

## **WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD**

Department of Land Preservation

P.O. Box 179

500 Mt. Pisgah Avenue

Oxford, NJ 07863

### **Meeting Minutes October 20, 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 Chairman Schnetzer 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.

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

Members absent:

Others present: C. Tierney, T. Kaminski Staff, Katrina Campbell, County Counsel.

Chairman Schnetzer led the Pledge of Allegiance.

**Minutes** of the meeting held on September 15, 2016 were approved on a motion by Mr. Baduini and seconded by Mr. Dempski. Motion carries. Ms. Willever abstained as she was absent from the September meeting.

**Correspondence:** Noted

**Public Input (Non-agenda Items):** None

**Old Business:**

#### **Roes Island Wetland Mitigation Project**

Mr. Baduini noted that they are still awaiting a decision from the judge.

**New Business:**

#### **Burke #2 Amended Final Resolution #16-16. BL 9 L 51.02, 18.93 acres (+3%)**

Landowner removed the 1 acre non-severable exception area. The amended CMV is now \$7,800 with an additional cost increase of \$1,700/acre. WC has already allocated final funding for this farm in the amount of \$37,646.50 and is seeking an additional funding amount of \$19,143.50 with WC total cost share at \$3,000/acre with a total cost share of \$56,790. Mr. Baduini made a motion to approve Resolution 16-16 as presented and make recommendation to the Freeholders for approval which was seconded by Mr. Bodine.

Roll call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Burke – yes;  
Mr. Dempski – yes; Ms. Willever – yes; Mr. Menegus – yes

#### **Resolution #16-17 Requesting Increased Water Capacity & Fair Valuations for Landowners in PVCA**

Mr. Bodine made a motion to approve Resolution 16-17 as presented and make recommendation to the Freeholders for approval 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 – yes

Mr. Tierney spoke with Margaret Nordstrom, Director of the Highlands Council regarding whether Green Acres has preserved any properties where POET systems were provided. Ms. Nordstrom spoke with a Green Acres representative and they agreed that normal market value should be given without restrictions and then deduct the cost of installing the POETS.

#### **County ADA Public Hearing**

Mr. Baduini made a motion to open up the meeting for public comment on the County ADA Hearing. Ms. Willever seconded the motion. Motion carries. There was no comment. Mr. Baduini made a motion to close comments for the public hearing, Ms. Willever seconded the motion. Motion carries.

##### ➤ Blirstown

- Kennedy BL 702 L 2
- Kennedy BL 702 L 3
- Kennedy BL 702 L 6.01

Total farm unit is 241.80 acres which includes Kennedy BL 702 L 6.02 that added to the County ADA in 2011. This total farm unit has 30.69 tillable acres at 12.7% tillable.

Mr. Menegus made a motion which was seconded by Mr. Dempski to approve the addition of Kennedy, BL 702 L 2, 3, 6.01 & 6.02 to the County ADA.

Roll call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Burke – yes;  
Mr. Dempski – yes; Ms. Willever – yes; Mr. Menegus – yes

➤ **Frelinghuysen**

- DeCamp BL 201 L 17.03, 24.62 acres – This lot is mostly all woodland, and does not qualify on its own, but it connects to Lot 17.02 (35.05 acres) which is owned by the same owner with 29.63 tillable acres. Total farm unit with both lots is 59.67 acres with 49.6% tillable.

Mr. Burke made a motion which was seconded by Mr. Baduini to approve the addition of DeCamp, BL 201 L 17.03 to the County ADA.

Roll call: Mr. Schnetzer – yes; Mr. Bodine – yes; Mr. Baduini – yes; Mr. Burke – yes;  
Mr. Dempski – yes; Ms. Willever – yes; Mr. Menegus – yes

➤ **Independence**

- Greco BL 16 L 1
  - Greco BL 17 L 56
  - Greco BL 17 L 56.01
  - Greco BL 17 L 56.06
- Total farm unit is 67.34 acres with 29.34 tillable acres and 43.6% tillable.

Mr. Menegus made a motion which was seconded by Mr. Willever to approve the addition of Greco, BL 16 L 1, BL 17 L 56, 56.01 & 56.06 to the County ADA.

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

**Administrator's Report:** Mr. Tierney went over the report. Mr. Tierney noted that Mr. Mylod, attorney for the O'Dowd's, contacted him about closing the South farm before the end of the year.

