

WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

Department of Land Preservation

P.O. Box 179

500 Mt. Pisgah Avenue

Oxford, NJ 07863

Meeting Minutes

June 16, 2016

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 Vice-Chairman Baduini at 7:33 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, Dave Dempski, Jason Menegus, Joel Schnetzer, Wendy Willever

Members absent:

Others present: C. Tierney, Staff, Richard Keiling, Substitute Special County Counsel, John Chisamore, Harmony Township, Gary Pohorely, SADC.

Vice-Chairman Baduini led the Pledge of Allegiance.

Minutes of the meeting held on May 19, 2016 were approved on a motion by Mr. Bodine and seconded by Mr. Menegus. Mr. Burke abstained. Motion carries.

Chairman Schnetzer just arrived and took over the meeting.

Correspondence: Noted

Public Input (Non-agenda Items): None

Old Business:

Roes Island Wetland Mitigation Project – Mr. Baduini stated that the brief was submitted on June 10th and will keep us posted.

Erhard SSAMP Memorialization of Resolution #16-09, BL 24 L 5, Oxford Township – Mr. Baduini made a motion for memorialization of the resolution as presented. Mr. Bodine seconded the motion.

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

Hackettstown Area Senior Hall of Fame Luncheon to Honor Frank Gibbs – Mr. Baduini informed the Board that he attended the luncheon for Frank Gibbs who the Board supported the nomination for Area Senior Hall of Fame Award given by Hackettstown Regional Medical Center Foundation. The foundation recognizes senior citizens in the Northwest New Jersey region who have made a significant impact on the lives of others in the community, primarily through volunteerism.

New Business:

Mitchell Jones Certification of Commercial Farm, BL 11 L 9, White & BL 13 L 1.02, Harmony – Mr. Baduini and Mr. Bodine recused themselves from the certification due to conflict. 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 2014 & 2015 Schedule F Profit and Loss Form, 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. Willever made a motion to justify the Certification of Commercial Farm for the Mitchell Jones Farm, owner Mitchell Jones, BL 11 L 9, White & BL 13 L 1.02, Harmony Township, approximately 6.45 acres. The applicant provided all the required documents for certification. Mr. Burke seconded the motion.

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

Mr. Baduini and Mr. Bodine rejoined the meeting.

MUNI PIG Farm Applications Approval on Cost-Share

Rothman Farm, White MUNI PIG Funding Resolution #16-12, BL 33 L 20 & 20.02, 48.32 net acres - SADC Cost Share \$135,296 (\$2,800/acre) Warren County Cost Share \$28,992 (\$600/acre), White Township Cost Share \$28,992 (\$600/acre), Total Cost \$193,280 (\$4,000/acre), approximately 48.32 net acres. Mr. Baduini made the motion to support the Warren County Cost Share amount for the preservation funding on this MUNI PIG farm and to make a recommendation to the Freeholders which was seconded by Ms. Willever.

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

Decision whether to Pre-acquire Easements with no current SADC CPIX Funding

Farms Ready for SADC Legal & Survey Review

Apple Mountain, BL 16 L 23, White Twp., 64.945 net acres

High Agricultural Priority Area

Bartha, BL 2 L 16, Oxford, BL 15 L 1, White Twp., 40.515 acres

Not in either priority either.

Mr. Tierney reported that the Governor vetoed the funding again and that our state legislators voted against the appropriation bill. If these farms are pre-acquired, the County has up to three years from closing date to receive SADC cost-share on the preservation. The Corporate Business Tax funding allocation has already been delayed for approximately two years now. The Highlands Open Space Partnership Program's grant application deadline for the County is September 15th. There is approximately 9 million available through this program and HDC purchase program. The Highlands grant program provides up to 50% of cost share. Mr. Tierney recommended the CADB apply for farms that are in the Highlands Priority Areas. Mr. Tierney will look into how the Highlands Grant would be factored in to the cost-share if the SADC funding became available again.

