

SUSSEX COUNTY AGRICULTURE DEVELOPMENT BOARD

MINUTES

OCTOBER 21, 2013

The meeting opened at 7:35 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
Jim Hunt
Cece Pattison
Joan Snook Smith
Peter Southway

MEMBERS EXCUSED: None

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

ALSO PRESENT: Rudy Dragan, Planning Aide
Kathy Cafasso, Ag. Learning Center

Donna reported that there was some concern about having a quorum for tonight's meeting because there was a glitch in getting the Resolution on the Freeholder Agenda for reappointment of some CADB members. The terms for Jane Brodhecker, CeCe Pattison and Joan Snook Smith expired on September 30, 2013. Donna spoke with County Counsel and he advised her that Board members hold office for the term of the

appointment and until a successor shall have been appointed and qualified. Therefore, these members are still part of this Board even though the formal reappointment will not take place until Wednesday.

MINUTES CORRECTION/APPROVAL:

A motion was made by Peter Southway to approve the Minutes of September 16, 2013, as received. The motion was seconded by Joan Snook Smith. All were in favor, with an abstention from Lori Day. Motion carried.

The Agenda was amended to New Business, A.

CORRESPONDENCE:

A. YOUNG FARMER & RANCHER COMMITTEE NOMINATION:

A memo was received from New Jersey Farm Bureau advising that they are reactivating its Young Farmer and Rancher (YF&R) Program. They asked each County to nominate two representatives to serve as members of a newly-formed YF&R State Committee. Although each county may select only two people to represent their county on the State YF&R Committee, all qualified members will be able to participate in YF&R leadership, educational, competitive and social events. After a brief discussion, the Board offered the names of Tor Andersen and Cully Opilla.

B. FRANKFORD TOWNSHIP FP PLAN/PIG, 9/26/13:

A letter was received from James Ayers, Frankford Township Committeeman and Open Space and Farmland Preservation Liaison regarding its Municipal Planning Incentive Grant application. As requested by the SADC, Frankford Township provided the SCADB with an update of its target list and active farms.

C. ANDERSEN FINAL APPROVAL, SADC, 9/26/13:

At the end of September, the SADC gave Final Approval and authorization to proceed with closing documents on the Andersen Farm in Sparta Township. The County will not hold the easement since it was purchased with Highlands Preservation funds through the State program.

D. GREEN LIGHT APPROVAL, SYTSEMA #1, SADC, 10/8/13:

A letter was received from the SADC advising that they granted Green Light Approval for the Sytsema #1 farm in Wantage Township. This approval authorizes the contract for appraisals on this farm. Donna said that getting Green Light approval for this round of applications has been very difficult and has been slowing down the process of getting appraisals done in a timely manner.

E. NORTHERN FARMERS MARKET MANAGERS MEETING:

An e-mail was received regarding the Northern Farmers Market Managers meeting scheduled for Monday, November 11 from 11:00 a.m. – 1:00 p.m. at Crystal Springs Country Club in Hamburg, NJ. A Meeting Agenda was provided with a request to RSVP by October 15.

F. WRP REQUEST, LOPSHIRE, 9/30/13:

An e-mail was received from Howard Lopshire advising that his firm, Carroll Engineering has been contracted by USDA-Natural Resources Conservation Service (NRCS) to perform property surveys relevant to the preparation of Wetlands Reserve Program Easements within certain properties located in Sussex County. Mr. Lopshire is looking for any relevant information in the way of adjoining Green Acres surveys, Rails to Trails projects, subdivisions and county and township road plans that border or are adjacent to Jan and Benjamin Jorritsma' property in Sussex County and several others.

G. ARTICLES OF INTEREST:

Donna discussed a brochure she received regarding "Preserving the Harvest" an event at Rutgers Cooperative Extension of Cape May and a Small Farm Dream class offered by the Northeast Organic Farming Association.

RIGHT TO FARM:

Donna said last month the Board received a copy of the Brodhecker judgment and at that time she said an appeal would probably be made by the municipality and the landowner. She reported that did happen. The SADC asked Donna to provide a list of the Board members at that time, which she did.

