

**MINUTES**  
**MORRIS COUNTY AGRICULTURE DEVELOPMENT BOARD**  
**30 Schuyler Place, 4<sup>th</sup> Floor, Morristown, New Jersey**  
**September 13, 2018**

The meeting was called to order by Chairman Davis at 7:30 p.m. Members present:

Aimee Ashley Myers  
Rick Desiderio  
Harvey Ort  
Thomas Galfo  
Jay Thomson

Members with an excused absence:

Gregory Keller

Also in Attendance:

Peter Nietzsche, RCE

Staff in attendance:

Christine Marion  
W. Randall Bush, Esq.  
Staci Santucci, Esq.  
Katherine Coyle

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The meeting began with the Pledge of Allegiance.

**COMPLIANCE WITH THE OPEN PUBLIC MEETINGS LAW**

Chairman Davis 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.

**APPROVAL OF MINUTES**

On motion of member Ashley Myers, seconded by member Ort, the Board members approved the July 12, 2018 meeting minutes. A roll call vote was taken.

Aye: Ashley Myers, Ort, Thomson and Davis

Nay: None      Abstain: Desiderio, Galfo

## **OPEN TO THE PUBLIC**

There were no comments from the public.

## **CLOSED SESSION #1**

Pursuant to P.L. 1975 Ch. 231, the Open Public Meetings Act, Chairman Davis announced that in compliance with the Open Public Meetings Act, the Morris CADB considered closing 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. On motion of member Ashley Myers, seconded by member Ort, the Board voted to conduct a Closed Session. A roll call vote was taken.

Aye: Ashley Myers, Desiderio, Galfo, Ort, Thomson & Davis

Nay: None Abstain: None

## **RETURN TO MEETING**

The meeting reopened to the public at 8:58 p.m.

## **ACTIONS RESULTING FROM CLOSED SESSION**

No actions were taken as a result of Closed Session.

## **REPORT OF DIRECTOR & ATTORNEY**

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

*Annual PIG Application.* Ms. Coyle informed the Board that she had begun the process of preparing the annual PIG application. Notices were sent to each municipality with farms on the targeted list asking for comments. The PIG application is due mid-December.

*Municipal Administrators Meeting.* Ms. Coyle informed the Board that she had attended a meeting of Municipal Administrators organized by the County Administrator's office. Staff representing each of the Preservation Trust Programs presented information about the programs.

*Monitoring – Western Region.* Ms. Coyle informed the Board that monitoring of the Western Region had begun. Farms in Chester Township and Borough would be monitored first.

## **RIGHT TO FARM #1**

*Alstede Farms, Chester Township – Request for SSAMP.*

Mr. Bush and Ms. Santucci informed the Board that the Local Finance Board (LFB) had responded to the CADB's request for review. Letters were sent to all members who sought the LFB's guidance. Mr. Bush and Ms. Santucci stated that the letters are confidential and private.

Per the LFB, the following members are eligible to hear the Alstede matter: Rick Desiderio, Thomas Galfo, Gregory Keller and Jay Thomson.

*Alstede Farms, Chester Township – Complaint.*

Mr. Bush and Ms. Santucci informed the Board that the Local Finance Board (LFB) had responded to the CADB’s request for review. Letters were sent to all members who sought the LFB’s guidance. Mr. Bush and Ms. Santucci stated that the letters are confidential and private.

Per the LFB, the following members are eligible to hear the Alstede matter: Rick Desiderio, Thomas Galfo, Gregory Keller and Jay Thomson.

**CLOSED SESSION #2**

Pursuant to P.L. 1975 Ch. 231, the Open Public Meetings Act, Chairman Davis announced that in compliance with the Open Public Meetings Act, the Morris CADB considered closing 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. On motion of member Ashley Myers, seconded by member Ort, the Board voted to conduct a Closed Session. A roll call vote was taken.

Aye: Ashley Myers, Desiderio, Galfo, Ort, Thomson & Davis

Nay: None Abstain: None

**RETURN TO MEETING**

The meeting reopened to the public at 8:09 p.m.

**ACTIONS RESULTING FROM CLOSED SESSION**

No actions were taken as a result of Closed Session.

At this point, members Ashley Myers, Davis and Ort left the meeting room.

On motion of member Desiderio, seconded by member Galfo, member Thomson was elected temporary Chairman. A roll call vote was taken.

Aye: Desiderio and Galfo

Nay: None Abstain: Thomson

**RIGHT TO FARM #2**

*Alstede Farms, Chester Township – Request for SSAMP.*

The Board discussed the status of the SSAMP application and agreed that the Board can now resume their review of application. First, the CADB will continue reviewing the farm’s eligibility for Right to Farm protections, which includes determinations regarding eligibility of

the farm lots in question for Farmland Assessment and regarding compliance with Stormwater Management Rules. On motion of member Galfo, seconded by member Desiderio, the Board directed staff to correspond with all parties to request updated documentation. The Board will request that Chester Township provide information regarding the farm's eligibility for Farmland Assessment and compliance with Stormwater Management Rules. The Board will request that the County Engineer provide information regarding the farm's compliance with Stormwater Management Rules. A roll call vote was taken.

Aye: Desiderio, Galfo and Thomson

Nay: None Abstain: None

*Alstede Farms, Chester Township – Complaint.*

The Board discussed the status of the complaint and agreed that the Board can now resume their review of the complaint. First, the CADB will continue reviewing the farm's eligibility for Right to Farm protections, which includes determinations regarding eligibility of the farm lots in question for Farmland Assessment and regarding compliance with Stormwater Management Rules. On motion of member Galfo, seconded by member Desiderio, the Board directed staff to correspond with all parties to request updated documentation. The Board will request that Chester Township provide information regarding the farm's eligibility for Farmland Assessment and compliance with Stormwater Management Rules. The Board will request that the County Engineer provide information regarding the farm's compliance with Stormwater Management Rules. A roll call vote was taken.

Aye: Desiderio, Galfo and Thomson

Nay: None Abstain: None

**CORRESPONDENCE**

The Board reviewed a letter sent by Susan Rubright, Esq., attorney for Mr. Asdal, to Chester Township. In her September 7, 2018 letter, Ms. Rubright stated that Alstede Farms does not meet the eligibility criteria of the Right to Farm Act and that the farm remains under municipal jurisdiction. She asked the Township to provide information regarding enforcement of the alleged violations.

On motion of member Galfo, seconded by member Desiderio, the Board directed staff to share all public records related to the Alstede Farms matters with all involved parties at all times. A roll call vote was taken.

Aye: Desiderio, Galfo and Thomson

Nay: None Abstain: None

At this point, members Ashley Myers, Davis and Ort returned to the meeting room. Chairman Davis proceeded to chair the meeting from this point forward.

**OLD BUSINESS**

There was no old business to review.

**NEW BUSINESS**

There was no new business.

**OPEN TO THE PUBLIC**

There were no comments from the public.

**ADJOURNMENT**

There being no further business, on motion of member Ashley Myers, seconded by member Ort, the meeting was adjourned at 8:37 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "K. Coyle". The signature is written in a cursive, slightly slanted style.

Katherine Coyle  
Director