

MINUTES
MORRIS COUNTY AGRICULTURE DEVELOPMENT BOARD
30 Schuyler Place, 4th Floor, Morristown, New Jersey
September 13, 2012

The meeting was called to order by Chairman Keller at 7:41 p.m. Members present:

Aimee Ashley Myers
Louise Davis
Rick Desiderio
Kenneth Wightman

Staff in attendance:

Deena Cybulski
Ray Chang
W. Randall Bush, Esq. (arrived at 8:13 p.m.)
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 August 9, 2012 regular meeting. A roll call vote was taken.

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

Nay: None Abstain: None

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 8:17 p.m.

ACTIONS RESULTING FROM CLOSED SESSION

Cholish Farm & Andrews Farm, Washington Township – On motion of member Wightman, seconded by member L. Davis, the board authorized staff to send letters to both farms as discussed in Closed Session. A roll call vote was taken.

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

Nay: None Abstain: None

REPORT OF DIRECTOR & ATTORNEY

Ms. Coyle informed the board that the SADC has been authorized to prepare an appropriation request which will utilize the remaining 2009 bond funds. There are \$73 million in total available funds. Morris County currently has \$1.5 million in the base grant. \$6.9 million are remaining in the competitive round.

Ms. Coyle informed the board that there was a recent Superior Court decision that a landowner in Hunterdon County is liable for the destruction of prime soils on preserved farmland. It was determined that David Den Hollander damaged the soil quality at the farm and the land's future capacity for farming. The SADC was pleased with the decision as it upheld the standards in the deed of easement that nothing can be done to destroy the soil quality on a farm. A statement was issued to assure farmers that this decision has nothing to do with greenhouse operations and is a very specific soil issue. The next step of the case is to determine how to remediate the damage on the farm.

RIGHT TO FARM

Mine Hill Township – Draft RTF Ordinance. Ms. Coyle informed the board that Mine Hill proposed standards for livestock density. The draft RTF Ordinance currently states that only one animal is allowed per three acres. The CADB discussed the proposed standard and agreed that it is too restrictive. The CADB agreed that should Mine Hill Township amend the density standards to mirror those of Morris Township (the most recently adopted RTF Ordinance), the Morris CADB would approve the Right to Farm Ordinance. On motion of member L. Davis, seconded by member Ashley Myers, the board authorized staff to draft a letter to Mine Hill Township informing the Township that the proposed density standards are too restrictive and requesting that the standards be amended. A roll call vote was taken.

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

Nay: None Abstain: None

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 submitted a letter to the Local Finance Board requesting their determination on the matter. The CADB is currently awaiting a decision from the Local Finance Board on whether the board has a conflict of interest in this case. Mr. Bush suggested that he would follow up with the LFB for an estimate on timing for the determination.

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. The complaint was forwarded to the SADC on June 15, 2012. Ms. Coyle was informed that the SADC will be sending a letter to Mr. Adams requesting proof that his farm meets the minimum standards to be considered a commercial farm.

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. Pursuant to RTF regulations the complaint was forwarded to the SADC on August 10, 2012. Ms. Coyle was informed that the SADC had requested proof from the farm owners and are awaiting a response.

CORRESPONDENCE

There was no correspondence to review.

OLD BUSINESS

Davis/Shaffer, Chester Township – Termination of 8-Year Program. Ms. Coyle informed the board that in February the CADB passed a resolution terminating the 8-Year program at the landowner's request. The resolution was lost before it was filed and, therefore, it needs to be readopted. On motion of member Wightman, seconded by member Ashley Myers, the board passed the resolution terminating the 8-Year Program. A roll call vote was taken.

Aye: Ashley Myers, L. Davis, Desiderio, 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 L. Davis, seconded by member Wightman, the meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Katherine Coyle
Director