There will probably be another Right to Farm issue coming up. About a year ago Donna and Steve Komar visited a small farm in Wantage. This was a poultry operation that wanted to use trailers to house poultry. Steve gave the landowner reasons why trailers would not be the healthiest way to house poultry. He suggested utilizing their existing Morton building or their pasture land.

Donna said she received a telephone call from the Zoning Officer who has been talking to the Right to Farm Manager at the State. The Zoning Officer cited the landowner on having additional trailers and none of them were being used for agriculture. David Kimmel called Donna on Friday and said that the issue first has to go before the CADB because if the farm is deemed to be a commercial farm and he intends to use the trailers for agriculture, then it is up to this Board to determine whether this is a Right to Farm issue. Donna left this message for the Zoning Officer. She provided him with the date of the CADB meeting and expected him to attend tonight's meeting. According

to David Kimmel, the Zoning Officer should be doing a formal complaint to the CADB.

AG. AGENT'S REPORT:

Steve Komar reported that he is doing a bear study again. The study started in Sussex County and now it is being done in Hunterdon County.

Rutgers is about halfway through the Ag. Tourism classes. They did two visits to agritourism farms around Middlesex County.

The Master Gardener Award Ceremony is scheduled for this Wednesday. One of the highlights of the Master Gardener projects is work that's being done at a SCARC house in Lafayette. He said the mission of the Master Gardener is changing more towards education.

The SARE project is finished and the website is live. The FSA is looking into crop loss. Steve said there has to be 30% crop loss Countywide.

Steve said he was sure the Board was aware that the Extension office must relocate. It looks like the new location will be the old Youth home. Steve said he made some remodeling suggestions. This Wednesday Steve will go before Frankford Township to apply for a Variance to use the building as an office.

OLD BUSINESS:

A. AGRITOURISM UPDATE (HARVEST FESTIVAL, WINTER MARKETS, SPRINGFEST 2014):

Donna reported that the Harvest Festival was held one week ago Saturday and that it was a great day. Rudy worked at the Entrance, handing out programs and asking for zip codes. Rudy said participants came as far away as South Jersey, Manhattan and the Philadelphia area. There were also local people that brought their out-of-state weekend guests.

Donna said there were wonderful vendors and displays. Four of the barns were used and she thanked Joan Snook Smith for opening the Snook Museum. She also thanked the Antique Engine Club for providing free hay rides. Four farmers donated pumpkins for painting: Andersen Farms, Lentini, Ideal and Kuperus. Donna also thanked Rudy's daughter who helped out tremendously and also Boy Scout Troop 180 who not only served food but helped with the children's activities.

Jane reported that Farm Bureau Women gave out a lot of literature and Peter Southway said his cheese sales were about 30% ahead of last year. Peter said his wife spoke to many people about why they attended the festival and the overwhelming response was because it is free. CeCe reported that the Lusscroft table talked to more than 600 people. A man from the Garlic Growers said their sales almost tripled this

year. Donna said she intends to e-mail a thank-you to the vendors and ask them for data on their sales this year compared to last year.

There is one, possibly two winter Farmers Markets this year. The Food Shed Alliance's Newton Market will be starting early November. This will once again be at the Spring Board Shops on Spring Street in Newton. The market will run on Saturdays from 10:00 a.m. to 1:00 p.m. November through April. They currently have full-time and part-time vendors and farmers that will participate.

There has been some discussion about having the Farmers Market at the Fairgrounds open for the winter. The County owns the building and has a lease with the Fairgrounds. There is also a sub-lease with the Board of Agriculture who currently runs the market. County Counsel is preparing a Memorandum of Understanding and Donna said she has been working with Barbara Wortman, the Fair Manager. She had to go through a number of levels of meetings with different committees for approval, which she received Thursday night. Donna said she spoke with her on Friday morning and she brought his information to one of the Farmers Market Committee members.

