

SUSSEX COUNTY AGRICULTURE DEVELOPMENT BOARD

MINUTES

MARCH 19, 2012

The meeting opened at 7:45 p.m. by Chairperson Brodhecker 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  
Jim Hunt  
Cece Pattison, 7:50 p.m.  
Joan Snook Smith, 8:30 p.m.

MEMBERS EXCUSED: Peter Southway

STAFF PRESENT: Donna Traylor, CADB Coordinator  
Antoinette Wasiewicz, Recording Secretary  
Steve Komar, County Agricultural Agent

ALSO PRESENT: Brian Smith, Esq., SADC  
Freeholder Richard Vohden  
Lisa Chammings, Stillwater Township

**MINUTES CORRECTION/APPROVAL:**

A motion was made by Lori Day to approve the Minutes of January 17, 2012 as presented. The motion was seconded by Jim Hunt. All were in favor, with an abstention from CeCe Pattison. Motion carried.

A motion was made by Brian Hautau to approve the Minutes of February 21, 2012 as presented. The motion was seconded by Jim Hunt. All were in favor, with an abstention from CeCe Pattison. Motion carried.

**CORRESPONDENCE:**

A. RUTGERS AGRITOURISM SURVEY:

An e-mail was received from Rutgers University advising that they are conducting an Agritourism Survey to develop and deliver train-the-trainer educational resources on agritourism to agricultural educators and service providers in order to assist Northeast farmers in mitigating financial risk through accurate enterprise budgeting; minimizing risk and liability associated with farm visitations; and improving marketing strategies.

They will be asking 200 farmers in the Northeast questions to identify issues and challenges impacting agritourism development. Focus will be placed on understanding the benefits and challenges associated with agritourism, risk mitigation strategies, marketing strategies, as well as sources of information on agritourism enterprise development. This is a single survey and should take about 30 minutes to complete.

Jim Hunt took the survey and briefly talked about the different questions on the survey.

B. NJ FARMLAND PRESERVATION CONNECTIONS NEWSLETTER:

The SADC sent out their new Newsletter, "The NJ Farmland Preservation Connections" The Newsletter covered the following topics: On-Farm Direct Marketing Draft AMP; New Electronic System to Simplify, Standardize Monitoring Reports; SADC's New Leasing Guidebook for New Jersey; Legislative Update; Clarification regarding Medical Marijuana on Farms; Non-Profit Applications for Farmland Preservation; and Atlantic County's Comprehensive Farmland Preservation Plan. This newsletter was forwarded to the CADB.

C. ARTICLES OF INTEREST (FOREST HARVEST PROGRAM PROPOSED LEGISLATION:

The NJDEP is developing a forest harvest program to provide for the harvest of forest products on State-owned lands, excluding State-owned lands in the Pinelands area for which a forest stewardship plan has been developed.

Freeholder Vohden said this Bill was sponsored by Senator Smith and co-sponsored by Steve Oroho. There was some opposition to this Bill by environmental groups so they are looking at it again. Freeholder Vohden said he spent the day with the New Jersey Forestry Association at their annual meeting and this program was discussed. Farm Bureau was there and they are in support, as are NJ Parks and Forestry, Audubon Society, Fish and Wildlife and Forest Fire Services. They all support the Bill because it will handle endangered species. They do expect the Bill to pass.

There were some articles over the last few days on USDA warning of fraudulent letters being sent out under the name of the USDA. The letters have the USDA logo and seal and are signed by Frank Ruttenberg. The letters ask for personal information. So far the letters have not been sent to New Jersey.

One article is a schedule announcement on the plastic pesticide container recycling program. Donna said these containers are recycled in South Jersey but she does not think they are being recycled in North Jersey. Brian Hautau said there have been discussions about the program but most of that recycling is for over wintering plastic for greenhouses and nursery pots and there is not enough volume in North Jersey to make it viable.

**RIGHT TO FARM:**

None

**AG. AGENT'S REPORT:**

Donna said Steve Komar is in a meeting in Hunterdon County this evening and that he was at Springfest all weekend with the Master Gardeners.

**OLD BUSINESS:**

A. AGRITOURISM UPDATE (HIGHLANDS COMMERCIAL KITCHEN):

Donna reported that the Highlands Council met last week and voted on our request for additional funding for the Commercial Kitchen project. Funds of \$15,000 were granted to continue the work begun in Phases 1 and 2. Herb August, Grants Manager, advised Donna that the Minutes will go to the Governor's office for approval, after which a formal announcement will be made.

Donna said she believes there will be an article regarding the Commercial Kitchen in the New Jersey Herald in the near future because the County Administrator was asked for some information on the project. John Eskilson put Bruce Scrutin in touch with Donna and she provided him with a summary of Phase 1 and Phase 2. Mr. Scrutin said he will be looking for additional information from Donna.

The additional funds will allow the farmers to utilize the new equipment with their hours in the kitchen covered. There is a small amount of money left in the grant for some small pieces of equipment and marketing research. The goal is to come up with two to three additional new products and possibly work with south Jersey farmers. South Jersey farmers took the course but they do not have a facility to apply their certification. By joining north and south, it is possible that new value-added products can be developed.