Mr. Burke made a motion to apply to Highlands Council for a grant for 50% cost-share on the Apple Mountain & Bartha Farms, both in White Township. Mr. Dempski seconded the motion.

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

Rymon, BL 71 L 5, Washington Township, approx. 96 acres Fee Simple - The landowner turned down The Land Conservancy of NJ's offer to purchase in fee simple. TLC-NJ's offer was based on the appraisal they ordered. The landowner reportedly received a higher offer for the property.

Administrator's Report:

New Applications:

County Applications

Total Applications: 0 Total Acres: 0

Municipal Applications

- **The LaBarre Family Limited Partnership** – Knowlton & Hope Townships (Approx. 107 acres) Once a County application, landowner changed to MUNI PIG. Still awaiting to receive MUNI PIG application.
 - **Zukoski Farm** – Hope Twp. (Approx. 52 acres) Did not receive Green Light; asked by SADC to include additional lot.
- Total Applications: 2 Total Acres: 159**

Non-Profit Applications

- **Murlan Farm** – Frelinghuysen Twp. (Approx. 251 acres) SADC preliminary approval in November, but no funding yet.
 - **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

- **Crouse, Dale & Pamela** – Harmony Twp. (Approx. 50 acres) Questionable development access; awaiting landowner's decision.
 - **O'Dowd (Water St.)** – Greenwich (Approx. 20 acres) Greenwich will not participate.
- Total Applications: 2 Total Acres: 70**

Municipal Applications

- **Buckaloo View** – Hope Twp. (Approx. 22 acres)

- **Nonnenmacher #1** – Blairstown (Approx. 106 acres)
- **Nonnenmacher #2** – Blairstown (Approx. 17 acres)
- **Total Applications: 3 Total Acres: 145**

Received Green Light Approval:

County Applications

- **715 Harmony Station Rd. (Crouse, Rich)** – Harmony Twp. (Approx. 108 acres) Received one appraisal.
- **Total Applications: 1 Total Acres: 108**

Municipal Applications

- **Murphy Farm** – Frelinghuysen Twp. (Approx. 206 acres)
- **Total Applications: 1 Total Acres: 206**

Received CMV & Offer Made:

County Applications

- **Burke/Dinsmore Farm #1** – Harmony Twp. (Approx. 81 acres) CMV \$3,500.
- **Burke/Dinsmore Farm #2** – Harmony Twp. (Approx. 18 acres) CMV \$6,100. Applicant's engineer reviewing exception area.
- **Total Applications: 2 Total Acres: 99**

Municipal Applications

- **Heatherfields** – Harmony Twp. (Approx. 78 acres) \$5,200 CMV. Waiting for town to authorize offer.
- **High Acres Farm** – Blairstown Twp. (Approx. 121 acres) CMV \$4,800.
- **Malon Farm** – Hope Twp. (Approx. 65 acres) CMV Received.
- **Post** – Frelinghuysen Twp. (Approx. 41 acres) \$4,400 purchase price. Resolution on Twp. agenda 5/18.
- **Rothman (Oxbow Acres)** – White Twp. (Approx. 57 acres) – CMV \$4,000. Waiting for landowner to sign contract.
- **Spencer (Terra Bella Farm)** – White (Approx. 20 acres) CMV \$5,700. Waiting for landowner's decision.
- **Total Applications: 6 Total Acres: 382**

Under Contract (Title Search & Survey):

