

**MINUTES**  
**MORRIS COUNTY AGRICULTURE DEVELOPMENT BOARD**  
**30 Schuyler Place, 4<sup>th</sup> Floor, Morristown, New Jersey**  
**February 19, 2014**

The meeting was called to order by Secretary Ashley Myers at 7:52 p.m. Members present:

Aimee Ashley Myers  
Dale Davis  
Rick Desiderio  
Harvey Ort

Staff in attendance:

Deena Leary  
Christine Marion  
W. Randall Bush, Esq.  
Katherine Coyle

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**COMPLIANCE WITH THE OPEN PUBLIC MEETINGS LAW**

Secretary Ashley Myers announced that in compliance with the Open Public Meetings Act, adequate notice of this meeting has 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 Ort, seconded by member D. Davis, Mr. Gregory Keller was nominated for Chairman. There being no other nominations, a roll call vote was taken.

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

Nay: None     Abstain: None

Mr. Keller was re-elected Chairman.

*Vice-Chairman*

On motion of member Ort, seconded by member D. Davis, Mr. Kenneth Wightman was nominated for Vice-Chairman. There being no other nominations a roll call vote was taken.

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

Nay: None     Abstain: None

Mr. Wightman was re-elected Vice-Chairman.

*Secretary*

On motion of member D. 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, D. Davis, Desiderio and Ort

Nay: None Abstain: Ashley Myers

Ms. Ashley Myers was re-elected Secretary.

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

**Meeting Dates Resolution**

On motion of member Ort, seconded by member D. Davis, the board members unanimously approved Resolution 2014-01, which establishes the time, date, place and agenda for the meetings of 2014 and January 2015. A roll call vote was taken.

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

Nay: None Abstain: None

**Review of Morris CADB's Mission Statement**

The board reviewed the Mission Statement. On motion of member Ort, seconded by member D. Davis, the board members agreed that no changes were needed. A roll call vote was taken.

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

Nay: None Abstain: None

**APPROVAL OF MINUTES**

The minutes were not available.

**OPEN TO THE PUBLIC**

There were no comments from the public.

**CLOSED SESSION**

On motion of member D. 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.

**RETURN TO MEETING**

The meeting reopened to the public at 9:34 p.m.

## **ACTIONS RESULTING FROM CLOSED SESSION**

*Chester Township Farms.* On motion of member Ort, seconded by member D. Davis, the Board directed staff to send a letter to Chester Township regarding possible farmland preservation projects discussed during Closed Session. A roll call vote was taken.

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

Nay: None Abstain: None

*Meyer Farm, Boonton Twp.* On motion of member Ort, seconded by member D. Davis, the Board directed staff to send a letter to Boonton Township per Policy: P-10. A roll call vote was taken.

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

Nay: None Abstain: None

*Lundberg Farm, Washington Twp.* On motion of member Ort, seconded by member D. Davis, the Board directed staff to send a letter to the farm owner per Policy: P-10. A roll call vote was taken.

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

Nay: None Abstain: None

*Windfall Farm, Washington Twp.* On motion of member Ort, seconded by member D. Davis, the Board directed staff to send a letter to Washington Township per Policy: P-10. A roll call vote was taken.

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

Nay: None Abstain: None

*Centenary College, Washington Twp.* On motion of member Ort, seconded by member D. Davis, the Board directed staff to send a letter to the farm owners regarding plans for the construction of a wireless facility. A roll call vote was taken.

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

Nay: None Abstain: None

At this point, Member Desiderio left the meeting room.

*Tranquility Farm, Chester Twp.* On motion of member Ort, seconded by member D. Davis, the Board directed staff to send a letter to the farm owner per Policy: P-10. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, and Ort

Nay: None Abstain: None

At this point, Member Desiderio returned to the meeting room.

## **REPORT OF DIRECTOR & ATTORNEY**

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

*Liaison to the Open Space Committee for 2014.* Ms. Coyle informed the Board that Member L. Davis' term as a liaison to the Open Space Committee has expired. The Board discussed the appointment of a new liaison. The matter was tabled until the March meeting.

*Legislative Updates.* Ms. Coyle provided the status of pending bills.

*Expiration of Highlands dual-appraisal provision - multi-county letter to Legislators.* On motion of member Ort, seconded by member D. Davis, the Board directed staff to send a letter to the Legislators requesting that the Highlands dual-appraisal provision be renewed. A roll call vote was taken.

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

Nay: None Abstain: None

## **RIGHT TO FARM**

*Landi Simone, Gooserock Farm – Request for SSAMP.* Mr. Bush provided information about the status of the landowner's appeal of the CADB decision.

*Anthony Cappuccio, Washington Twp. – Complaint.* Ms. Coyle informed the Board that Washington Township filed a complaint against Mr. Cappuccio. Because the complaint concerned activities that are not addressed by an agricultural management practice recommended by the SADC or a site specific agricultural management practice adopted by the CADB, Ms. Coyle forwarded the complaint to the SADC requesting the SADC's determination of whether the disputed agricultural operation constitutes a generally accepted operation or practice.

*Valley Shepherd, Washington Twp. – Complaint.* Ms. Coyle informed the Board that Washington Township filed a complaint against Valley Shepherd. The Board members and staff discussed the fact that in light of the Notices of Violation issued by the NJDEP and the NJDA against Valley Shepherd Creamery, the CADB could not grant a hearing. The Right to Farm Act does not protect farms that are in violation of State law and regulations. On motion of member Ort, seconded by member D. Davis, the Board directed staff to send a letter to Washington Township advising that the CADB does not have jurisdiction to hear the matter. A roll call vote was taken.

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

Nay: None Abstain: None

## **CORRESPONDENCE**

There was no correspondence to review.

## **OLD BUSINESS**

*Greenway Flowers, Washington Twp. - Heath Village proposal & re-zoning.* Ms. Coyle informed the Board that during its February 10, 2014 meeting, the Washington Township Planning Board voted to recommend that the proposed Musconetcong Age-Restricted Overlay Zone Ordinance be changed to reflect a 50 foot setback with a 25 foot buffer from the adjacent preserved farm property. On motion of member Ort, seconded by member D. Davis, the Board

directed staff to send a letter to the Washington Township Committee asking the Committee to require a 100 foot setback with a 75 foot buffer from the Greenway Flowers preserved farm. A roll call vote was taken.

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

Nay: None Abstain: None

## **NEW BUSINESS**

*PSE&G Susquehanna-Roseland Project – Oakes Farm, Rockaway Twp.* In light of the incompleteness of the PSE&G Notice of Intent (“NOI”), the matter was tabled to allow PSE&G to submit additional information as requested by the Board.

*Resolution 2014-02: Preliminary Approval: John Paschal, Mine Hill Township.* On motion of member Ort, seconded by member L. Davis, the Board approved Resolution 2014-02. A roll call vote was taken.

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

Nay: None Abstain: None

## **OPEN TO THE PUBLIC**

There were no comments from the public.

## **ADJOURNMENT**

There being no further business, on motion of member Ort, seconded by member D. Davis, the meeting was adjourned at 10:05 p.m.

Respectfully submitted,

Katherine Coyle  
Director