

MINUTES
MORRIS COUNTY AGRICULTURE DEVELOPMENT BOARD
30 Schuyler Place, 4th Floor, Morristown, New Jersey
January 8, 2015

The meeting was called to order by Secretary Ashley Myers at 7:35 p.m. Members present:

Aimee Ashley Myers
Louise Davis
Rick Desiderio
Harvey Ort

Members with an excused absence:

Gregory Keller
Kenneth Wightman

Also in Attendance:

John Crater (departed at 8:00 p.m.)
Frank Pinto (departed at 8:56 p.m.)

Staff in attendance:

Deena Leary
W. Randall Bush, Esq.
Katherine Coyle

COMPLIANCE WITH THE OPEN PUBLIC MEETINGS LAW

Secretary Ashley Myers announced that in compliance with the Open Public Meetings Act, adequate notice of the meeting had been provided and filed with the Town of Morristown, the Morris County Clerk, the Daily Record and the Star Ledger.

BOARD REORGANIZATION

Election of Officers

Secretary Ashley Myers turned the meeting over to Ms. Coyle for the purpose of electing new officers. Ms. Coyle served as temporary Chairman and took nominations for the position of Chairman.

Chairman

On motion of member L. Davis, seconded by member Ort, Mr. Gregory Keller was nominated for Chairman. There being no other nominations, a roll call vote was taken.

Aye: Ashley Myers, L. Davis, Desiderio and Ort
Nay: None Abstain: None

Mr. Keller was re-elected Chairman.

Vice-Chairman

On motion of member L. Davis, seconded by member Ort, Mr. Kenneth Wightman was nominated for Vice-Chairman. There being no other nominations a roll call vote was taken.
Aye: Ashley Myers, L. Davis, Desiderio and Ort
Nay: None Abstain: None

Mr. Wightman was re-elected Vice-Chairman.

Secretary

On motion of member L. Davis, seconded by member Ort, Ms. Aimee Ashley Myers was nominated for Secretary. There being no other nominations a roll call vote was taken.
Aye: Ashley Myers, L. Davis, Desiderio and Ort
Nay: None Abstain: None

Ms. Ashley Myers was re-elected Secretary.

Ms. Ashley Myers chaired the meeting from this point forward.

Meeting Dates Resolution

On motion of member L. Davis, seconded by member Ort, the Board members unanimously approved Resolution 2015-01, which established the time, date, place and agenda for the meetings of 2015 and January 2016. A roll call vote was taken.
Aye: Ashley Myers, L. Davis, Desiderio and Ort
Nay: None Abstain: None

APPROVAL OF MINUTES

On motion of member L. Davis, seconded by member Ort, the Board members approved the March 13, 2014 meeting minutes. A roll call vote was taken.
Aye: L. Davis, Desiderio and Ort
Nay: None Abstain: Ashley Myers

On motion of member L. Davis, seconded by member Ort, the Board members approved the December 11, 2014 meeting minutes. A roll call vote was taken.
Aye: L. Davis, Desiderio and Ort
Nay: None Abstain: Ashley Myers

OPEN TO THE PUBLIC

Mr. Frank Pinto and Mr. John Crater addressed the Board regarding a lot line adjustment involving two adjoining preserved farms, which are both owned by Mr. Crater. Mr. Crater

believes that a survey error was made when Farm #20 was preserved in 1997. Adjoining Farm #98 was preserved in 2007. Farm #98 encroaches onto a fenced pasture on Farm #20. While Mr. Crater currently owns both farms, he would like to address this issue so that future owners are not burdened with it. Mr. Pinto asked whether the County's GIS department could plot the metes and bounds descriptions prepared by the surveyor hired by the County (the firm is no longer in business) and compare them to metes and bounds descriptions from deeds prior to preservation. If a survey error can be shown, a corrective deed can be filed for both farms. If a survey error cannot be shown, Mr. Crater would have to submit an application for a division of preserved farmland. However, because Farm #20 was preserved without state funding, it is not in the state farmland preservation program. Before a division application could be considered by the CADB and SADC, the farm would have to be enrolled in the state program. The Board agreed that staff could ask the County's GIS department to plot the metes and bounds descriptions for both farms to determine whether a survey error was made at the time of preservation.

Mr. Crater departed at 8:00 p.m.

REPORT OF DIRECTOR & ATTORNEY

Annual PIG Application to SADC. Ms. Coyle informed the Board that she had submitted the County's annual Planning Incentive Grant application to the SADC.

Monitoring - Western Region. Ms. Coyle informed the Board that monitoring of Western Region farms had been completed.