The new Travel and Tourism Grant just came out and is due the middle of May. Donna said she is signed up for a seminar on April 13 on how to better prepare for this grant submittal. There have been changes on the grant over the last year.

Freeholder Rich Vohden said he met with Arts and Heritage and they asked him to speak to Donna about becoming part of the grant for eco or agritourism. Donna said they can become part of the event. She asked him to let her know who to contact at Arts and Heritage. She also discussed the challenges of funding these events.

Donna said she participated in Springfest over the last four days and distributed more than 40 boxes of materials. Bird boxes were donated from the Sussex County Bird Club and Don Traylor built a stand for a wood duck box. Donna said she collected 478 names and e-mail addresses from attendees hoping to win a bird box. The e-mail addresses will be used for e-mail blasts to advertise the Birding and Nature Festival on June 9 and 10. This event has an agritourism component. Zip codes were also collected to help with information on return on investment figures necessary for grant applications.

Six local Farmers Markets went in on rack cards listing all six Farmers Markets, their opening dates, times, seasons, web-sites and/or e-mail addresses. The County's sussexfarmvisits.com website and the 800 number are also on the rack card. These cards will be distributed by the individual Farmers Markets.

Donna asked Brian Hautau to talk about Springfest. Brian said it was a very well run event. There were many lectures that were well attended. He said attendance for Saturday was about 2,300 paid at the door. Donna added that she noticed there were many Master Gardeners who were very helpful to people walking through the event. Brian said they had a visit from the Assistant Secretary of Agriculture, Al Murray, who later visited Hautau and Sons.

**B. UPDATES ON CLOSINGS, APPROVALS, JORRITSMA APPRAISAL ISSUES:**

Donna said there have not been any closings recently. In the 2011 Funding Round there were four farms that were appraised and only three were certified so far. There were some challenges with the Jorritsma application, so offers were made to the other three landowners, explaining that the Jorritsma farm was ranked number two and that funding for farm numbers three and four would be contingent on what happens with Jorritsma. The landowners were given a deadline and all three accepted their offers.

Jorritsma is similar to some of the Foody farms; there is a rail trail that bisects the farm. The lot on one side is going to be accessed through an unrestricted easement on a piece that the Jorritsma's are not putting into Farmland Preservation. At first they were going to take two or three acres and make it part of the application, but the State suggested that they do a right-of-way. The Jorritsma's agreed to that and a letter was sent to the State. There is an issue with crossing the rail trail. County Counsel is in the process of contacting DEP and getting a letter to show the farmer has access across it and what the width of that access would be to show that it would be enough for development potential. This process could take a few months. Donna that the Board will see this under "New Business" to give final approval to those three farms but they need to be mindful that should the Jorritsma's receive certification and agree to the value, that they are number two on the list.

Donna said her preliminary budget has been reviewed. The County Treasurer has been out for a few weeks but he is due back soon and she will be able to discuss the budget with him then. The County is being reimbursed for one of the other farms, so we may have to use some of that money toward Jorritsma or Mazza from last year's round, rather than toward the grants to non-profits farms.

C. DRAFT AMP FOR ON-FARM DIRECT MARKETING FACILITIES, ACTIVITIES AND EVENTS – BOARD INPUT:

Donna said so far she has only received written comments from Lori Day. The other Board members said they agreed with her comments, which were e-mailed to them. The deadline for comments is April 15 which is before the next CADB meeting; therefore, the Board will review this tonight.

The Board reviewed the document and Lori's comments, page by page. They agreed to the following changes:

1. To the list of examples of unprocessed agricultural output, add "livestock."
2. Under Safety, ii, change to secure "locked" location.
3. Under Corn Mazes, ii, add "before closing."
4. Under Corn Mazes, iv, "no smoking" should apply to any mazes.
5. "No Smoking" should also apply to Hayrides and wagon rides.
6. Under Livestock and animal activities, vii, change to "their" pets.
7. Under Signs, Primary on-site farm business sign, (2), maximum size should be changed to 32 square feet.
8. With regard to buffers, language should read, "shall be considered" as opposed to "shall be installed."

Donna said she will write a letter incorporating these changes and e-mail it out to the Board members for their approval. She will then have Jane Brodhecker sign the letter before forwarding it to the SADC.

D. TENNESSEE GAS PIPELINE UPDATE/PSE&G UPDATE:

Donna reported that as of today, Tennessee Gas Pipeline has not yet received their formal approval of certification which would give them condemnation authority. There are a number of properties that this can or already has impacted, one being the Hamming property, in which the pipeline is already laid. It appears that through the SADC analysis, Tennessee Gas Pipeline has taken an additional easement. The County may not be dealing with that as immediately as it needs to deal with Shaeffer, because that hasn't happened yet. At the meeting with Tennessee Gas in Trenton about a month ago, they said they haven't examined alternatives for the line in that area. Tim Brill is looking at other possibilities that we could bring to Tennessee Gas.