New Applications:

*County Applications*

- **Haydu** – Harmony Township (Approx. 46 ac.) Not currently on our target list because it is made up of 6 smaller lots.
- **Noel** – Franklin Township (Approx. 44 ac.) in PVCA.
- **Claeysens** – Liberty Township (Approx. 100 acres) Does not meet minimum eligibility requirements. May require a site visit. Waiting for a response from landowner about more acreage cleared.

**Total Applications: 3      Total Acres: 190**

*Municipal Applications*

- **DeBoer** – White Twp. (Approx. 56 ac.)
- **The LaBarre Family Limited Partnership** – Knowlton & Hope Townships (Approx. 107 ac.) A previous County application, landowners switched to MUNI PIG, but Hope has not agreed to submit this through their Muni-PIG.

**Total Applications: 2      Total Acres: 163**

*Non-Profit Applications*

- **Murlan Farm** – Frelinghuysen Twp. (Approx. 251 ac.) SADC preliminary approval in November, but no funding yet.
- **Shoemaker I** – White Twp. (Approx. 115 ac.)
- **Shoemaker II** – White Twp. (Approx. 12 ac.)
- **Tjalma II** – Harmony Twp. (Approx. 61 ac.)
- **Tjalma III** – Harmony Twp. (Approx. 36 ac.)

**Total Applications: 5      Total Acres: 475**

Awaiting Green Light Approval:

*County Applications*

- **Crouse, Dale & Pamela** – Harmony Twp. (Approx. 50 ac.) Questionable development access; awaiting landowner's decision.

**Total Applications: 1      Total Acres: 50**

*Municipal Applications*

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

Received Green Light Approval:

*County Applications*

- **O'Dowd (Water St.)** – Greenwich (Approx. 20 ac.) Appraisals underway.
- Total Applications: 1      Total Acres: 20**

*Municipal Applications*

- **Buckaloo View** – Hope Twp. (Approx. 22 ac.) Appraisals complete and submitted to SADC.
  - **Murphy Farm** – Frelinghuysen Twp. (Approx. 206 ac.) Appraisals complete and submitted to SADC.
  - **Nonnenmacher #1** – Blairstown (Approx. 106 ac.) Appraisal resolution on Freeholder 10/26 Agenda.
  - **Nonnenmacher #2** – Blairstown (Approx. 17 ac.) Appraisal resolution on Freeholder 10/26 Agenda.
  - **Pittenger (Dark Moon)** – Frelinghuysen (Approx. 92 ac.) Appraisals complete and submitted to SADC.
  - **Zukoski Farm** – Hope Twp. (Approx. 52 ac.) Appraisals complete and submitted to SADC.
- Total Applications: 6      Total Acres: 495**

Received CMV & Offer Made:*County Applications*

- **715 Harmony Station Rd. (Crouse, Rich)** – Harmony Twp. (Approx. 108 ac.) CMV \$2,400. Landowner rejected offer.
- Total Applications: 1      Total Acres: 108**

*Municipal Applications*

- **Heatherfields** – Harmony Twp. (Approx. 78 ac.) CMV \$5,200. Waiting for landowner's decision.
  - **Spencer (Terra Bella Farm)** – White (Approx. 20 ac.) CMV \$5,700. Waiting for landowner's decision.
- Total Applications: 2      Total Acres: 98**

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

- **Apple Mountain**– White Twp. (Approx. 65 ac.) CMV \$3,900. Received draft survey.
  - **Burke/Dinsmore Farm #1** – Harmony Twp. (Approx. 81 ac.) CMV \$3,500. Title search ordered. RFP's out for survey.
  - **Burke/Dinsmore Farm #2** – Harmony Twp. (Approx. 18 ac.) Revised \$7,800. Received revised signed contract. Title search ordered. RFP's out for survey.
  - **O'Dowd Farm (West) #1** – Greenwich Twp. (Approx. 113 ac.) ROW dedications prior to easement executed.
  - **O'Dowd Farm (East) #2** – Greenwich & Franklin Twps. (Approx. 94 ac.) ROW dedications prior to easement executed.
  - **O'Dowd Farm (South) #3** – Greenwich & Franklin Twps. (Approx. 119 ac.) Provided revised CMV to landowner.
  - **Smith, John & Jean #1** – Harmony/White Twp. (Approx. 82 ac.) CMV \$4,600. Subdivision pending. Inspection performed.
  - **Smith, John & Jean #2** – Harmony (Approx. 36 ac.) CMV \$6,000. Subdivision pending. Inspection performed.
  - **Race, Sam & Jean** – White Twp. (Approx. 85 ac.) CMV \$5,700. Survey being revised.
- Total Applications: 9      Total Acres: 693**

