

WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

Department of Land Preservation

P.O. Box 179

500 Mt. Pisgah Avenue

Oxford, NJ 07863

(908) 453-2650

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AGENDA

October 21, 2010

7:30 PM

In compliance with Chapter 231 of the Public Laws of 1975, adequate notice of this meeting has been given by forwarding a notice of the date, time and location of the meeting to the Warren County Clerk, THE DAILY RECORD, THE STAR LEDGER, and by posting a copy thereof on the bulletin board in the hall of the Warren County Courthouse and the Department of Land Preservation. In order to assure full public participation, those individuals with disabilities who wish to attend the meeting should submit any requests for special accommodations one week in advance of the meeting.

Pledge of Allegiance

Minutes: Meeting of September 16, 2010
Executive Meeting Minutes of September 16, 2010

Public Input: Non-Agenda Items

Correspondence:

- September 15, 2010 SADC letter re Smith/Rasa Farm
- September 16, 2010 NJ Dept. of Ag. Letter re Outstanding Young Farmer
- September 16, 2010 WC Board of Agriculture letter re recommendation of reappointment of Joel Schnetzer to CADB
- Memo to Susan Craft re comments on Solar Panels
- October 13, 2010 Richard Keiling letter re Raub
- NJ Superior Court document re Raub
- Article on Van Vugt farm
- Farmland Presentation - Changes needed for the 21st century

Old Business:

- Smith/Rasa Farm
- Raub Report

New Business:

- Fox River Farm Resolution # 10-13
- Van Vugt non-agriculture business

Administrator's Report

Public Input

Adjourn

Next Meeting: November 18, 2010 at 7:30 p.m.

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Meeting Minutes October 21, 2010

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 Race at 7:34 p.m. An announcement was read as required by the Open Public Meetings Act, N.J.S.A. 10:4-6-21. Vice Chairman led the Pledge of Allegiance.

Members present:, Lou Baduini, Frank Gibbs, Joe Gourniak, Sam Race, Mike Toretta, Joel Schnetzer

Members absent: George Baldwin

Others present: R. Resker, T. Kaminski, S. Beall, Staff; Michael Lavery, Special County Counsel, Richard Keiling, Attorney

Minutes of the regular session meeting held on September 16, 2010 were approved on a motion by Mr. Baduini and seconded by Mr. Gibbs. Mr. Toretta abstained. Motion carries.

Executive Minutes of the meeting held on September 16, 2010 were approved on a motion by Mr. Baduini and seconded by Mr. Gibbs. Mr. Toretta abstained. Motion carries.

Public Input (Non-agenda Items): None

Correspondence: Noted

Old Business

Rasa/Smith Update - No amendment received yet. Mr. Lavery sent letter to Susan Craft for help and there has been no reply back. Mr. Lavery to send a follow-up letter to her. Mr. Lavery explained the procedure to the Board.

Raub Report

Please be noted that Mr. Lavery left the meeting room during this discussion.

Mr. Keiling went over the Raub case summarizing that the Appellate Court referred the Raub case back to the CADB citing that all the neighbors were not properly notified and did not have a chance to speak at the CADB Right-to-Farm hearing in 2004. Mr. Keiling feels that the CADB should have another meeting with the neighbors being properly notified by certified and regular mail and publishing the meeting date in The Star-Ledger and The Daily Records newspapers to have a chance to state why they think the trailers were put on the property. The tree screening that was determined by the CADB was never done by Mr. Raub.

Chairman Schnetzer arrived at 7:50 pm and took over the meeting from Vice-Chairman Race.

Lopatcong and Raub are contesting the CADB ruling. Hearing by the Administrative Law judge is scheduled for February 17, 2011.

Mr. Baduini makes a motion to go forward with a hearing at the December 16, 2010 CADB meeting date and to have the Board notice the neighbors that are within 200 feet of the property. Mr. Toretta seconded the motion.

Discussion:

Mr. Gourniak is opposed to the motion and wants to wait until after the Administrative Law date to take action. Mr. Race is opposed because the case is currently being appealed. Chairman Schnetzer wants to follow what the appellate court asks the Board to do. Motion carries.

Mr. Keiling will send certified and regular mail to the neighbors and place RTF hearing ads in the newspapers. Mr. Keiling will also notify Harmony and Lopatcong Townships, Mr. Handler, and the SADC.

Mr. Keiling left the meeting and Mr. Lavery had returned to his position as counsel for the Board.

New Business

Fox River Farm Resolution #10-13 - On a motion by Mr. Race and seconded by Mr. Gourniak, the motion carried to approve the resolution for the farmland preservation of the property located in Greenwich Township, Block 23 Lot 8 consisting of approximately 68 acres.

Van Vugt Farms (Plainview Growers, Allamuchy Township)

Article in NJFB newspaper reporting that Van Vugt Farms is making pellets from switchgrass to offset his cost of heating his farm operation and property. The concern is that he is bringing in grass offsite and that his revenue from this is more than 50% of income and that is in violation of the deed of easement. Mr. Rohr, SADC, had contacted Mr. Resker regarding this article by email. Mr. Resker will look into the matter.

Farmland Preservation – Changes for the 21st Century

On a motion by Mr. Race and seconded by Mr. Gourniak, to write a resolution in support of the Dr. Pettit's document and ask the SADC to give consideration for exceptions to be taken on farms that were not allowed exceptions during the early years of farmland preservation. Motion carries. Mr. Race would like the resolution to be forwarded to other CADB Boards, the WC Freeholders, the NJFB President, the SADC, and the Secretary of Agriculture.

Administrator's Report:

Mr. Resker briefly went over the important matters on the report.

Mr. Resker stated that the Kinney farm has received greenlight approval from the SADC and one appraisal has come in and that the Martin farm is in appraisal at SADC. He stated that we are still waiting for money from SADC for Wattles 1 & 2. The SADC has an issue with the driveway that crosses over a portion of another lot and there's an issue with the title. The County is currently trying to purchase the other lot.

Mr. Race asked why the SADC is prescribing limitations on non-preserved farms regarding AMP's on Solar Panels. Mr. Resker replied that they are trying to establish an AMP to give RTF protection.

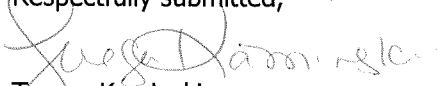
On a motion by Mr. Race and seconded by Mr. Toretta, the Board went into executive session at 9:08 pm.

On a motion by Mr. Gourniak and seconded by Mr. Gibbs, the Board came out of executive session at 9:21 pm where Schanzlin litigation matters were discussed and no official action was taken.

On a motion by Mr. Baduini and seconded by Mr. Toretta, the Board approves a motion to take the action discussed in Executive Session on the Schanzlin farm.

Public Input: None

Adjournment: On a motion by Mr. Toretta and seconded by Mr. Gibbs, a motion was made to adjourn the meeting. Motion carries. Chairman Schnetzer adjourned the meeting 9:22 p.m.

Respectfully submitted,

Teresa Kaminski