

SUSSEX COUNTY AGRICULTURE DEVELOPMENT BOARD

MINUTES

FEBRUARY 18, 2014

The meeting opened at 4:40 p.m. by Vice Chairperson Day in the Freeholder Meeting Room at the Sussex County Administrative Center, One Spring Street, Newton, New Jersey. The meeting was held in compliance with the Open Public Meetings Act, N.J.S.A. 10:4-1 of 1975, as amended. Notice has been forwarded to the newspapers and posted on the bulletin board maintained at the Sussex County Administrative Center for public announcement.

ROLL CALL:

MEMBERS PRESENT: Jane Brodhecker, Chairperson
Lori Day, Vice Chairperson
Brian Hautau (7:43 p.m.)
Cece Pattison (7:41 p.m.)
Joan Snook Smith
Peter Southway

MEMBERS EXCUSED: Jim Hunt

STAFF PRESENT: Rudy Dragan, Planning Aide
Antoinette Wasiewicz, Recording Secretary

ALSO PRESENT: Freeholder Liaison Richard Vohden
Freeholder George Graham

MINUTES CORRECTION/APPROVAL:

Minutes were not available.

CORRESPONDENCE:

A. DENIAL OF GREEN LIGHT APPROVAL, LOIS H. WRIGHT, WANTAGE:

Correspondence was received from the SADC regarding the denial of Green Light approval of the Lois Wright application for Farmland Preservation. Although the SADC determined that the application was complete, accurate and meets the minimum criteria, there continues to be an unsettled issue that prevents issuance of the Green Light approval.

The SADC suggests that the landowner take additional acreage to reconfigure the severable exception area to follow the natural lay of the land and avoid orphaning an area of agricultural land between the exception area and the wetland area which is currently farmed. The suggested configuration would provide a natural buffer on the back side of the exception, which could avoid potential conflict between the farm and possible commercial uses within the exception in the future. This configuration could also help avoid potential conflicts with the Deed of Easement should the area become undesirable to farm and require ongoing maintenance to retain the land for agricultural production, which is a requirement of the Deed of Easement.

Rudy said she will contact the Wright's to see if they are willing to comply with the SADC's suggestion.

RIGHT TO FARM:

None

AG. AGENT'S REPORT:

Steve Komar did not attend this evening's meeting nor did he provide a report.

OLD BUSINESS:

A. AGRITOURISM UPDATE (BROCHURE REPRINTING):

Rudy reported that the proof for the brochure came in. She will look over the proof, set up the map and return it to the printer. Hopefully, the brochures will be available in time for Springfest.

B. FPP UPDATES (GREEN LIGHT APPROVALS, APPRAISALS):

Rudy reported that no Green Light approvals have been received since the last meeting. The Resolutions for the appraisals were pulled from the Freeholder Agenda. Only four out of ten Farmland Preservation applications have received Green Light approvals.

The appraisal quotes were done as a package for all the farms and the Resolutions were prepared as such.

The Sytsema Farm #2 has a C-1 Stream and the County is still trying to convince the SADC that there is at least one buildable lot on that property. Eric Snyder is working with Tim Brill and he sent Mr. Brill an e-mail advising him that he found a number of subdivisions in Wantage that permit inclusion of not only transition areas but also wetlands in the lot calculations. The State's position is that there is not enough dry land to make the five acre minimum.

Lori Day asked if there has been anything done to have the stream reclassified because it is a seasonal stream. It is wet in the springtime. Rudy said she will look into that.

NEW BUSINESS:

A. NJ AUDUBON LETTER OF SUPPORT:

An e-mail was received from John Parke, NJ Audubon Society, asking for a letter of support from the SCADB for NJ Audubon's application to the National Fish and Wildlife Foundation for the Delaware River Restoration Fund Grants Program. The NJ Audubon Society will be working in the Upper Paulins Kill area. Mr. Parke provided the letter template. Rudy provided the Board members with a copy of the letter.

MOTION:

A motion was made by Peter Southway for the SCADB to sign the letter of support for the NJ Audubon Society's application for the Delaware River Restoration Fund Grants Program. The motion was seconded by Joan Snook Smith. A roll-call vote was taken. All were in favor.

Peter asked for an update on the Kolich Right to Farm issue. Rudy said Dennis McConnell sent information to Chuck Rohr at the SADC. He has not heard anything back yet.

Joan asked for an update on the Faulkner Right to Farm issue. Rudy said she was not sure if there is anything new with this issue.

Jim Hunt asked Rudy if there has been any interest for Farmland Preservation. Rudy said she sent out two applications and that she had to call one landowner back. She added that Kistle's stopped in the office today to find out what decision the Board made last month. Rudy advised them that the Board is looking for farms with more acreage.

Joan said the Board discussed outreach programs to the townships. She feels it is going to be very important in the future to get the word out to potential interested

parties. If they do not know about or hear about the Farmland Preservation Program, they are not going to be interested in it. Lori Day said it is also important to let people know that there is still money available for preservation.

Rudy said one of the things that was very important to Donna was agritourism. She said she will do whatever she can, but that she cannot put on events single handedly. She said it is not possible in her 20 hour work week.

PUBLIC COMMENT:

Freeholder Liaison Richard Vohden introduced Freeholder George Graham to the Board. Freeholder Graham said he has been the Freeholder since last April. He is from Stanhope and there are not many preserved farms in the Borough. The Board introduced themselves to him.

