

WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

Department of Land Preservation

P.O. Box 179

500 Mt. Pisgah Avenue

Oxford, NJ 07863

Meeting Minutes

July 20, 2017

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.

Members present: Tim Bodine, Bradley Burke, Dave Dempski, Jason Menegus, Joel Schnetzer, Wendy Willever

Members absent: Lou Baduini

Others present: C. Tierney, Staff, Katrina Campbell, County Counsel, Stefanie Miller, SADC; Jenny Crouse & family, Keith Ziprich, Washington Township.

Chairman Schnetzer led the Pledge of Allegiance.

Minutes of the meeting held on June 15, 2017 were approved on a motion by Mr. Bodine and seconded by Mr. Dempski. Chairman Schnetzer and Ms. Willever abstained. Motion carries.

Correspondence: Noted

Public Input (Non-agenda Items): Chairman Schnetzer opened the meeting for public comment.

Carl & Jenny Crouse Farm, Washington Township

The Crouse family would like to proceed with their application as Mr. Crouse has suffered health issues. This farm is in the Pohatcong Valley Contamination Area. A meeting is to be set up between the SADC and the appraiser to discuss the values and to decide if there is a 20% reduction. Ms. Miller discussed using the POET system reduction for this farm. Mr. Dempski stated that he lives in Washington Township near the farm and does not believe that the treated water poses a health threat. He is located in that area and his neighbor sold his house for \$100,000 more than what he paid for it so there was no reduction for the PVCA and doesn't understand why it is an issue for development rights on farms affected by the PVCA. Mr. Dempski stated that the AJR farm adjacent to the Crouse Farm had been preserved without consideration of PVCA and 78 houses were slated for development on that farm. The appraisers were instructed by the SADC to consider the cost reduction for the PVCA when the NJDEP mapping of the contamination area came to light. The SADC is asking the appraisers to consult with local officials, scientists, and others to make that value determination. There has been no comparable sales for POET systems. Mr. Tierney would like to see the DEP data given to SADC regarding this matter. The SADC believes that there is a stigma that causes the reduction in value. There are water mains that supply the water that comes from the same source, but it is treated on a larger scale which the State says it is safe. Chairman Schnetzer stated that the County of Warren delayed the Crouse farm application and it would have went through the SADC before the PVCA came into light. Mr. Burke asked about getting the water tested again on the Crouse farm and would they disregard it if they were clear and redo the mapping. The response that it was still in the risk area and it would need to remain clean for a certain period of time to re-evaluate the area. Mr. Bodine asked about any more water service availability. Ms. Campbell stated that the SADC would not allow us to hypothetically use the water service units for the appraisals. Chairman Schnetzer asked about emergency funding available at SADC. Ms. Miller stated that she wasn't aware of any and is waiting for Governor Christi to sign the CBT funding and he has until August 3rd to sign it or it lapses. Chairman Schnetzer will attend the SADC meeting on behalf of the Crouse family. Mrs. Crouse stated that she just wanted to keep it in the family, it is 4th generation. Mr. Menegus asked about getting alternative funding from Washington Township or Federal funding. Mr. Tierney had said that it is unclear whether the Federal Funding would treat the appraisal value the same as the SADC and that it would still be a long process. Chairman Schnetzer stated that Washington Township Committee decided years ago to take the tax for their Open Space fund and spend it directly on paying off the Meadow Breeze Park acquisition and development. Mr. Tierney explained that the Crouse family can proceed with the SADC appraisal standards to expedite the process, or they can wait to see if the valuation standards change – but that there's no guarantee they will. Ms. Willever made a motion to have the appraisals updated to SADC standards contingent upon the Crouse's family approval, Mr. Bodine seconded the motion.

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

Old Business:

O'Dowd Auction Discussion and South farm status

Mr. Tierney is waiting to hear back from the appraisers. The O'Dowd's are interested in closing the 20 acre piece. Our commitment was for CMV, but they want the highest appraisal value. This would be for a fee simple purchase. Greenwich Township is limited in contribution because they are conserving money for their new park.

Hackettstown High School

The NJ Board of Agriculture composed a letter to the Hackettstown Board of Education urging that the FFA program be reinstated.

Grow Warren

The County received a USDA grant to fund this project. Meeting next week on Thursday at 6 pm on July 27, 2017. The consultants will look into agriculture education, among other things. The local community college does not have an agricultural program. The program is also to help non-commodity small farmers network and market their products to promote agriculture tourism. Mr. Burke stated that the County does not have an Agricultural Agent and having an agent was essential in getting him established. Mr. Burke noted that the Christie Administration has not been generous in funding the Cooperative Extension offices and it seems they are trying to eliminate personnel and regionalize County Agents rather than having expertise in certain areas in all counties which boils down to budget concerns at State level. One of the recommendations from the consultants may be to hire an agricultural advocate.

