

MINUTES
MORRIS COUNTY AGRICULTURE DEVELOPMENT BOARD
30 Schuyler Place, 4th Floor, Morristown, New Jersey
August 9, 2012

The meeting was called to order by Chairman Keller at 7:40 p.m. Members present:

Aimee Ashley Myers
Dale Davis (arrived at 7:50 p.m.)
Louise Davis
Rick Desiderio
Harvey Ort
Kenneth Wightman

Also in attendance:

William Roehrich

Staff in attendance:

Ray Chang
Katherine Coyle

COMPLIANCE WITH THE OPEN PUBLIC MEETINGS LAW

Chairman Keller announced that in compliance with the Open Public Meetings Act, adequate notice of this meeting has been provided and filed with the Town of Morristown, the Morris County Clerk, the Daily Record and the Star Ledger.

APPROVAL OF MINUTES

On motion of member Wightman, seconded by member Ashley Myers, the board approved the minutes of the July 12, 2012 regular meeting. A roll call vote was taken.

Aye: Ashley Myers, Desiderio, Ort, Wightman and Keller

Nay: None Abstain: L. Davis

OPEN TO THE PUBLIC

There were no comments from the public.

CLOSED SESSION

On motion of member Wightman, seconded by member Ashley Myers, the board closed the open portion of the meeting pursuant to P.L. 1975 Ch. 231, the Open Public Meetings Act and per the board's standard resolution language, and voted to conduct a closed session.

RETURN TO MEETING

The meeting reopened to the public at 8:45 p.m.

ACTIONS RESULTING FROM CLOSED SESSION

Turnquist-Porambo Farm, Washington Township – On motion of member Wightman, seconded by member Ashley Myers, the board directed staff to prepare another letter to the landowner as discussed in Closed Session. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, L. Davis, Desiderio, Ort, Wightman and Keller

Nay: None Abstain: None

Cholish Farm, Washington Township – On motion of member L. Davis, seconded by member Ashley Myers, the board authorized staff to perform a follow-up site inspection as discussed in Closed Session. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, L. Davis, Desiderio, Ort, Wightman and Keller

Nay: None Abstain: None

REPORT OF DIRECTOR & ATTORNEY

Ms. Coyle informed the board that the SADC granted final approval to the CADB's annual updates to their Planning Incentive Grant application. Ms. Coyle spoke with Brian Loftberg who provided an update of the CADB's funding status. Currently there are \$1.5 million left in the CADB's base grant and \$6.9 million left in the competitive round.

RIGHT TO FARM

Mine Hill Township – Draft RTF Ordinance. Ms. Coyle informed that board that she spoke with Mine Hill's municipal attorney Robert Oostdyk to follow up on the comments that were submitted to the Township by the CADB regarding their draft RTF ordinance. Ms. Coyle discussed the possibility of Mine Hill setting density standards for livestock operations. Mr. Oostdyk was to present that option to the Township Council at their meeting.

Landi Simone, Gooserock Farm – Request for SSAMP. Ms. Coyle reminded the board that Ms. Landi Simone, owner of an apiary called Gooserock Farm, had submitted an application for a SSAMP for her operation. However since the CADB believes that they have a conflict of interest, the board directed staff to contact an adjoining CADB to hear the matter. Since then, a letter was received from Susan Payne, Executive Director of the SADC, which stated that based on consultation with the DAG's Office the SADC's position is that the board should obtain a written opinion from the Local Finance Board to determine if there is a conflict of interest. As a result, Mr. Bush submitted a letter to the Local Finance Board requesting their determination. The CADB now has to wait for their determination whether there is a conflict of interest in the matter.

Alex Adams, Denville Township – Complaint. Ms. Coyle reminded the board that Denville Township filed a complaint with the CADB against Mr. Alex Adams. Pursuant to the RTF Act,

if a complaint is filed regarding a matter where there is no adopted regulation addressing it the complaint must be forwarded to the SADC for their initial review. The CADB received the DAG's official opinion that the SADC would hear the matter. Ms. Coyle contacted Judith Andrejko, Esq., the SADC attorney handling the case, to inquire about the status of the case. Ms. Coyle was informed that the attorney is in the process of reviewing the file. Ms. Coyle advised both Mr. Adams and the Denville Township municipal attorney to advise them about the status and to inform them that they may reach out to Ms. Andrejko should they have any questions regarding the process at the state level.

Fish Farm, Florham Park – Complaint. Ms. Coyle reminded the board that the Florham Park Police filed a complaint with the CADB against the Fish Farm. Prior to the CADB's July meeting, the farmers' attorney submitted a request for a 30-day adjournment. The request was granted and the matter was placed on the CADB's August 9th meeting agenda. The board discussed the complaint. Ms. Coyle advised the board that pursuant to RTF regulations the complaint must be forwarded to the SADC. On motion of member L. Davis, seconded by member Wightman, the board authorized staff to forward the Fish Farm complaint to the SADC for their initial review. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, L. Davis, Desiderio, Ort, Wightman and Keller

Nay: None Abstain: None

Autumn View Farm, Washington Township – Possible Complaint. Ms. Coyle informed the board that a complaint may be filed against the Autumn View Farm by a neighbor due to manure odor and fly issues. Ms. Coyle had spoken with the neighbor, Mr. John DeGrande (the farm owner) and Ms. Cristianna Cooke-Gibbs, the Washington Township Health Officer, to discuss the matter. Ms. Coyle advised all parties regarding the Conflict Resolution Process and the Agricultural Mediation Program. Mr. William Roehrich stated that he would also speak with Mr. DeGrande regarding the matter.

CORRESPONDENCE

Mr. Wightman presented the board with an invitation to Wightman's Farms 90th Birthday Celebration and Corn Fest.

OLD BUSINESS

Proposed amendment to Policy: P-8: Ranking System. The board discussed the proposed waiver provision, which would allow the board to accept applications on a case by case basis even if they do not meet the minimum requirements for preservation. On motion of member L. Davis, seconded by member Ashley Myers, the board adopted the change to Policy P-8. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, L. Davis, Desiderio, Ort, Wightman and Keller

Nay: None Abstain: None

NEW BUSINESS

There was no new business to discuss.

OPEN TO THE PUBLIC

There were no comments from the public.

ADJOURNMENT

There being no further business, on motion of member Wightman, seconded by member L. Davis, the meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Katherine Coyle
Director