

WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

Department of Land Preservation
P.O. Box 179
500 Mt. Pisgah Avenue
Oxford, NJ 07863

**Meeting Minutes
June 18, 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, Jason Menegus, Joel Schnetzer, Wendy Willever

Members absent: David Dempski

Others present: C. Tierney, T. Kaminski, Staff; Michael Lavery, Special County Counsel; Attorney Guliet Hirsch, Chris Cotty, Kevin & Stephanie Snyder, Ingrid Gray, David Slack, Enrique Hernandez, Wayne Strobel, Pohatcong Twp.

Chairman Schnetzer led the Pledge of Allegiance.

Minutes of the meeting held on May 21, 2015 were approved on a motion by Mr. Baduini and seconded by Ms. Willever. Motion carries.

Executive Minutes of the meeting held on May 21, 2015 were approved on a motion by Mr. Baduini and seconded by Ms. Willever. Motion carries.

Correspondence: Noted

Public Input (Non-agenda Items):

Snyder, BL 96 L 9.01, BL 97 L 46, Pohatcong Twp. Certification of Commercial Farm Resolution #15-08 Memorialization
Chairman Schnetzer moved the Certification of Snyder Farm to be heard first as per Ms. Hirsch's request. Ms. Hirsch stated that the SSAMP notice of one of the block (96) and lots (p/o 12) that Mr. Kevin Snyder leases for the mining operation was not on the Certification of Commercial farm application and that the new block and lot was in the newspaper notification and that all property owners within 200 feet did not get notified on the original block (97) and lots (46) in the certification. Ms. Hirsch asked to dismiss the certification of commercial farm on BL 96 L 9.01 & BL 97 L 46 in Pohatcong Township. Ms. Hirsch stated that they would like to reapply.

Old Business:

Policy Discussion on Paying CMV – Mr. Tierney stated that we were waiting for data from the SADC regarding soil and ranking scores. This discussion will be tabled until next month.

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:

O'Dowd Properties – Mr. Philip Mylod, attorney for the O'Dowd partnership and Mr. Brian O'Dowd representing the family was present to discuss the terms and conditions of their intention and proposal conditions on the O'Dowd South, East & West farmland applications as well as the open space parcel. Mr. Mylod said that the partnership has not yet agreed as to whether they would accept a fee simple purchase or development easement for their properties. They are willing to accept the County's offer of \$12,812/acre for fee simple purchase, provided Greenwich Township to make up the difference for the highest appraisal value at \$14,127/acre. There has not been any Township commitments by resolution yet from Greenwich or Franklin Township on whether they would cost-share on the purchase, although Greenwich Township had confirmed by email. Mr. Menegus made a motion that the O'Dowd partnership would need a letter of intent and commitment from Greenwich Township to make up the difference for a fee simple purchase acquisition on the properties. Mr. Baduini seconded the motion.

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

CADB Funding Resolutions Approval of County PIG Application –

RLL Enterprises, Inc. Funding Resolution #15-09, BL 51 L 4, Franklin Twp., 49.62 acres (+3%) – SADC Cost Share \$233,214 (\$4,700/acre) Warren County Cost Share \$143,898 (\$2,900/acre), Total Cost \$377,112 (\$7,600/acre). Mr. Baduini made the motion to support the Warren County Cost Share amount for the 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. Burke – yes; Ms. Willever – yes; Mr. Menegus – yes.
Motion carries.

Thompson Farm #15-10, BL 67 L 16, White Twp., 36.34 acres (+3%), SADC Cost Share \$93,030.40 (\$2,560/acre) Warren County Cost Share \$37,793.60 (\$1,040/acre), Total Cost \$130,824 at \$3,600/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. Bodine.

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

TLC-NJ Non-Profit Farms Applications – Mr. Tierney went over the non-profit application briefly and stated that there would be an agreement later between TLC-NJ and the County if these farms were accepted by the SADC.

- 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)

County Farmland Preservation Plan Update

TLC-NJ Proposal for updating the County's Comprehensive Farmland Preservation Plan and the annual CPIG application is \$20,000. Mr. Baduini made a motion to accept the proposal for the 2015 update to the County's Comprehensive Farmland Preservation Plan and the annual 2017 CPIG application. Mr. Menegus seconded the motion.

