

WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

Department of Land Preservation

P.O. Box 179

500 Mt. Pisgah Avenue

Oxford, NJ 07863

Meeting Minutes

October 18, 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 Vice-Chairman Louis Baduini at 7:30 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, Jason Menegus, Melissa Watters

Members absent: Dave Dempski, Joel Schnetzer

Others present: C. Tierney, T. Kaminski Staff, Katrina Campbell, County Counsel; Monique & Theodore Cronce, Harmony Township.

Minutes of the meeting held October 18, 2018 were approved on a motion by Mr. Baduini and seconded by Mr. Menegus. Motion carries.

Correspondence: Noted

Public Comment Non-Agenda Items: Vice-Chairman Baduini open the comments up to the public on non-agenda items. No comments.

Old Business:

O'Dowd Farms Remediation Status

Mr. Tierney stated that the remediation has been completed and the testing was under the threshold. Mr. Tierney stated went over the associated costs of clean up on the O'Dowd farm with the Board. Mr. Tierney will provide to the auctioneers the final report on the remediation.

PVCA Update

Mr. Tierney stated that he is still waiting for the SADC's review and feedback. The Board would like Mr. Tierney to send a letter on the Board's behalf regarding the status.

Water Tower, Washington Township, BL 48 L 78

Brian Smith, SADC counsel sent out a letter on September 24, 2018 to NJ American Water regarding the failed NOI with the SADC. The statute, N.J.S.A 4:1C-19a, requires the filing of a notice of intent (NOI) by a public utility with the CADB and SADC "within 30 days prior to the initiation of action" for the construction of facilities serving nonfarm structures in an ADA. This statute gives the SADC authority to demand the review. The letter requests that NJAWC immediately file an NOI with the Warren CADB and SADC. Mr. Tierney to follow up with Mr. Smith regarding any response correspondence.

New Business:

Mr. Menegus stated that he had a conflict and removed himself from his position with the Board and took a seat in the audience.

Certification of Commercial Farm - Monique Cronce, BL 45 L 2.01, 111 Esposito Road, Harmony Township, 24.8 acres

Monique Cronce owns BL 45 L 2.01 with her husband, Theodore Cronce in Harmony Township. They are also the operators of the farm. 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 a 2017 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 – contingent upon zoning map verification.

A discussion regarding letters from the zoning officers stating that they are located in a residential zone.

Mr. Burke made a motion to justify the Certification of Commercial Farm for Monique and Theodore Cronce, owners and operators of BL 45 L 2.01 in Harmony Township contingent upon verification that the property is located in an agriculture permitted zone. Mr. Bodine seconded the motion.

Roll Call: Mr. Bodine – yes; Mr. Baduini – yes; Mr. Burke – yes; Mrs. Watters – yes.

Motion carries.

Mr. Menegus took his position back as a member of the Board and rejoined the meeting.

Resolutions

Haydu Funding Resolution #18-10 – Block 11.01 Lot 1 and Block 21 Lots 34.01, 34.03, 34.04, 34.05, 34.06, 34.07 and 34.08 in Harmony Township, consisting of approximately 43.775 (+3%) acres

SADC Cost Share \$146,208.50 (\$3,340/acre) Warren County Cost Share \$68,289.00 (\$1,560/acre), Total Cost \$214,497.50 (\$4,900/acre - CMV). There is one non-severable exception of 1 acre for future single family residence restricted to one single family residential unit, no eligible RDSOs, no existing structures or ag labor on premises to be preserved, no preexisting non-agriculture uses on premises and no proposed trails. There is a future sight easement on Block 21 Lot 3401 with typical utility ROW easements along road and others to be determined with title search. There are 39.68 acres of prime farmland soil, 3.43 Statewide soil acreage and 38.99 tillable acres used for corn and hay. The County is seeking a 3% increase on acreage for final surveyed acres.

