

WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

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

**Meeting Minutes
October 18, 2012**

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 7:29 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, Frank Gibbs, Joe Gourniak, Sam Race, Joel Schnetzer, Mike Toretta
Wendy Willever

Members absent: None

Others present: C. Tierney, T. Kaminski, Staff; Katrina Campbell, Special County Council; Gary Pohorely, SADC.

Chairman Schnetzer led the Pledge of Allegiance.

Minutes of the regular session meeting held on September 20, 2012 were approved on a motion by Mr. Race and seconded by Mr. Baduini.

Roll Call: Mr. Schnetzer – yes; Mr. Toretta – abstained; Mr. Race – yes; Mr. Baduini – yes;
Mr. Gibbs – yes; Mr. Gourniak – yes; Ms. Willever - abstain

Motion carries.

Minutes of the Executive session meeting held on September 20, 2012 were approved on a motion by Mr. Race and seconded by Mr. Baduini.

Roll Call: Mr. Schnetzer – yes; Mr. Toretta – abstained; Mr. Race – yes; Mr. Baduini – yes;
Mr. Gibbs – yes; Mr. Gourniak – yes; Ms. Willever - abstain

Motion carries.

Correspondence: noted

Public Input (Non-agenda Items): None

Old Business

Smith/Rasa Farm – Ms. Campbell stated that the title binder has been received and the survey has been endorsed and that they were sent to Brian Smith at the SADC for review.

Wattles Auction – Mr. Tierney stated that two public hearings have been scheduled, the County hearing is scheduled for tomorrow morning at 10 am at the Administration Building and the township hearing is scheduled in November. The above ground oil tanks will be removed on Monday, October 22nd and the two underground oil tanks will be removed on Tuesday, October 23rd. Mr. Tierney stated that he will be present. The auction date has been set for January 26, 2013.

New Business:**Domingues Resolution #12-16 BL 26 L 26, Greenwich Township**

Mr. Gourniak made a motion to approve the resolution as presented with the County's cost-share at \$0. Mr. Race seconded the motion.

Roll Call:

Mr. Schnetzer – no; Mr. Toretta – yes; Mr. Race – yes; Mr. Baduini – yes; Mr. Gibbs – yes;
Mr. Gourniak – yes; Ms. Willever – abstain

Motion passes.

Chairman Schnetzer stated that he was voting no because he doesn't feel that the farmer should be restricted by the impervious coverage limitation from the FRPP funds since the deed of easement is already so restrictive to the farmer.

Mitchell Jones Farm – BL 12 L 7, Franklin Township, BL 16 L 1 , Harmony Township – 28.47 acres

Mr. Tierney stated to the Board that this farm straddles two townships. The 22.07 acres in Franklin Township is not in the township's ADA. The Harmony block and lot is in Harmony township's ADA, but it cannot be done as a Harmony Muni PIG. Mr. Tierney asked if the Board would consider waiving the 40 acre minimum for this property. Mr. Tierney stated that there were two options: Franklin Twp. could increase their ADA, but that would require attaining other property that is not farmland assessed to make their ADA contiguous or refer this farm to a conservancy as a non-profit application. The Board discussed the proximity of this farm to other preserved farms, the tillable acreage and the suspected soil quality.

Mr. Race made a motion to waive the County's minimum of 40 acres for application and since the farm straddles two municipalities accept it as an application through the County. Mr. Gourniak seconded the motion.

Roll Call:

Mr. Schnetzer – yes; Mr. Race – yes; Mr. Toretta – abstain; Mr. Baduini – yes; Mr. Gibbs – yes;
Mr. Gourniak – yes; Ms. Willever – yes

Motion passes.

Burke 8-Year Farm Termination – BL 5200 L 702, Hope Township – 35 acres

The legal metes and bounds on this 8-Year Farm Program has changed from the creation of the initial farmland preservation program and needs to be terminated referring to N.J.A.C. 2:76-3.9 ii. Mr. Burke bought a portion of the land adjacent to Lot 702 and increased his lot size. Mr. Burke was sent a certified letter but no response was received.

Mr. Race made a motion to approve the termination for this block and lot from the 8-year program. Mr. Toretta seconded the motion.

Roll Call:

Mr. Schnetzer – yes; Mr. Toretta – yes; Mr. Race – yes; Mr. Baduini – yes; Mr. Gibbs – yes;
Mr. Gourniak – yes; Ms. Willever – yes

Motion passes.

County ADA Discussion

Mr. Tierney presented the proposed ADA Map change to include the Raub Farm, BL 2 L 5, 6.13 acres in Lopatcong Township to the West Project Area. Mr. Tierney stated that the next step would be to have a public hearing at the next CADB meeting in November and to get a resolution of support from the Township.

