Anderson Farm, Richard Anderson, BL 1103 L 9 & BL 1104 L 6 & 7, Hardwick Township Resolution # 18-03 Mr. Menegus made a motion to memorialize the resolution for the Certification of Commercial farm for the action that was taken at the March 15, 2018 meeting. Mr. Baduini seconded the motion.

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

CPIG Applications for CADB Approval

Kris Anema, BL 66 L 1.06, Washington, 23.66 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 69.26. There are a total of approximately 23.66 gross acres, 10 tillable acres used for grain, 12.66 for pastureland with 31 cattle. There are 17.104 acres of Prime soil and 1.723 acres of Statewide soils. There are no structures on the premises to be preserved and non-ag uses on the premises. There is a 4.02 acre exception around the residence, barns and out buildings. The application is located in the SouthEast Project Area and the Highlands Planning Area.

Ralph Anema, BL 66 L 1, Washington, 128.06 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 65.63. There are a total of approximately 128.06 gross acres, 98.28 tillable acres, 32 soybeans & 95 acres wheat, 23.7 woodland. There are 112.97 acres of Prime soil and 5.26 acres of Statewide soils. There are no structures on the premises to be preserved. There is a 6.9 acre exception around the residence. The application is eligible for 1 RDSO and applicant is utilizing that option. The application is located in the SouthEast Project Area and the Highlands Planning Area.

Mr. Menegus made a motion to approve both Anema applications and to forward these two applications to the SADC for Green Light Approval. Mr. Burke seconded the motion.

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

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

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

New Applications:

County Applications

- **Anema, Kris** – Washington (Approx. 20 ac.) On CADB for approval.
- **Anema, Ralph** – Washington (Approx. 115 ac.) On CADB for approval.
- **Nevins** – Allamuchy (Approx. 50 ac.) Does not appear to meet minimum criteria with enough tillable acreage.
- **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: 6 Total Acres: 321

Municipal Applications

Total Applications: 0 Total Acres: 0

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.) On next Freeholder Agenda for appraisal contracts.
- **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

Total Applications: 0 Total Acres: 0

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. Survey underway. Ordered Title Search.
- **Nonnenmacher #2** – Blairstown (Approx. 17 ac.) CMV \$5,000. Survey underway. 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. Engineering department reviewing survey.

Total Applications: 4 Total Acres: 439

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

- **Apple Mountain**– White Twp. (Approx. 65 ac.) CMV \$3,900/\$2,000. Tim Matthews purchased property.
- **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. Engineering department reviewing survey.
- **Pittenger (Dark Moon)** – Frelinghuysen (Approx. 92 ac.) CMV \$3,700. Received Highlands Grant. Received final survey. Engineering department reviewing 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. Landowner accepted offer of \$4,700 for development easement and Highlands Open Space Grant is matching up to 50%.

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. Landowner accepted Highlands Open Space Grant matching up to 50%.


Total Applications: 4 Total Acres: 492

2018 Closings YTD: 5 farms totaling 443.5205 acres
Program Totals: 280 farms totaling 24,861 acres

Chairman Schnetzer discussed with the Board regarding the Annual Warren County Board of Agriculture Legislative Meeting that he feels that any money from the Highlands should go for land preservation. Others suggested to lower property taxes and to keep the Hackettstown Farm Auction Market going.

Adjournment: A motion for adjournment was made by Mr. Baduini and seconded by Mr. Dempski. Motion carries. Chairman Schnetzer adjourned the meeting at 8:32 pm.

Respectfully submitted,



Teresa Kaminski