

**WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD**

Department of Land Preservation

P.O. Box 179

500 Mt. Pisgah Avenue

Oxford, NJ 07863

**Meeting Minutes**

**May 21, 2015**

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 7:35 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, Bradley Burke, David Dempski, Jason Menegus, Joel Schnetzer, Wendy Willever

Members absent: none

Others present: C. Tierney, T. Kaminski, Staff; Michael Lavery, Special County Counsel; Sam Race, White Township; Gary Pohorely, SADC; Attorney Guliet Hirsch, Chris Cotty, Kevin & Stephanie Snyder, Ingrid Gray, Pohatcong Twp., John Anderson, Knowlton Twp.

Chairman Schnetzer led the Pledge of Allegiance.

**Minutes** of the meeting held on April 16, 2015 were approved on a motion by Mr. Baduini and seconded by Mr. Menegus. Motion carries.

**Executive Minutes** of the meeting held on April 16, 2015 were approved on a motion by Mr. Baduini and seconded by Mr. Bodine. Motion carries.

**Correspondence:** Noted

**Public Input (Non-agenda Items):** John Anderson, Knowlton Township thanked the Board on helping to preserve his farm.

**Old Business:**

Chairman Schnetzer moved the discussion of Sam & Jean Race's farm petition for higher appraisal value before the CMV Policy Discussion. Mr. Race had been to the Board several months ago before the Board had decided to set a policy. Mr. Race, however, needed to wait until there were four Board members that could vote on his issue as three members recused themselves due to potential conflicts of interest.

**Sam & Jean Race Farm, White Township** – Mr. Race thought that Ms. Curran's appraisal was accurate by analyzing what was lost by the Highlands Act because her assessment gave his agricultural easement value as \$0. Curran gave the higher appraisal value for the development easement of \$5,900 and the CMV was \$5,700. Mr. Race would like \$200 more per acre which totals \$16,200. This would be paid solely by the County because the SADC does not pay above the CMV. Mr. Rodriguez's appraisal was \$400 lower and Mr. Race felt that the SADC Reviewer appraiser simply chose the middle with the CMV at \$5,700. Mr. Race would like to use the extra money to remove some trees to improve productivity of the farm.

Mr. Schnetzer recused himself because he has a conflict due to harvesting hay off of the farm. Mr. Bodine recused himself because he received revenue from timber sale off of the property and Mr. Menegus recused himself because Mr. Race appointed him to White Township's Open Space Committee and Agricultural Advisory Committee.

Mr. Baduini asked if Mr. Race was aware of the Freeholder's lowering the County's Open Space Tax for the last three years and the limited SADC funding. Mr. Race acknowledged the County's reduction and stated that the extra funding that he is requesting would not come from the SADC. Mr. Tierney went over some ranking numbers and figures on Mr. Race's farm. Mr. Baduini thinks that the CMV is appropriate for the farm. Mr. Race disagrees and thinks the \$200 more, or \$5,900 per acre is more realistic. Mr. Baduini stated that Mr. Race put the Board in an awkward position for paying above CMV just because the farm is in the Highlands and any other applicant can say the same. Mr. Race thinks each case should stand on its own and he believes that this is not creating a precedent for them. Ms. Willever asked if Mr. Race hired another appraisal which he did not. Mr. Tierney explained that even if Mr. Race had hired another appraiser, it would not effect the CMV. Mr. Dempski asked if the County was able to fund the additional \$16,200. Mr. Tierney stated that the County does have funds available. Ms. Willever made a motion to stay with the CMV of \$5,700 per acre for the development easement on the Sam & Jean Race Farm. Mr. Baduini seconded the motion.

Roll Call: Mr. Baduini – yes; Mr. Dempski – yes; Mr. Burke – yes; Ms. Willever – yes  
Motion carries.

Mr. Race would like to change his non-severable exception area from ½ acre to 1 ½ acres. Ms. Willever made a motion to accept the non-severable exception area change in size to 1 ½ acres and if the value per acre changes because of the increase in size to reduce to 1 acre. Mr. Baduini seconded the motion.