There is also some movement on the part of the PSE&G projects. They are giving indications that they intend to start construction of the line that will impact farms in Fredon and Andover Township. Donna added that there are also potential issues for farms that have been designated in our agricultural development area that are not yet preserved. Because they are in an ADA, there are certain constraints that the utility companies have to abide by as far as Notice of Intent and how this Board needs to get involved in making comments. Donna said she copied part of the statute and rules that will govern these issues. In the future, there may be the need for a Public Hearing by this Board on some of these issues. She asked the Board to read over the document she gave to them to become familiar with the statute and rules. Sometime this week, Donna and County Counsel will have a phone conversation with Brian Smith and Tim Brill regarding what is occurring.

**NEW BUSINESS:**

A. FINAL APPROVAL (BASED ON AVAILABLE FUNDING) FOR 2011 APPLICATIONS:

Donna provided the Board with a copy of the Resolution she prepared for the three farms for which the County made an offer to and was accepted by the landowners. They are: David Lane in Wantage Township; Judith Keys in Wantage Township; and Mario Mazza in Frankford Township. The Resolution explains that we don't have the certified value on Jorritsma, which is the number two farm on the list and that it will be necessary to allocate funding for this farm prior to closing on the Keyes and Mazza farms. The Resolution also states that the County may have to look at any other funding sources with the potential that it may have to take one farm ahead of another should funding only be available through a source where the other farms may not fit the criteria.

**MOTION:**

A motion was made by Jim Hunt to accept this Resolution as written. The motion was seconded by Joan Snook Smith. A roll-call vote was taken, all were in favor.

B. MONITORING E-FORMS (SADC):

Donna said about a week ago the SADC ran a series of meetings to explain the new E-Monitoring Form. In the past the form was two pages and now it is ten pages. The drop downs will probably add another five pages. This new form will be a lot of work, at least for the initial year. It is not mandated this year but Donna feels it is better to start using it sooner rather than later. Donna discussed some of the information that will need to be entered on this form. She said the County Coordinators will send one letter to the State stating their concern and asked the Board if they agreed with that. The Board said, "Yes." Donna added that there is a question as to whether some of the funding for this program could be utilized for equipment for the Counties, such as a laptop. The other major concern is that square footage of all buildings will need to be determined for each farm – this is a tremendous amount of work.

**PUBLIC COMMENT:**

Freeholder Rich Vohden said much of the information that needs to go on the E-Monitoring Form can be found on tax records and suggested using kids doing Community Service for some of the work. Donna said she spoke with the County's GIS Manager who said there are technological ways of doing the work accurately, which would involve training an intern. The NRCS person who attended the north Jersey meeting said they will look into finding someone who could do this work Statewide.

Brian Smith said the Mooney farm is preserved and the Washer farm paperwork is in Trenton and being reviewed by Antoine. The Washer survey has a boundary line through the farm, in black, and there is a dashed line, which is the work that the Mooney surveyor did. There is an overlap. This has to be resolved because neither the County nor the State can pay twice for the same property.

Lisa Chamblings, Stillwater Township asked about preliminary approvals for Farmland Preservation that are sent to the Township. She wanted to know how many times they have not been approved. Donna said never. She then asked if any have been tabled. Donna said maybe once or twice in 23 years. Ms. Chamblings said she is trying to clarify something for her Township. They are tabling the preliminary approval of one of the farms Donna spoke about this evening. Donna said that is the Syberg parcel that the Land Conservancy of New Jersey received funding from the State under grants to non-profits. Land Conservancy asked the County to partner with them. Donna said the County needs a Resolution of Support from the municipality. Ms. Chamblings said the town is looking for more information. Donna asked what information they want. Ms. Chamblings said she is on the Town Committee and she can't find out what information they are looking for. She will go to a meeting tomorrow night and would like to be able to speak about what preliminary approval means. Donna explained that the preliminary approval does not mean the township is putting funding into the project. She added that she asks for two sentences from the towns: "We support the County Farmland Preservation Program" and "We grant preliminary approval to this

application (with the block and lot numbers and amount of acres.)” This gives the County the ability to proceed with the process. Then an appraisal will be ordered; the appraisals are certified; the landowner is made an offer; and the landowner accepts or rejects the offer. If the landowner accepts the offer, the County will go back to the municipality to have them change the word “preliminary” to “final.” This means the town sanctions the farm’s closing into Farmland Preservation. Donna said this is the County process, she does not know what the Land Conservancy is looking for.

Donna explained that the Land Conservancy of New Jersey applied for funding from the Grants to Non-Profits under the SADC. They were granted funding for five farms. They came to the County and said they could fund these five farms at 50% (the maximum amount they can use from State funding.) The CADB looked at the farms and agreed to partner with the Land Conservancy if funds were available. The preliminary approval from the town is part of the process. Donna feels there may be some confusion on the part of a Stillwater Township Committee member regarding Planning Incentive Grant for Open Space rather than Farmland Preservation.

**ADJOURNMENT:**

All business having been completed, a motion to adjourn the meeting was made by Lori Day. The motion was seconded by Joan Snook Smith and carried unanimously. The meeting adjourned at 9:35 p.m.