County Applications

- **Apple Mountain**– White Twp. (Approx. 65 acres) CMV \$3,900. Received draft survey. *CADB to decide on pre-acquisition.**
- **Bartha** – White/Oxford Twps. (Approx. 40 acres) CMV \$4,500. Received draft survey. *CADB to decide on pre-acquisition.**
- **Barton #1** – Mansfield/Independence Twps. (Approx. 35 acres) CMV \$4,500. Received draft survey. Awaiting landowner.
- **Barton #2** – Mansfield/Liberty Twps. (Approx. 70 acres) CMV \$4,800. Received draft survey. Awaiting landowner.
- **Barton #3** – Mansfield/Liberty Twps. (Approx. 27 acres) CMV \$5,800. Received draft survey. Awaiting landowner.
- **Klimas** – Independence/Mansfield Twp. (Approx. 190 acres) CMV \$3,700. Received title search & draft survey.
- **O'Dowd Farm (East) #2** – Greenwich & Franklin Twps. (Approx. 94 acres) Acquired fee simple title on March 11th; SADC granted final approval and reviewing easement survey.
- **O'Dowd Farm (West) #1** – Greenwich Twp. (Approx. 113 acres) Acquired fee simple title on June 1, 2016.
- **O'Dowd Farm (South) #3** – Greenwich & Franklin Twps. (Approx. 119 acres) Received updated appraisals. Awaiting SADC review and CMV.
- **Smith, John & Jean #1** – Harmony/White Twp. (Approx. 82 acres) CMV \$4,600. Subdivision pending. Inspection performed.
- **Smith, John & Jean #2** – Harmony (Approx. 36 acres) CMV \$6,000. Subdivision pending. Inspection performed.
- **Race, Sam & Jean** – White Twp. (Approx. 85 acres) CMV \$5,700. Title issues resolved. Survey underway; on hold while landowner decides whether to reduce or remove exception areas.
- **Total Applications: 12 Total Acres: 956**

Municipal Applications

- **Campbell Foundry Company** – Hope (Approx. 170 acres) – CMV \$2,000. Survey underway.
- **Croucher** – Blairstown (Approx. 90 acres) – CMV \$4,100. Survey underway.
- **Total Applications: 2 Total Acres: 260**

State Applications

- **Santini/Resnick** – Pohatcong Twp. (Approx. 84.5 acres) CMV \$4,400. Surveys received. Summer closing expected.
- **Santini/Chambers** – Pohatcong Twp. (Approx. 56 acres) CMV \$3,000. Surveys received. Summer closing expected.
- **Total Applications: 2 Total Acres: 140**

Non-profit Applications

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

Waiting to Close (Final Legal Review):

County Applications

- **Unangst** – White Twp. (Approx. 85 acres) CMV \$3,625. Waiting to close. Legal estate issues need to be worked out.
Total Applications: 1 Total Acres: 85

Municipal Applications

- **Twin Brook Farm** – White Twp. (Approx. 22 acres) CMV \$6,600. Waiting to set a closing date.
Total Applications: 1 Total Acres: 22

Recent Closings:

- **O’Dowd West Farm** – Fee simple purchase completed on June 1.

Pohatcong Contamination Area Projects:

Received CMV & Offer Made:

- **Crouse, Carl** – Washington Twp. (Approx. 90 acres) CMV \$4,700. Revised application by removing two lots.

Under Contract (Title Search & Survey):

- **Smith, Skip #2** – Franklin Twp. (Approx. 22 acres) CMV \$5,500. Reviewing survey.
Total Applications: 2 Total Acres: 112

Mr. Tierney relayed that he spoke with Freeholder Gardner who expressed frustration over the Pohatcong Contamination Area situation because the land is prime farmland. Freeholder Gardner suggested contacting the state legislators regarding the issue.

Public Comment – John Chisamore asked if the taxpayers had to pay for the survey on the Jones property for the certification that cost \$7,800. Mr. Tierney stated that there was no survey completed for the Jones property for the certification. Mr. Chisamore stated that that was not what he heard. Mr. Tierney again stated that no survey was done for the certification. No surveys are completed for applicants who apply for Certification of Commercial Farm. An aerial of the farm is obtained from NJ Geo Web and a tax map is used for acreage verification.

Mr. Pohorely stated that he had nothing to add pertaining to the SADC.

Adjournment: A motion for adjournment was made by Mr. Baduini and seconded by Mr. Dempski. Motion carries. Chairman Schnetzer adjourned the meeting at 8:14 pm.

Respectfully submitted,

Teresa Kaminski