Legislative Updates. Legislative updates were shared with the Board via email prior to the meeting.

RIGHT TO FARM

Edward Ball (Flying Alpaca Farm), Washington Township - complaint. Ms. Coyle reminded the Board that a complaint had been submitted against the owners of the Flying Alpaca Farm. Ms. Coyle had advised the farm owners, the SADC and the municipality regarding the complaint and requested a Commercial Farm Certification from the farm owners. Since the owners of the farm had not responded to the request for a Commercial Farm Certification, on motion of member L. Davis, seconded by member Ort, the Board directed staff to send a letter to the farm owners requesting that the documentation be provided by January 30, 2015. A roll call vote was taken.
Aye: Ashley Myers, L. Davis, Desiderio and Ort
Nay: None Abstain: None

River Run Stables, Washington Township – request for SSAMP. Ms. Coyle advised the Board that the owner/operator of the farm had submitted an application for a site-specific agricultural management practices for his equine operation. Ms. Coyle had reviewed the application and accompanying documentation. Based on the review, Ms. Coyle requested that additional documentation be submitted to the Board to enable a determination whether the operation is a “commercial farm.”

SADC RTF Outreach. Ms. Coyle advised the Board that the SADC wishes to conduct an outreach regarding the recently adopted RTF regulations and had asked for input from CADBs regarding the audiences that would benefit from the outreach and regarding the format of the outreach. The Board discussed the outreach and directed staff to submit the Board's suggestions to the SADC.

CORRESPONDENCE

There was no correspondence to review.

OLD BUSINESS

There was no old business to review.

NEW BUSINESS

H. Greenfield and P. Clucas, Washington Township – application for division of preserved farmland. Ms. Coyle informed the Board that SADC staff had reviewed the application and CADB documentation. The SADC is concerned that the proposed configuration of Ms. Greenfield's property would result in fewer tillable acres than what the farm has right now. In addition, the division would create a situation where Ms. Greenfield's farm would be less than 50% tillable, which would not conform with the SADC's current minimum standards for a new application. The SADC suggested that Ms. Greenfield also acquire the approximately 6-acre field on the southernmost portion of Ms. Clucas' proposed lot. Ms. Coyle stated that neither the Deeds of Easement for both farms, nor the SADC's division regulations, nor the SADC's division policy require that a farm be at least 50% tillable. There are only two requirements: that the division is for an agricultural purpose and that it results in agriculturally viable parcels. The CADB had already determined that the application meets both requirements.

The CADB discussed this and agreed that it is not appropriate to apply a fairly recent eligibility criterion to a farm that was preserved in 1988, especially when the criterion is not spelled out in the Deed of Easement, the SADC's division regulations or division policy. In addition, since both farms are permanently preserved, there is no loss of acreage, merely a reconfiguration of lot lines to better suit the current farming operations.

The Board agreed that staff would share the SADC's comments with the farm owners and ask for their input.

OPEN TO THE PUBLIC

Mr. Pinto informed the Board regarding a farm-to-table program that his consulting firm is working to set up.

Mr. Pinto departed at 8:56 p.m.

CLOSED SESSION

On motion of member L. Davis, seconded by member Ort, the Board closed the open portion of the meeting pursuant to P.L. 1975 Ch. 231, the Open Public Meetings Act, and voted to conduct a Closed Session in order to discuss matters related to the purchase, lease or acquisition of real property in closed session.

Secretary Ashley Myers announced that in compliance with the Open Public Meetings Act, the Morris CADB closed the open portion of the meeting in order to discuss matters related to the purchase, lease or acquisition of real property, and litigation in Closed Session.

RETURN TO MEETING

The meeting reopened to the public at 9:40 p.m.

ACTIONS RESULTING FROM CLOSED SESSION

Paschal, Mine Hill Township. On motion of member L. Davis, seconded by member Ort, the Board directed Mr. Bush to send a follow-up letter to Mine Hill per the discussion during Closed Session. A roll call vote was taken.

Aye: Ashley Myers, L. Davis, Desiderio and Ort

Nay: None Abstain: None

Post, Chester Township. On motion of member L. Davis, seconded by member Ort, the Board directed Mr. Bush to send a letter to Mr. Coakley per the discussion during Closed Session. A roll call vote was taken.

Aye: Ashley Myers, L. Davis, Desiderio and Ort

Nay: None Abstain: None

ADJOURNMENT

There being no further business, on motion of member Ort, seconded by member D. Davis, the meeting was adjourned at 9:45 p.m.

Respectfully submitted,



Katherine Coyle
Director