*State Applications*

- **Santini/Resnick** – Pohatcong Twp. (Approx. 84.5 ac.) CMV \$4,400. Surveys received. County and DOT have concerns regarding easement.
  - **Santini/Chambers** – Pohatcong Twp. (Approx. 56 ac.) CMV \$3,000. Surveys received.
- Total Applications: 2      Total Acres: 140**

*Municipal Applications*

- **Post** – Frelinghuysen Twp. (Approx. 41 ac.) \$4,400 purchase price. Finalizing title and survey for closing.
  - **Malon Farm** – Hope Twp. (Approx. 65 ac.) CMV \$4,500. SADC Final Approval. Received final survey.
  - **Rothman (Oxbow Acres)** – White Twp. (Approx. 57 ac.) – CMV \$4,000.
- Total Applications: 3      Total Acres: 163**

*Non-profit Applications*

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

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

- **Bartha** – White/Oxford Twps. (Approx. 40 ac.) CMV \$4,500. Seeking SADC competitive funds. Inspection performed.
  - **Barton #1** – Mansfield/Independence Twps. (Approx. 35 ac.) CMV \$4,500. Inspection performed.
  - **Barton #2** – Mansfield/Liberty Twps. (Approx. 70 ac.) CMV \$4,800. Survey being revised. Inspection performed.
  - **Barton #3** – Mansfield/Liberty Twps. (Approx. 27 ac.) CMV \$5,800. Survey being revised. Inspection performed.
  - **Klimas** – Independence/Mansfield Twp. (Approx. 190 ac.) CMV \$3,700. Inspection performed.
  - **Unangst** – White Twp. (Approx. 85 ac.) CMV \$3,625. Waiting to close. Inspection performed. Estate issues being worked out.
- Total Applications: 6      Total Acres: 447**

*Municipal Applications*

- **Ardia (High Acres) Farm** – Blirstown Twp. (Approx. 121 ac.) CMV \$4,800.
  - **Croucher** – Blirstown (Approx. 90 ac.) – CMV \$4,100.
- Total Applications: 2            Total Acres: 211**

Recent Closings:

None.

Pohatcong Contamination Area Projects:

Awaiting Greenlight with SADC restrictions and conditions for appraisals:

- **Hart Farm #1** – Franklin Twp. (Approx. 113 acres) RFP's out for restricted appraisals.
- **Hart Farm #2** – Franklin Twp. (Approx. 267 acres) RFP's out for restricted appraisals.
- **Tasevski Farm** – Franklin Twp. (Approx. 87 acres) Landowner uninterested in proceeding with restricted value; will wait for water issue to be resolved.

Received CMV & Offer Made:

- **Crouse, Carl** – Washington Twp. (Approx. 90 ac.) Estimated CMV \$6,244 removal of two lots.

Under Contract (Title Search & Survey):

- **Smith, Skip #2** – Franklin Twp. (Approx. 22 ac.) CMV \$5,500.
- Total Applications: 5            Total Acres: 579**

2016 Closings YTD: 6 farms totaling 449 acres  
Program Totals: 259 farms totaling 23,245 acres

**Public Comment** – None

Highlands Applications Grant

Mr. Tierney stated that he was contact by the Highlands Council to set up site inspections on all of the applications, both farmland and open space.

O'Dowd Auction

The Board members discussed the process of auctioning off the farms and when would be the best time to put them up for auction.

Quaker Valley Farms/Den Hollander vs. SADC update

Mr. Tierney stated that the Appellate Court decision for the case was in favor of Quaker Valley Farms. The Court found that there is no limiting rule in the easement or regulations with regard to soil disturbance for agricultural purposes. Therefore, a landowner has no clear notice of what may constitute a violation.

**Adjournment:** A motion for adjournment was made by Mr. Baduini and seconded by Mr. Bodine. Motion carries. Chairman Schnetzer adjourned the meeting at 8:50 pm.

Respectfully submitted,

Teresa Kaminski