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

**Policy Discussion on Paying CMV** – Mr. Tierney had recommended to the CADB three possible factors to consider as criteria: 1) The higher of the two appraisal values is 30% or more above the lower appraisal value; 2) The CMV is equal to the lower of the two appraisal values; or 3) The CMV report contains a significant error which substantially reduces the value and suggested that the farm quality be 90% of the average county score ranking or above (priority farm for the SADC) and a majority vote by the CADB may waive the above criteria for other good causes shown.

Chairman Schnetzer and Mr. Dempski worked on adding some more points to consider for paying above the CMV and they were presented to the Board which are: 4) Responsibility should be on landowner for the expense to appraise again and appraiser must be on the approved list; 5) If wanting the higher appraised value, how will the extra money be used to improve the farm whether it be conservation practices, fencing, etc.; 6) If the Board chooses to use the higher appraised value, a resolution could be passed by a super majority; 7) Farm quality should be the most important reason for the higher value; 8) The Board wants to be proper stewards of the public money and staying with the CMV gives the CADB creditability with the taxpayers.

Chairman Schnetzer stated that farm quality should be the most important reason for higher value. A farm's quality could be measured in terms of greater agriculture production and a higher soil quality. Mr. Tierney stated that out of the 18 counties in the State that participate in preserving farmland, only three responded that they pay above CMV. Those that do pay above CMV have also done so on a case by case basis without a formal policy. Mr. Menegus stated that the applicant could go to the township for more money. Ms. Willever stated that the money should go to the easement. Mr. Bodine added that it should not go for conservation or improvement purposes because he doesn't think the County should pay for that and questioned how that would be monitored. The Board therefore agreed to eliminate #5 from consideration. Mr. Tierney was asked to analyze farm quality metrics and this discussion will continue at the next meeting.

**Roes Island Wetland Mitigation Project** – To be discussed in Executive Session.

**Soil Disturbance Draft Regulations Discussion Update** – Mr. Tierney and the Board discussed some of the summary points from the Second Meeting of April 1, 2015. Mr. Tierney brought up #4 d. "Agricultural development permitted under the DOE may include practices of deep cut and fill when necessary for the agricultural purposes." Chairman Schnetzer stated that this was there because the issue of a landowner wanting to put in a dairy barn or agricultural building and cutting into the side of a mountain or hill instead of placing it in tillable soil.

#### **New Business:**

##### **Certification of a Commercial Farm**

**Snyder Farm – BL 96 L 9.01 & BL 97 L 46, Pohatcong Twp., approx. 16.634 acres** – The Board concluded that 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 Schedule F, 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.

Glenn & Kevin Snyder are the landowners for these blocks and lots. Mr. Snyder stated that he grows 7 acres of pumpkin, ¼ acre of vegetables and family's farm is primarily grain, corn, and soybean. The other 100 acres is under separate deed. Mr. Kevin Snyder verified that the income on Schedule F listed in his name was from the Blocks and Lots on the application. Mr. Tierney asked if the income showed on Schedule F was derived in part from property other than the lots on the application. Mr. Snyder replied, "No". Mr. Tierney showed the amount for selling agricultural products on both the 2013 & 2014 Schedule Fs met the required \$2,500 annual income. Chairman Schnetzer asked if that income was off of the property that they were trying to certify. Mr. Snyder replied, "Right, our piece, our immediate piece, we're farming the whole thing, but that is the piece that we own and that's the piece that we're trying to certify." Chairman Schnetzer replied that the answer given was clear. Chairman Schnetzer stated that if Mr. Tierney was comfortable with the income and that the documentation in the packet was acceptable asked for a motion to approve the certification of this farm. Mr. Baduini made a motion to justify the Certification of Commercial Farm for the Snyder Farm, owner Glenn & Kevin Snyder, BL 96 L 9.01 & BL 97 L 46 in Pohatcong Township. The applicant provided all the required documents for certification. Mr. Burke seconded the motion.

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

**Exercising a RDSO Application – Hartung, BL 96 L 5, Pohatcong Twp.** – Mr. Tierney stated that the SADC held the development easement on this preserved farm and was just presenting this to the Board for comments or any objections. Mr. Dempski made a motion indicating the Board has no objections for the applicant to exercise an RDSO on the parcel. Mr. Menegus seconded the motion.