New Business:**Conti Farm, BL 61 L 10, 22 & 43, Knowlton Township MUNI PIG Funding Resolution #17-08**

SADC Cost Share \$730,340 (\$2,650/acre) Warren County Cost Share \$151,580 (\$550/acre), Knowlton Cost Share \$151,580 (\$550/acre), Total Cost \$1,033,500 (\$3,750/acre - CMV). There are no existing structures or ag labor housing units on premises to be preserved, There is one non-severable exception of 2 acres on BL 61 Lot 22 for future single family residence restricted to one single family residential unit and one non-severable exception of 3 acres on Block 61 Lot 22 for two existing single family residences restricted to two single family residential units and no RDSOs allocated, no preexisting non-agriculture uses on premises and no proposed trails. Any easements are to be determined with title search. There are .51 acres of prime farmland soil and 51.2 acres are tillable. The farm is in hay crop, permanent pasture, general livestock and equine.

Mr. Menegus made the motion to support the Warren County Cost Share amount for the preservation funding on this MUNI PIG farm and Resolution #17-08 as presented to make a recommendation to the Freeholders which was seconded by Mr. Bodine.

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

John Bungert, BL 11 L 40 & 42, Franklin Twp. Preserved Farm

Mr. Bungert provided photos of the several large boulders on the farm that were presented to the Board. After discussion regarding the deed of easement restrictions for removal of sand, gravel and loam, the Board discussed whether the boulders would prohibit or restrict the agricultural viability of the farm. On a motion by Mr. Burke which was seconded by Mr. Bodine, the Board approved the removal of the several large boulders from the Bungert preserved farm contingent upon SADC approval.

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

Myers-Toretta Farm Application, BL 45 L 7, 8 & 9, Franklin Township, 38.94 acres

Mr. Toretta would like to proceed with the application under the SADC appraisal standards and that there were no objections by the Board. The Board had no objections.

SADC Right-to-Farm Policy P2-A

This policy deals with business entities appearing before the board on Right to Farm matters and whether and whether they must be represented by an attorney when doing so. The Board would like to discuss at next meeting for comments.

Conflict of Interest Policy

Looking for a conflict of interest policy for the CADB to send to the SADC.

Administrator's Report: Mr. Tierney went over the important matters.

New Applications:*County Applications*

- **Clayessens** – Liberty Township (Approx. 100 acres) Does not meet minimum eligibility requirements. Landowner stated that more acreage has been cleared. Will require a site visit. Currently has an application with Highlands Council.
- **DeLorenzo** – Blairstown & Knowlton Townships (Approx. 57.07) Checking on tillable acreage. Asked landowner about adding another lot.
- **Haydu** – Harmony Township (Approx. 46 ac.) Not currently on our target list because it is made up of 6 smaller lots. CADB approved MUNI PIG Transfer at last meeting, but Joe Haydu would like it to stay a County PIG and it is on hold.
- **Hoffman-LaRoche** – White (Approx. 93 ac.) On hold pending review of sludge removal letter.
- **Noel** – Franklin Township (Approx. 44 ac.) On hold pending PVCA review.

- **Shandor** – Harmony Township (Approx. 100 ac.) Processing application.
Total Applications: 6 Total Acres: 440

Municipal Applications

- **The LaBarre Family Limited Partnership** – Knowlton & Hope Townships (Approx. 107 ac.) Need to contact landowners to see if they would want to pursue a County application.
Total Applications: 1 Total Acres: 107

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

Total Applications: 0 Total Acres: 0

Municipal Applications

Total Applications: 0 Total Acres: 0

Received Green Light Approval:

County Applications

Total Applications: 0 Total Acres: 0

Municipal Applications

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

Preliminary Approval:

Non-Profit Applications

- **Shoemaker I** – White Twp. (Approx. 115 ac.)
- **Tjalma II** – Harmony Twp. (Approx. 61 ac.)
Total Applications: 2 Total Acres: 176

Received CMV & Offer Made:

County Applications

- **O'Dowd (Water St.)** – Greenwich (Approx. 20 ac.) CMV \$4,500. On hold depending O'Dowd South CMV possible revision.
Total Applications: 1 Total Acres: 20

Municipal Applications

- **Conti** – Knowlton (Approx. 280 ac.) CMV \$3,750. On CADB Agenda.
- **DeBoer** – White Twp. (Approx. 56 ac.) CMV \$5,100.
- **Nonnenmacher #1** – Blirstown (Approx. 106 ac.) CMV \$3,100. Offer made to landowner. Applied for Federal funding.
- **Nonnenmacher #2** – Blirstown (Approx. 17 ac.) CMV \$5,000. Offer made to landowner. Applied for Federal funding.
- **Pittenger (Dark Moon)** – Frelinghuysen (Approx. 92 ac.) CMV \$3,700. Received Highlands Grant. Waiting for landowner to sign contract.
Total Applications: 5 Total Acres: 551

Non-Profit Applications

- **Murlan Farm** – Frelinghuysen Twp. (Approx. 251 ac.) CMV \$4,000
- **Shoemaker II** - White Twp. (Approx. 12 ac.) CMV \$5,000
- **Tjalma III** – Harmony Twp. (Approx. 36 ac.) CMV \$1,700

Total Applications: 3 Total Acres: 299

Under Contract (Title Search & Survey):

County Applications

- **Burke/Dinsmore Farm #1** – Harmony Twp. (Approx. 81 ac.) CMV \$3,500. Title search ordered. Survey submitted to Engineering Dept. for comments.
- **Burke/Dinsmore Farm #2** – Harmony Twp. (Approx. 18 ac.) Revised \$7,800. Received revised signed contract. Title search ordered. Survey submitted to Engineering Dept. for comments.
- **O'Dowd Farm (South) #3** – Greenwich & Franklin Twps. (Approx. 119 ac.) Provided revised CMV to landowner. Fee simple draft survey received.