Mr. Bodine made the motion to support the Warren County Cost Share amount for the preservation funding on this CPIG farm and Resolution #18-10 as presented to make a recommendation to the Freeholders which was seconded by Mr. Menegus.

Roll Call: Mr. Bodine – yes; Mr. Baduini – yes; Mr. Burke – yes; Mrs. Watters – yes; Mr. Menegus – yes.

Motion carries.

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

New Applications:

County Applications

- **Noel** – Franklin Township (Approx. 44 ac.) On hold pending SADC PVCA review. Submitted application to Highlands Open Space Grant Program.
- **Pear Tree Realty** – Franklin Township (Approx. 62 ac.) On hold pending SADC PVCA review. Submitted application to Highlands Open Space Grant Program.
- **Pereira** – Franklin Township (Approx. 30 ac.) On hold pending SADC PVCA review. Submitted application to Highlands Open Space Grant Program.
- **Stampone** – Knowlton Township (Approx. 38 ac.) Requested more information from Rene Mathez.

Total Applications: 4 Total Acres: 174

Municipal Applications

Total Applications: 0 Total Acres: 0

Non-Profit Applications

Deer Haven Farm – Frelinghuysen Township (Approx. 15 ac.)

Pipers Hill Farm – Washington Township (Approx. 27 ac.)

Total Applications: 2 Total Acres: 42

Awaiting Green Light Approval:

County Applications

- **Beatty South** – Greenwich (Approx. 57 ac.) Waiting for confirmation on exception area.

Total Applications: 1 Total Acres: 57

Received Green Light Approval:

County Applications

- **Anema, Kris** – Washington (Approx. 20 ac.) Appraisals sent to SADC for CMV.
- **Beatty North** – Greenwich (Approx. 86 ac.)
- **Hoffman-LaRoche** – White (Approx. 93 ac.) Appraisals underway.
- **Route 57 Partnership** – Franklin Township (Approx. 70 ac.) Appraisals due 10/24/18.

Total Applications: 4 Total Acres: 269

Municipal Applications

- **Kitchen** – Knowlton (Approx. 28 ac.)

Total Applications: 1 Total Acres: 28

State Applications

- **Anema, Ralph** – Washington (Approx. 115 ac.) On SADC October Agenda for CMV.
- **Total Applications: 1 Total Acres: 115**

Received CMV & Offer Made:*County Applications*

- **Dykstra** – Mansfield Township (Approx. 209 ac.) CMV \$2,600. Sent out offer letter 9.27.18.
- **LaBarre Family Limited Partnership** – Knowlton & Hope Townships (Approx. 107 ac.) CMV \$3,200. Received signed offer letter.
- **Haydu** – Harmony Township (Approx. 46 ac.) CMV \$4,900. Received signed contract. On 10.24.18 Freeholder Agenda for funding approval.
- **Total Applications: 3 Total Acres: 362**

Under Contract (Title Search & Survey):*County Applications*

- **Shandor** – Harmony Township (Approx. 100 ac.) CMV \$3,100. Received signed contract. Survey underway & title work ordered.
- **Smith, John & Jean #1** – Harmony/White Twp. (Approx. 82 ac.) CMV \$4,600. Subdivision resolution received. Inspection performed. Highlands Application has been approved.
- **Smith, John & Jean #2** – Harmony (Approx. 36 ac.) CMV \$6,000. Subdivision resolution received. Highlands Application has been approved.
- **Total Applications: 3 Total Acres: 218**

Municipal Applications

- **Mazza** – Knowlton (Approx. 21 ac.) CMV \$4,850. Received signed contract.
- **Nonnenmacher #1** – Blirstown (Approx. 106 ac.) CMV \$3,100. Survey underway. Ordered Title Search.
- **Nonnenmacher #2** – Blirstown (Approx. 17 ac.) CMV \$5,000. Survey underway. Ordered Title Search.
- **Total Applications: 3 Total Acres: 144**