Freeholder Vohden said C-1 Category Streams run from the point of designation to every tributary one mile upstream, including intermittent streams. The Clove Brook 300' buffer and the setback don't leave much room on the Wright farm exception.

Freeholder Vohden also asked if the Board did a Resolution in support of the Dual Appraisal Method. The Board made a motion to support the Dual Appraisal Method but a Resolution needs to come from the Freeholders. Rudy told Freeholder Vohden that she e-mailed him a copy of the draft letter.

Freeholder Vohden said at the last three Highlands Councils meetings, a man who claims he was once a tax collector came in with the Highlands Coalition and tried to convince everybody that as a result of the Highlands Act, property values have gone up in the Highlands region. Freeholder Vohden said there is a farmer in Sussex County who preserved his farm through the State. On one side of the highway is the preservation area and the other side is the planning area. Because he is on the wrong side of the road, he had his property appraised with the Dual Appraisal Method. On January 1, 2004, his development rights were worth \$12,500 per acre. Today's appraisal is \$350 per acre. In Sussex County, the average farm is 73 acres. 73 acres multiplied by \$350 per acre totals \$25,550. Deduct the real estate fees and other fees, and with what's left, the landowner could buy a halfway decent used pick-up truck. If the Dual Appraisal Method is not continued, people will not preserve their farms. Brian Hautau said this Board is definitely in favor of the Dual Appraisal Method and they did vote in favor of continuing it.

Freeholder Vohden said the Freeholder Board received the CADB's letter urging them to fill Donna's position. He said when Donna submitted her resignation, a Job Requisition was filed. This is being discussed with staff. The Freeholders get involved if

there is a policy change. So far there has not been a policy change. Staff is considering how to handle the work since Donna did a lot more than her job description.

Rudy asked Freeholder Vohden what extra duties did Donna perform that were not in her job description. Freeholder Vohden said Donna expanded the office to take in a lot more than what was delegated to her and she grew with the program. He said the farms must be monitored. It is State mandated. If the County does not monitor the farms, the State will do the monitoring and then they will charge the County for the cost. There is also the issue of Right to Farm.

Lori asked if Donna's job has been posted. Freeholder Vohden said the job has been posted but that they are still working out some details. Rudy said even without all the extra work Donna did, it is still a 40 hour a week job plus the 20 hour per week position. Freeholder Vohden said everybody is expecting the new person to do what has been done in the past. A lot of the duties are handled by the Chamber of Commerce and the Economic Development Partnership. Also some duties are performed by the Board of Agriculture. The duties that the position must perform are Farmland Preservation, Right-to-Farm, farm monitoring and violations of the Deed of Easement.

Peter said as a Board, they are focusing on how to identify the prospects of farms to preserve that are left in Sussex County. He said there is a unique opportunity right now because appraisal values are moderate and there is some funding available. He said the Board is wrestling with the question of whether or not they are most effective in finding pieces of viable farmland to preserve.

Freeholder Graham said because this is a Civil Service position, there are also other considerations. When you post a Civil Service position, anybody can take that position, even if they are only on the edge of their ability to take that position. This is what John Eskilson, Eric Snyder and Walter Cramp are working out. Freeholder Vohden said they could put someone in who is qualified in the position and someone from Middlesex County who has a Planning Degree could bump him or her. They you have someone who knows Planning but may not be knowledgeable about farmland.

There was also some discussion about State funding for Farmland Preservation and Open Space. Freeholder Vohden said he received a call from someone questioning why Open Space funds are being used to monitor farms and to oversee the Right to Farm Act. He also said that Donna's salary, benefits and legal fees account for more than half of what is being collected from the dedicated tax. It doesn't leave a lot for farmland acquisition. This time during which the position is not filled will give the funds time to accumulate so that when there is State Funding, the County will have the funds to match it.

Peter said that Donna has always been the Board's contact to County government. He hopes that people beyond Donna appreciate the fact that the Board members are

volunteers. The Board always felt they had Donna's support. If the time comes where the position does not get filled, and the volunteers don't see support, he will not be on the Board. A few Board members agreed. Freeholder Vohden said the Board has their total support. Freeholder Graham said he spent seven years as a Councilman in his town. Government moves at certain levels. He said he totally appreciates Mr. Southway's point about volunteers and that the Freeholders are supportive of them. They are just asking for a little time to let this move through the channels it has to move through. Joan asked if the Board could ask John Eskilson to come to the Ag. meeting for an update on the process. Lori Day suggested that Mr. Eskilson attend every Ag. meeting to give the Board a progress report.

MOTION:

A motion was made by Joan Snook Smith that the Board send a letter to John Eskilson inviting him to come to the Board's monthly meeting with an update. The motion was seconded by Lori Day.

Discussion followed. Cece Pattison said Mr. Eskilson must already be overwhelmed with meetings. Peter said since this is the first meeting without Donna, he suggested that they hold the motion until the next meeting. If they feel there are no signs of positive progress by then, then they will send the letter. Other Board members agreed. The motion was tabled until the next meeting, at which time they will decide whether they will bring it up again.

ADJOURNMENT:

All business having been completed, a motion to adjourn the meeting was made by Peter Southway. The motion was seconded by Brian Hautau and carried unanimously. The meeting adjourned at 8:30 p.m.