- **Smith, John & Jean #1** – Harmony/White Twp. (Approx. 82 ac.) CMV \$4,600. Subdivision resolution received. Inspection performed.
 - **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 HPAAs permits. Inspection performed.
- Total Applications: 5 Total Acres: 336**

State Applications

- **Santini/Resnick** – Pohatcong Twp. (Approx. 84.5 ac.) CMV \$4,400. Surveys received. County and DOT have concerns regarding easement. Stefanie Miller stated that the County requested additional changes.
 - **Santini/Chambers** – Pohatcong Twp. (Approx. 56 ac.) CMV \$3,000. Surveys received. Could not preserve the other side of property on the RR because it is landlocked. Landowner talking to other adjacent landowners about getting access.
- Total Applications: 2 Total Acres: 140**

Municipal Applications

Total Applications: 0 Total Acres: 0

Waiting to Close (Final Legal Review):

County Applications

- **Apple Mountain**– White Twp. (Approx. 65 ac.) CMV \$3,900. SADC Preliminary review. Applicant applied for driveway permit. Title issue needs to be resolved. CADB voted to fund 100% and then seek reimbursement from SADC for development easement. Concern on the outstanding title issue & identify where it is to find solution. A ½ acre exception is described and that those rights for transferred to another party in the past and that there are ownership rights, but not certain to the location or who has the rights. Without a title, there is a possibility for a future claim. A subdivision or lot line adjustment needs to be done. Ms. Willever mentioned that happened to her, hired surveyor Eldon Allen, and got a quit claim deed to resolve the problem.
 - **Unangst** – White Twp. (Approx. 85 ac.) CMV \$3,625. Inspection performed. Estate issues being worked out.
- Total Applications: 2 Total Acres: 150**

Municipal Applications

- **Ardia (High Acres) Farm** – Blairstown Twp. (Approx. 121 ac.) CMV \$4,800. Estate issues being worked out.
 - **Buckaloo View (Maertens)** – Hope Twp. (Approx. 22 ac.) CMV \$4,200. Received final survey.
 - **Murphy Farm** – Frelinghuysen Twp. (Approx. 206 ac.) CMV \$4,800. Received draft survey.
- Total Applications: 3 Total Acres: 349**

Non-profit Applications

- **K-J Farm** – Harmony Twp. (Approx. 104.72 ac.) \$3,175 CMV. Received draft survey. Appraisals sent to SADC.
- Total Applications: 1 Total Acres: 104**

Recent Closings:

- None

Pohatcong Contamination Area Projects:

SADC restrictions and conditions for appraisals:

- **Hart Farm #1** – Franklin Twp. (Approx. 113 acres) Applied for Federal funding. Received appraisals. Landowner stated not enough money, but is reviewing options. Awaiting SADC/DEP response regarding groundwater.
- **Hart Farm #2** – Franklin Twp. (Approx. 267 acres) Applied for Federal funding. Received appraisals. Landowner stated not enough money, but is reviewing options. Awaiting SADC/DEP response regarding groundwater.

Received CMV & Offer Made:

- **Crouse, Carl** – Washington Twp. (Approx. 90 ac.) Estimated CMV \$6,244 removal of two lots. Applied for Federal funding. Awaiting SADC/DEP response regarding groundwater.

Under Contract (Title Search & Survey):

- **Smith, Skip #2** – Franklin Twp. (Approx. 22 ac.) CMV \$5,500. Applied for Federal funding. Awaiting SADC/DEP response regarding groundwater.
- Total Applications: 4 Total Acres: 492**

2017 Closings YTD: 9 farms totaling 595 acres

Program Totals: 272 farms totaling 24,190 acres

SADC Updates

Stefanie Miller, SADC stated that the PVCA appraisals would be amenable to revising and the DEP stated that would pay for the gap (that was reduced by SADC). The DEP gave data to the SADC which does not warrant the 20% reduction. The SADC stated that the data was not helpful. Mr. Tierney asked for a copy of the data and the SADC is looking to see if it can be shared. No confirmation from DEP that they are willing to pay that 20% reduction and if they do not agree with the SADC methodology. Mr. Tierney states that leads him to

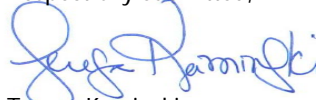
believe that the DEP disagrees with the SADC reduction because no money has been committed. Possibly may need to all meet again to discuss the situation.

Other

Public Comment – none

Adjournment: A motion for adjournment was made by Ms. Willever and seconded by Mr. Burke. Motion carries. Chairman Schnetzer adjourned the meeting at 8:49 pm.

Respectfully submitted,



Teresa Kaminski