Donna was shopping at the Farmers Market on Saturday and was told about requirements the Fairgrounds has for the Winter Farmers Market. Some of the farmers are unhappy with them. She told them they had until Monday at 3:30 p.m. to negotiate and let her know so she can do the Memorandum of Understanding and get it to the Board of Agriculture for next Monday night's meeting. There were some issues about snow plowing and payment for electricity and propane.

Donna said she received a hand-written letter from the Springfest Committee saying they would appreciate it if the County would change up the educational displays for the 2014 show. Donna said as most non-profits, the County has a fixed budget. She said the floor display is permanent and designed to last. She fears that if this letter went to all the participants, people will say, "No." Donna asked the Board if she should say she does not have a budget for a new display. After a brief discussion, Jane asked the Board members to pass on any suggestions to Donna.

B. FPP UPDATES (GREENLIGHT APPROVALS, APPRAISALS, MONITORING, LAND CONSERVANCY PROJECTS, CLOSINGS):

Green Light Approvals and Appraisals were discussed earlier in the Agenda. Donna said since the new cycle started at the middle to end of July, she monitored 37 farms.

Donna reported that only two of the four Conservancy Projects are going through. Of the two, Wintergreen and Golden View, one is scheduled for closing on November 6 and it is hoped to schedule the second one on the same day.

There is still one remaining issue with the Tomasso closing. MC Land Trust needed a subordination agreement. Donna said there hasn't been any progress with Sella and

Dennis McConnell still hasn't check to see if he has the remaining contract on Goldman partnership.

C. KOLICH VIOLATION UDPATES, MATOS UPDATE:

Donna reported that County Counsel has been sending letters regarding the Kolich violation and that they have been unable to reach Mr. Neppl.

Also, Donna said she looked into the Matos file and realized that none of the information they were supposed to send in was received. They were supposed to send in about four items; and supposedly, they were ready to get final approval on the septic system. This Board passed the Resolution on April 15. She sent Mr. Matos a certified letter last week requesting that information and also reminded him that he is still in violation for not having a Conservation Plan.

D. UPDATE TENNESSEE GAS PIPELINE AND PSE&G:

Donna reported there is nothing new with Tennessee Gas Pipeline but there are lots of things happening with PSE&G. The County is involved with a lawsuit with PSE&G, which the Southways are part of. The hearing date is this Friday and the Judge will decide at that time whether the current easement can be changed. There were about 20 megabytes of letters and legal documents that were e-mailed to her late this afternoon.

Peter reported that the State said there was no precedent but then they quote precedent on what they've done before. The State also made comments about the property but they've never visited the property. The State said the relocation of the tower will change the farm capability of the land. Peter said it will not. Where the tower is today and where it will be is on a very steep slope that is not farmable. The State said the move might be in the best interest of the school children and the wetlands so they will abide by the Judge's decision. Donna said PSE&G contacted the New Jersey Preservation Committee in Trenton about moving the historic house but they felt it was too old and it would be destroyed if they moved it.

Peter said PSE&G's easements go back to 1929 and that the State probably needs to think about the notification process when they put on an ag. easement. Donna said the Deed of Easement recognized that other easements exist. It becomes an issue when you're moving an easement onto land that is already restricted for agriculture. CeCe said a huge road was built in the easement of her property. They were going to build the road right to the pasture but she convinced them not to build it there. Donna said PSE&G ruined the Chamings hayfield and that they were only given a 24 hour notice before they destroyed the crop.

Donna said the line coming through the County is also going through non-preserved farms that are farm assessed and therefore in the County Ag. Development Area. PSE&G is responsible for preparing documentation to identify every block and lot that

is farm assessed that their line will impact. They will then provide this document to each of the respective Counties and then the Counties will have 30 calendar days from date of receipt in which to review it. Donna said this Board will have to take an action. The State received their notification last week. It is not known when the County will receive its copy. She alerted the County Administrator and the Clerk of the Board in case the notification goes to them.