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

### CADB Resolutions

#### **Phillips Farm, LLC – BL 113 L 20, Pohatcong Twp., Certification of a Commercial Farm Resolution #15-04 Memorialization**

Mr. Baduini made a motion to memorialize the resolution which was seconded by Mr. Bodine.

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

#### **CADB Funding Resolutions Approval of County PIG Application –**

**Estate of Gabriella Klimas Farm Funding Res. #15-05, BL 14 L 10 & 12.01, Independence Twp. & BL 101.02 L 43 & 44, Mansfield Twp., approx.. 195.7 acres (+3%),** SADC Cost Share \$512,734 (\$2,620/acre) Warren County Cost Share \$211,356 (\$1,080/acre), Total Cost \$724,090 at \$3,700/acre. Mr. Baduini made a motion to support the Warren County Cost Share amount for preservation funding on this CPIG farm and to make a recommendation to the Freeholders which was seconded by Mr. Menegus.

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

#### **CADB Funding Resolutions Approval of MUNI PIG Applications –**

**Berry (Shiloh Hill) MUNI PIG Farm Funding Res. #15-06, BL 1803 L 8.01 & BL 1804 L 5 & 6, Frelinghuysen, 106 acres** SADC Cost Share \$400,150 (\$3,775/acre) Warren County Cost Share \$104,675 (\$987.50/acre), Frelinghuysen Township \$104,675 (\$987.50/acre), Total Cost \$609,500 at \$5,750/acre. Mr. Menegus made a motion to support the Warren County Cost Share amount for preservation funding on this MUNI PIG farm and to make a recommendation to the Freeholders which was seconded by Mr. Baduini.

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

#### **Shoemaker (Twin Brook) MUNI PIG Farm Funding Res. #15-07, BL 71 L 12 & 17, White Twp., 22 acres**

SADC Cost Share \$92,400 (\$4,200/acre) Warren County Cost Share \$26,400 (\$1,200/acre), White Township \$26,400 (\$1,200/acre), Total Cost \$145,200 at \$6,600/acre. Mr. Dempski made a motion to support the Warren County Cost Share amount for preservation funding on this MUNI PIG farm and to make a recommendation to the Freeholders which was seconded by Mr. Bodine.

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

### CADB Approval of Farmland Applications for SADC Submission:

**Dale & Pamela Crouse Farm #1, BL 44 L 9, approximately 10.9 net 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 62.50. There are 11.25 tillable acres used for corn. There is Prime Soil consisting of 11.25 acres. There are no structures on the premises to be preserved. The landowner is taking three exceptions: 1) Non-severable exception of 1 acre for future single family residence 2) Severable exception of 6 acres around existing residence & farm buildings 3) Severable exception of .6 acres around Merritt Lane. Merritt Lane is an access easement to adjacent BL 44 L 23.01 and severable exception on application #2. This farm is located in the Highlands Planning Area and in the West project area.

The Board would like the applicant to move the 1 acre non-severable exception closer to the road and would like the 6 acre severable exception area to be reduced or altogether removed. The Board feels that the exceptions are too large for this small parcel; leaving it with less than 11 acres to preserve as farmland. The Board would also like to know if there is legal access on Merritt Lane to the other lot and severable exception area on application #2. Mr. Tierney will contact landowners and will table the consideration for approval next month.

**Dale & Pamela Crouse Farm #2, BL 44 L 23, approximately 38 net 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 60.17. There are 38.5 tillable acres used for corn and hay. There is Prime Soil consisting of 40.583 acres. There are no structures on the premises to be preserved. The landowner is taking three exceptions: 1) Non-severable exception of 1 acre for future single family residence 2) Severable exception of 35.5 acres for Industrial Zoning 3) Severable exception of .9 acres around Merritt Lane. This farm is located in the Highlands Planning Area and in the West project area.

Mr. Bodine made a motion to approve the Dale & Pamela Crouse Farm #2 County Farmland Application and for submission to the SADC for preliminary Green Light Approval contingent upon Merritt Lane access and no biosolid issues with the SADC. Mr. Dempski seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – no; Mr. Dempski – yes; Mr. Burke – yes; Ms. Willever – yes; Mr. Menegus – yes. Motion carries.