Non-Profit Applications

- **Heeres** – Harmony Twp. (Approx. 67 ac.) CMV \$3,800. Landowner accepted offer. Received signed contract this week. RFP's out for survey and ordered title.
- **Hensler** – White Twp. (Approx. 40 ac.) CMV \$3,700. Landowner accepted offer. Received signed contract this week. RFP's out for survey and ordered title.
- **Total Applications: 2 Total Acres: 107**

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

- **Apple Mountain** – White Twp. (Approx. 65 ac.) CMV \$3,900/\$2,000. Contract purchaser unwilling to close at reduced amount.
- **Unangst** – White Twp. (Approx. 85 ac.) CMV \$3,625. Inspection performed. Estate issues being worked out.
- **Total Applications: 2 Total Acres: 150**

Municipal Applications

Total Applications: 0 Total Acres: 0

Non-Profit Applications

- **Murlan Farm** – Frelinghuysen Twp. (Approx. 251 ac.) CMV \$4,000. SADC Preliminary Review.
- **Shoemaker I** – White Twp. (Approx. 115 ac.) CMV rcvd (\$5,650) SADC Preliminary Review.
- **Shoemaker II** – White Twp. (Approx. 12 ac.) CMV \$5,000. SADC Preliminary Review.
- **Tjalma II** – Harmony Twp. (Approx. 61 ac.) CMV rcvd (\$4,900) Survey underway. Engineering department reviewing survey.
- **Total Applications: 4 Total Acres: 439**

Recent Closings:

- **Smith, Skip #2** – Franklin Twp. (Approx. 22 ac.) Closed on September 21, 2018!
- **DeBoer** – White Twp. (Approx. 56 ac.) Closed on October 17, 2018!

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 #1**– 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. Submitted application to Highlands Open Space Grant Program.
- **Myers/Toretta #2** – Franklin Township (Approx. 48 acres) Submitted application to Highlands Open Space Grant Program.
- **Tasevski** – Franklin Twp. (Approx. 87 ac.) Submitted application to Highlands Open Space Grant Program.

Under Contract (Title Search & Survey):

- **Crouse, Jennie** – Washington Twp. (Approx. 90 ac.) Landowner accepted offer of \$4,700 for development easement and Highlands Open Space Grant is matching up to 50%. Draft survey received.

Total Applications: 6

Total Acres: 643

2018 Closings YTD: 9 farms totaling 885.31 acres

Program Totals: 284 farms totaling 25,302.88 acres

SADC Update

Mr. Tierney stated that Stefanie Miller, SADC Regional Manager would like to notify the Board of 1) the upcoming MUNI PIG workshop on Monday, October 29th from 10 am – 12pm at the new library in Greenwich Township needs more attendance; 2) She will attending more Muni Ag Advisory meetings 3) Continue landowner outreach 4) Hunterdon's County's RTF breakfast, November 7, 2018 at 7:30 at the County Complex in Flemington.

Executive Session

Mr. Menegus made a motion to enter into Executive Session which was seconded by Mr. Burke. 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. Bodine. Motion carries and the Board came out of Executive Session at 8:39 pm where Ms. Campbell stated that possible O'Dowd farm litigation issues and SADC's request re Alba Vineyards bird cannon were 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.

Mr. Baduini made a motion to seek reimbursement from Quest Environmental regarding the oil tank remediation on the O'Dowd West farm which was seconded by Mr. Bodine.

Roll Call: Mr. Bodine – yes; Mr. Baduini – yes; Mr. Burke – yes; Mrs. Watters – yes; Mr. Menegus – yes. Motion carries.

The County will send a letter to Senator Doherty to include a copy of SADC memo and DEP letter regarding Alba Vineyards bird cannon issue.

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

Adjournment: A motion for adjournment was made by Mr. Bodine and seconded by Mr. Menegus. Motion carries. Vice-Chairman Baduini adjourned the meeting at 8:41 pm.

Respectfully submitted,



Teresa Kaminski