Donna said things that have to be considered are access roads, staging areas, new easements and even if the line will affect fencing and livestock. She said the Board will have to determine if there will be significant impact to any property. The next CADB meeting is scheduled for November 18 which Donna planned to cancel because she was supposed to be on vacation. Depending on when this document arrives, there will have to be a November meeting, possibly a special meeting. Donna asked if the Board members would attend a meeting on the 4th Monday of November, which is the date of the Board of Agriculture meeting. It was suggested that this special meeting be done earlier in the day. There was some question as to whether or not this was only applicable in cases of imminent domain.

NEW BUSINESS:

A. AGRICULTURE LEARNING CENTER UPDATE, KATHY CAFASSO:

Kathy Cafasso came before the CADB this evening to provide them with an update of the Ag. Learning Center which debuted in February 2010. She talked about their Mission Statement and discussed statistics regarding their outreach. The numbers vary based on population, grade levels and availability of transportation. Ms. Cafasso talked about the program at the Snook Museum which is a center on forage, hay, straw, silage and corn plants. The students also get a chance to work in the farm kitchen making butter. They also get a chance to work with harvesting equipment, shelling and grinding corn.

The Shotwell Building has three centers: sunflowers, chickens and dairy cows. The students are provided with facts about each and a worksheet to complete. Crisman farms provided corn and every child goes home with their own cob of corn.

The Ag. Learning Center is still doing Kindergarten and 4th Grade programs. Last year they had a request from a second grade in the Sussex-Wantage district for a program on plants. The Ag. Learning Center accommodated them and there were three days that the second graders came and visited the hydroponic garden and heard a talk from a Master Gardener. They also visited three centers in one of the barns where they learned about pollinators, above/below ground plants and a food service glove to sprout bean seeds.

Ms. Cafasso talked about the Ag. Bag Program which provides teachers with books relating to agricultural topics. The library is an on-going project as is the workshop for primary school teachers. She also talked about long-range plans in purchasing some

big ticket items such as classroom incubators, ice cream freezers and crock pots. Ms. Cafasso invited the Board to visit the fourth grade program over the next week or so. The Fair website has information on the Learning Center's programs and a resource section for parents and teachers.

B. NEW FP APPLICATIONS:

Donna said that last month she discussed with the Board whether she could bring new applications to them because one application from the original nine and then two from the Land Conservancy were lost.

After this Board evaluated the 17 applications, another application came in for a 136-acre farm in Hardyston. Donna said she visited this farm and that it is very tillable and about half of it is in production. The farm has absentee owners but the owner will be in this area tomorrow. Donna said if anyone wanted to visit the farm tomorrow, she can accommodate them. A few members made arrangements to visit the farm.

There are two other applications. She visited one that is just less than 30 acres. The farm is all in production ag. They want a non-severable exception around the house. The other is the Dana Ray farm. This is a small (14 acre) parcel which is why they never submitted an application before. Donna said this farm is an intensely farmed piece of land. She asked how the Board felt about partnering with a municipality to preserve these farms. She said the County would be using its own dollars, probably about 17% of the acquisition cost. The County would hold the easements. Regarding the Dana Ray farm, because it is so small and because of the challenges in working with the State, the County and municipality may want to preserve it on their own. Lori Day questioned whether the County wants to go down to a 14 acre farm; however since it is being intensely farmed, she would agree to preserve it. Joan felt they did not have enough information right now. Donna said she will provide the Board with a point chart for the three farms discussed. Jim Hunt said a reason to preserve a farm is what impact it would have if that farm didn't exist as a farm and what impact will it have for development potential. This 14 acre piece would not have any impact if it weren't a farm. Donna said that is typically why this Board does not preserve the small pieces but the towns will see smaller farms because those are the farms that the County doesn't preserve. Peter said Donna should tell Frankford that the County would be more than happy to hold the easement and work the process with them, but it is not willing to put in money because the size does not fit the criteria. No decisions were made on the aforementioned applications.

PUBLIC COMMENT:

None

ADJOURNMENT:

All business having been completed, a motion to adjourn the meeting was made by Peter Southway. The motion was seconded by Joan Snook Smith and carried unanimously. The meeting adjourned at 10:00 p.m.