**Warren County Soil Conservation Inspection Summary** – Mr. Tierney went over minor concerns noted on several farms this year which included some run-off issues. Mr. Tierney stated that these farms are inspected yearly.

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

New Applications:

*County Applications*

- **Crouse, Dale & Pamela (#1)** – Harmony Twp. (Approx. 54 acres) SADC requested info re sludge & township approval on application. Twp. approved the application. Landowner changed exception area and requested mapping revision from Planning.
  - **Crouse, Dale & Pamela (#2)** – Harmony Twp. (Approx. 17 acres) SADC requested info re sludge & township approval on application. Twp. approved the application. Landowner changed exception area and requested mapping revision from Planning.
- Total Applications: 2            Total Acres: 71**

*Non-Profit Applications*

- **Murlan Farm** – Frelinghuysen Twp. (Approx. 251 acres)
  - **Shoemaker I** – White Twp. (Approx. 115 acres)
  - **Shoemaker II** – White Twp. (Approx. 12 acres)
  - **Tjalma II** – Harmony Twp. (Approx. 61 acres)
  - **Tjalma III** – Harmony Twp. (Approx. 36 acres)
- Total Applications: 5            Total Acres: 475**

Awaiting Green Light Approval:

*County Applications*

- **Apple Mountain** – White Twp. (Approx. 70 acres)
  - **715 Harmony Station Rd. (Crouse, Rich)** – Harmony Twp. (Approx. 108 acres) SADC requested DEP info & township approval on application. Twp. approved the application.
  - **Hart Farm #1** – Franklin Twp. (Approx. 113 acres)
  - **Hart Farm #2** – Franklin Twp. (Approx. 267 acres)
- Total Applications: 4            Total Acres: 558**

*Municipal Applications*

- **Campbell Foundry Company** – Hope (Approx. 170 acres)
  - **Croucher** – Blairstown (Approx. 90 acres)
  - **Heatherfields** – Harmony Twp. (Approx. 78 acres)
  - **Myers/Toretta** – Franklin Twp. (Approx. 64.42 acres) Landowner acquiring 5 more acres. Will resubmit application.
  - **Post** – Frelinghuysen Twp. (Approx. 41 acres)
  - **Rothman (Oxbow Acres)** – White Twp. (Approx. 57 acres) Revised application submitted to SADC with 7 acre lot for autistic home.
  - **Spencer (Terra Bella Farm)** – White (Approx. 20 acres)
- Total Applications: 7            Total Acres: 520**

*State Applications*

- **Oberly, Jack** – Pohatcong/Alpha (Approx. 92 acres) On hold pending resolution of zoning issue.
  - **Santini/Resnick** – Pohatcong Twp. (Approx. 84.5 acres) On hold pending resolution of zoning issue.
  - **Santini/Chambers** – Pohatcong Twp. (Approx. 56 acres) Application is still with the SADC; they're trying to resolve issue with a landlocked parcel.
- Total Applications: 3            Total Acres: 232.5**

Received Green Light Approval:

*County Applications*

- **Bartha** – White/Oxford Twps. (Approx. 52 acres) Received one appraisal and awaiting second.
  - **Brandywine** – Franklin Twp. (Approx. 64 acres) Appraisals sent to SADC for CMV. Additional information needed from township regarding COAH and Zoning.
  - **Crouse, Carl** – Washington Twp. (Approx. 120 acres) RFP's out for appraisals.
  - **Jones, Mitchell** – Franklin/Harmony Twps. (Approx. 28 acres) Received one appraisal and awaiting second.
  - **Tasevski** – Franklin Twp. (Approx. 88 acres) RFP's out for appraisals.
- Total Applications: 5            Total Acres: 352**

*Municipal Applications*

**Total Applications: 0      Total Acres: 0**

*State Applications*

**Total Applications: 0      Total Acres: 0**

Received CMV & Offer Made:

*County Applications*

- **Barton #1** – Mansfield/Independence Twps. (Approx. 43 acres) CMV \$4,500. Offer letter sent to landowner
  - **Barton #2** – Mansfield/Liberty Twps. (Approx. 70 acres) CMV \$4,800. Offer letter sent to landowner.
  - **Barton #3** – Mansfield/Liberty Twps. (Approx. 28 acres) CMV \$5,800. Offer letter sent to landowner.
  - **Burke/Dinsmore Farm #1** – Harmony Twp. (Approx. 81 acres) \$3,500 CMV. Offer letter sent to landowner (trail easement).
  - **Burke/Dinsmore Farm #2** – Harmony Twp. (Approx. 18 acres) CMV \$6,100. Landowner accepted offer.
  - **O'Dowd Farm (East) #2** – Greenwich & Franklin Twps. (Approx. 94 acres) CMV Received; offer made to landowner.
  - **O'Dowd Farm (West) #1** – Greenwich Twp. (Approx. 113 acres) CMV Received; offer made to landowner.
  - **O'Dowd Farm (South) #3** – Greenwich & Franklin Twps. (Approx. 119 acres) CMV Received; offer made to landowner.
  - **Race, Sam & Jean** – White Twp. (Approx. 85 acres) CMV \$5,700. Offer letter sent to landowner.
  - **Smith, John & Jean #1** – Harmony/White Twp. (Approx. 82 acres) CMV \$4,600. Sent contract out.
  - **Smith, John & Jean #2** – Harmony (Approx. 36 acres) CMV \$6,000. Sent contract out.
  - **Smith, Skip #2** – Franklin Twp. (Approx. 22 acres) CMV \$5,500. Offer letter sent to landowner.
  - **RLL Enterprises, Inc.** – Franklin Twp. (Approx. 51 acres) CMV \$7,600. Accepted offer. Inquiring appraisers about increase to exception area from 1 acre to 2.5 acres regarding value.
  - **Thompson Farm** – White Twp. (Approx. 38 acres) CMV \$3,600. Landowner accepted offer. Sent out contract.
  - **Sigler, Carl** – Franklin Twp. (Approx. 174 acres) CMV \$4,600. Offer letter sent. Morris Canal trail on severable exception.
  - **Unangst** – White Twp. (Approx. 85 acres) CMV \$3,625. Offer letter sent.
- Total Applications: 16      Total Acres: 1139**

*Municipal Applications*

**Total Applications: 0      Total Acres: 0**

*State Applications*

- **Hannema** – SADC Direct - Mansfield Twp. (Approx. 164 acres) CMV \$2,900.
- Total Applications: 1      Total Acres: 164**

Under Contract (Title Search & Survey):

*County Applications*

- **Klimas** – Independence/Mansfield Twp. (Approx. 190 acres) CMV \$3,700. CADB Funding approval. Ordered title search & RFP's for surveys.
  - **Smith Farm #1, J&K** – Harmony Twp. (Approx. 49 acres) CMV \$6,000. Received title search & survey underway.
  - **Smith Farm #2, J&K** – Harmony Twp. (Approx. 53 acres) CMV \$5,500. Received title search & survey underway.
- Total Applications: 3      Total Acres: 292**

*Municipal Applications*

- **Berry Farm** – Frelinghuysen Twp. (Approx. 106 acres) CMV \$6,250. CADB Funding approval.
  - **Twin Brook Farm** – White Twp. (Approx. 22 acres) CMV \$6,600. CADB Funding approval.
- Total Applications: 2      Total Acres: 128**

*State Applications*

**Total Applications: 0      Total Acres: 0**

*Non-profit Applications*

- **K-J Farm** – Harmony Twp. (Approx. 104.72 acres) \$3,175 CMV. Received draft survey.
  - **Star D Farm** – Harmony Twp. (Approx. 46.74 acres) \$6,900 CMV. Received draft survey.
- Total Applications: 2      Total Acres: 152**

Waiting to Close (Final Legal Review):

*County Applications*

- **Bullock (Yellow Rock Horse Farm)** – White Twp. (Approx. 64 acres) CMV \$3,900. Received title commitment & final survey.
  - **Cericola Farm #1** – Franklin Twp. (Approx. 182 acres) CMV \$6,200. Requested title search & survey revisions.
  - **Cericola Farm #2** – Franklin Twp. (Approx. 31.5 acres) \$6,000. Requested title search & survey revisions.
  - **Kinney Estate** – Blairstown/Knowlton Twps. (Approx. 34 acres) CMV \$5,600.
- Total Applications: 4      Total Acres: 311.5**

*Municipal Applications*

- **Apgar Cider Press** – Harmony (Approx. 19 acres) CMV \$7,000. Final inspection performed.
- **Schanzlin** – Harmony Twp. (Approx. 87 acres) CMV \$6,000. Final inspection performed.