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

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. CADB wants landowner to reduce 6 acre severable exception area and move non-severable one acre exception area near to road.
Total Applications: 1 Total Acres: 54

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

- **Crouse, Dale & Pamela (#2)** – Harmony Twp. (Approx. 17 acres) Requested Merritt Lane and subdivision resolution information from township.
- **Hart Farm #1** – Franklin Twp. (Approx. 113 acres)
- **Hart Farm #2** – Franklin Twp. (Approx. 267 acres)
Total Applications: 3 Total Acres: 397

Municipal Applications

- **Campbell Foundry Company** – Hope (Approx. 170 acres)
- **Myers/Toretta** – Franklin Twp. (Approx. 64.42 acres) Received resubmitted application.
- **Spencer (Terra Bella Farm)** – White (Approx. 20 acres)
Total Applications: 3 Total Acres: 254

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*

- **715 Harmony Station Rd. (Crouse, Rich)** – Harmony Twp. (Approx. 108 acres) Appraisal contracts on Freeholder Agenda
- **Apple Mountain**– White Twp. (Approx. 70 acres) Appraisal contracts on Freeholder Agenda.
- **Bartha** – White/Oxford Twps. (Approx. 52 acres) Appraisals sent to SADC.
- **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) Appraisals underway.
- **Jones, Mitchell** – Franklin/Harmony Twps. (Approx. 28 acres) Appraisals sent to SADC.
- **Tasevski** – Franklin Twp. (Approx. 88 acres) Appraisals underway.

Total Applications: 7 Total Acres: 530

Municipal Applications

- **Croucher** – Blairstown (Approx. 90 acres)
- **Post** – Frelinghuysen Twp. (Approx. 41 acres)
- **Heatherfields** - Harmony Twp. (Approx. 78 acres)
- **Rothman (Oxbow Acres)** – White Twp. (Approx. 57 acres) Revised application submitted to SADC with 7 acre lot for autistic home.

Total Applications: 4 Total Acres: 266

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. Landowner accepted offer without 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. Landowner changed non-severable exception size. One appraiser responded as to no change in value.
- **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. Counsel reviewing contract. Funding resolution on CADB Agenda.
- **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: 14 Total Acres: 1021

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. Ordered title search & survey underway.
- **Smith, John & Jean #1** – Harmony/White Twp. (Approx. 82 acres) CMV \$4,600. Ordered title search & survey contract on Freeholder Agenda.
- **Smith, John & Jean #2** – Harmony (Approx. 36 acres) CMV \$6,000. Ordered title search & survey contract on Freeholder Agenda.
- **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: 5 Total Acres: 410

Municipal Applications

- **Berry Farm** – Frelinghuysen Twp. (Approx. 106 acres) CMV \$6,250.
- **Twin Brook Farm** – White Twp. (Approx. 22 acres) CMV \$6,600.

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. Scheduling a closing date.
- **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** – Blirstown/Knowlton Twps. (Approx. 34 acres) CMV \$5,600. Scheduled to close on 6/23.

Total Applications: 4 Total Acres: 311.5

Municipal Applications

- **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: 2 Total Acres: 115

State Applications

Total Applications: 0 Total Acres: 0

Recent Closings:

- **Appar Cider Press** – Harmony (Approx. 19 acres) CMV \$7,000. Final inspection performed.
- Total: **1**

2015 Closings YTD: 8 farms totaling 471 acres

Program Totals: 244 farms totaling 22,244 acres

Public Comment – None.

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


Mr. Lavery stated that the Board entered into Executive Session to discuss the Roes Island Wetlands Mitigation Project potential litigation matter at 9:04 pm.

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

Mr. Lavery stated that the Board came out of Executive Session at 9:29 pm where two matters were discussed regarding attorney/client privileges on the Roes Island Wetlands Mitigation and possible litigation matters and the procedural aspects of the Snyder Commercial Farm Certification Application and SSAMP hearing 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.

Adjournment: A motion for adjournment was made by Mr. Menegus and seconded by Mr. Bodine. Motion carries. Chairman Schnetzer adjourned the meeting at 9:30 pm.

Respectfully submitted,



Teresa Kaminski