Mr. Gourniak made a motion to hold a public hearing at next month's meeting for the change to the County ADA. Mr. Race seconded the motion.

Roll Call:

Mr. Schnetzer – yes; Mr. Toretta – yes; Mr. Race – yes; Mr. Baduini – yes; Mr. Gibbs – yes;
Mr. Gourniak – yes; Ms. Willever – yes

Motion passes.

Mr. Toretta suggested that Mr. Tierney contact Mr. Emil Falcone who owns a property next to Mr. Raub to see if that could also be included in the ADA change.

Solar Energy Rules Discussion

The Board discussed the solar energy rules and feels that the SADC does not want solar panels on a preserved farm and that these rules are detrimental to the farmer. Ms. Campbell is to write a draft letter on the Board's response and is to be submitted for the Board's review before next CADB meeting and then sent to the SADC before the November 16th deadline.

Other New Business:

Ms. Campbell mentioned to the Board that the Jansen's would like to come before them for a Right-to-Farm hearing regarding the lawsuit from the Phillipsburg Riverview Authority.

Chairman Schnetzer mentioned to the Board that he heard the Executive Director speak on WRNJ and state that that they could not do anything about it when asked what was going to happen to the Equity law on farmland under the Highlands Act.

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

New Applications:

- **Walburn Farm** – White Twp., (Approx. 28 acres – Muni-PIG)
- **Al-Ruby Farm** – Harmony Twp., (Approx. 27 acres – Muni-PIG)

Awaiting Green Light Approval:

- **Cooke** – Hope & Frelinghuysen Twp. (Approx. 59 acre County-PIG)
- **McCullough** – Washington Twp. (Approx. 44 acre County-PIG): Applicants have received another one year extension on subdivision approval in May; SADC requesting information.
- **May** – Hope Twp., Non-Profit (Approx. 22.8 acres)
- **Star D Farm** – Harmony Twp., Non-Profit (Approx. 46.74 acres)
- **K-J Farm** – Harmony Twp., Non-Profit (Approx. 104.72 acres)
- **Sunny Hill Farm** – Harmony Twp. & Lopatcong Twp., Non-Profit (Approx. 30.647 acres)

Active Projects:

County Applications

- **Bowers** – Pohatcong Twp. (Approx. 50 acres): Waiting for certification of FRPP appraisal. Received contract, RFP's out for survey, title ordered.
- **Carson** – Frelinghuysen Twp. (Approx. 297 acres): CMV shared with landowner; waiting for decision.

- **Di Risio** – Mansfield Twp. (Approx. 67 acres): CMV of \$6,500 set by SADC.
- **Gardner** – Franklin Twp. (Approx. 108 acres): CMV shared with landowner; waiting for decision.
- **Martin** – White Twp. (Approx. 86 acres): Under final legal review; outstanding muni and estate taxes to be resolved before farm can close.
- **McConnell** – Oxford Twp. (Approx. 52 acres): Appraisals being conducted.
- **Pruden** – Hope Twp. (Approx. 162 acres): Appraisals being conducted.
- **Schnetzler** – Franklin Twp. (Approx. 62 acres): Property is being surveyed; 5-acre exception area on estate portion removed and amended appraisal letters sent to SADC; waiting for final approval.
- **Smith/Rasa** – Special Counsel is pursuing this.

Municipal Applications

- **Bertholf** – Knowlton Twp. (Approx. 61 acres): Survey and title being ordered.
- **Domingues** – Greenwich Twp. Muni-PIG (Approx. 63 acres); Under contract; NRCS/FRPP reviewing appraisal.
- **Erhardt** – White Twp. Muni-PIG (Approx. 27 acres): Received Green Light Approval on 6/22/12; Township ordering appraisals.
- **Ritter** – Knowlton Twp. Muni-PIG (Approx. 9 acres): Received Green Light Approval on 7/3/12; Appraisals in process.

Closings:

- **Linz** – Frelinghuysen Twp. (Approx. 129 acres): Closed on 9/27/12!

Public Comment:

Gary Pohorely, SADC mentioned to the Board that the State held a ceremony last week celebrating the goal of reaching 200,000 preserved acres in the State.

Mr. Tierney brought up the NJ Keep It Green to the Board regarding their request for support from the CADB. Mr. Tierney said that the letter was sent to the MCCTFC, BORC and to every County.

Mr. Tierney stated that we sent out approximately 150+ outreach letters to target farms for preservation and have received a dozen inquires so far. There will be a Farmer's Forum on November 8th at 7 pm at the Department of Land Preservation. Ms. Stefanie Miller, SADC will be present.

Adjournment: A motion for adjournment was made by Mr. Baduini and seconded by Mr. Gibbs. Motion carries. Chairman Schnetzler adjourned the meeting at 8:48 p.m.

Respectfully submitted,



Teresa Kaminski