- **Walburn Farm** – White Twp. (Approx. 28 acres) CMV \$5,900. Final inspection performed.  
**Total Applications: 3            Total Acres: 134**

*State Applications*

**Total Applications: 0            Total Acres: 0**

Recent Closings:

- **Santini** – Lopatcong/Greenwich Twps. (Approx. 93 acres), \$6200/ac., State Direct, Closed on 5/20/15!
- **Al-Ruby Farm** (Waters & Schanzlin) – Harmony Twp. (Approx. 27 acres), \$7,000/ac., Muni-Pig, Closed on 5/8/15!
- **Anderson** – Knowlton Twp. (Approx. 119 acres) \$5,200/ac., Muni-Pig, Closed on 4/17/15!
- **Frelinghuysen Twp. Farm** – Frelinghuysen Twp. (Approx. 27.804 acres), \$3,597/ac., 1772 Foundation, Closed on 4/17/15!
- **McCullough** – Washington Twp. (Approx. 44 acres) \$7,000/ac., NJCF/FRPP, Closed on 4/17/15!
- Total: 5 farms comprising 311 acres

2015 Closings YTD: 7 farms totaling 452 acres

Program Totals: 243 farms totaling 22,226 acres

**Public Comment** – Ingrid Gray, Pohatcong Township resident stated that she was a farmer in Readington for 20 years. Ms. Gray asked questions about the Agenda items and if they are available for public comment at any time. Chairman Schnetzer stated that the Certification for Commercial Farm determination does not require public comment from the audience to make the determination. Ms. Gray inquired about getting the handouts for the CADB packets and handouts at the meeting, if they were available to the public. Chairman Schnetzer stated that they were available to the public. Ms. Gray asked about the AMP State law and the WC Soil Inspection Reports regarding run-off in Pohatcong near Finesville. Mr. Lavery stated that a RTF complaint could be made to the CADB or the Township Engineer could be contacted.

**Executive Session** – Mr. Baduini made a motion to enter into Executive Session which was seconded by Mr. Menegus.  
Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Dempski – yes; Mr. Burke – yes; Ms. Willever – yes; Mr. Menegus – yes. Motion carries.

Mr. Lavery stated that the Board entered into Executive Session to discuss the O'Dowd contractual matter and the Roes Island Wetlands Mitigation Project potential litigation matter at 9:22 pm.

Mr. Baduini made a motion to come out of Executive Session which was seconded by Mr. Burke.  
Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Dempski – yes; Mr. Burke – yes; Ms. Willever – yes; Mr. Menegus – yes. Motion carries.

Mr. Lavery stated that the Board came out of Executive Session at 9:49 pm where attorney/client privileges were discussed regarding contractual matters with the O'Dowd properties and the Roes Island Wetlands Mitigation and possible litigation matters where no official action was taken and these minutes will be available to the public when the CADB deems there will be no harm to the public.

**O'Dowd Properties** – An offer was made for the open space property and the farmland preservation parcels in November 2014. A letter was sent by Mr. Tierney on March 23, 2015 to give 60 days from date of letter regarding an answer which expires on May 22, 2014. Their attorney sent a letter requesting a 90 day extension. Mr. Baduini made a motion to give the O'Dowds 10 more working days from date of letter to respond. Mr. Bodine seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Dempski – yes; Mr. Burke – yes; Ms. Willever – yes; Mr. Menegus – no. Motion carries.

**Adjournment:** A motion for adjournment was made by Mr. Baduini and seconded by Mr. Dempski. Motion carries. Chairman Schnetzer adjourned the meeting at 9:51 pm.

Respectfully submitted,



Teresa Kaminski