

**MINUTES**  
**MORRIS COUNTY AGRICULTURE DEVELOPMENT BOARD**  
**30 Schuyler Place, 4<sup>th</sup> Floor, Morristown, New Jersey**  
**December 8, 2011**

The meeting was called to order by Chairman Keller at 7:35 p.m. Members present:

Aimee Ashley Myers  
Dale Davis  
Louise Davis  
Rick Desiderio  
Harvey Ort  
Kenneth Wightman

Also in attendance:

Margaret Nordstrom, Morris County Board of Chosen Freeholders  
William Roehrich, Washington Township Liaison  
Paul Miller, Sustainable Morristown  
Ben Walmer

Staff in attendance:

Deena Cybulski  
Ray Chang  
W. Randall Bush, Esq.  
Katherine Coyle  
Jennifer McCulloch

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**COMPLIANCE WITH THE OPEN PUBLIC MEETINGS LAW**

Chairman Keller 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.

**APPROVAL OF MINUTES**

There were no minutes to review.

**OPEN TO THE PUBLIC**

There were no comments from the public.

## **NEW BUSINESS**

*Paul Miller & Ben Walmer – Development of a Regional Food System* - Freeholder Nordstrom introduced Mr. Paul Miller and Mr. Ben Walmer. She indicated that Mr. Miller had contacted her regarding a new project involving the development of a regional food system that would benefit local farmers and Morris County citizens and businesses.

Mr. Miller and Mr. Walmer discussed a new project that they are working on – a local food hub, which would provide marketing opportunities to local farmers and locally grown products to Morris County citizens and restaurants. They pointed to a growing demand from local chefs and consumers for locally grown food. The board expressed a great interest in the project and asked Mr. Miller and Mr. Walmer to keep them updated regarding future developments. The board thanked Freeholder Nordstrom, Mr. Miller and Mr. Walmer for attending the meeting and for their presentation. Ms. Coyle and member Ashley Myers suggested that Mr. Miller and Mr. Walmer also attend a meeting of the Morris County Board of Agriculture to present their project directly to Morris County farmers.

*Morris CADB Letter to Board of Chosen Freeholders* – Ms. McCulloch informed the board that as directed at the November meeting, she drafted a letter to the Morris County Board of Chosen Freeholders. Chairman Keller provided the background regarding the board's discussion at the November meeting involving the effects of the Highlands Preservation Act and natural disasters such as Hurricane Irene on Morris County citizens. Ms. McCulloch distributed a copy of her draft letter to the board and Freeholder Nordstrom for their review. Freeholder Nordstrom suggested scheduling a meeting with the Freeholder Board to discuss the issues raised in the CADB's letter.

## **REPORT OF DIRECTOR & ATTORNEY**

*Charters Farm – Mount Olive Twp.* – Ms. Coyle informed the board that the Charters Farm was sold at an auction on November 28, 2011. The closing is scheduled for February 15, 2012.

*Open Space Trust Fund – choose CADB representative* – Ms. Coyle informed the board that Ms. Barbara Murray, Open Space Program coordinator, asked that the board elect a liaison to the Open Space Committee. Member L. Davis is the current liaison and her term expires on December 31, 2011. Ms. L. Davis is eligible to serve again for another term. The board asked Ms. Davis whether she would be willing to serve again. Ms. Davis agreed. On motion of member Wightman, seconded by member D. Davis, the board nominated member L. Davis to serve as a liaison to the Open Space Committee. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, L. Davis, Desiderio, Ort, Wightman and Keller  
Nay: None      Abstain: None

## **RIGHT TO FARM**

*Morris Twp. – draft RTF Ordinance* – Ms. Coyle informed the board that she had submitted the board's comments to Morris Township regarding the drafted Right to Farm Ordinance. In response to the comments, the draft ordinance was amended. The ordinance was finalized at the

township's December 5<sup>th</sup> Planning Board meeting and will be presented at the next Township Committee meeting on December 14<sup>th</sup>.

*Mendham Twp. – proposed ordinance regulating dog kennels.* Ms. Coyle informed the board that she had received a letter from Mr. Vincent Carrabba, a Mendham Township resident, regarding a proposed ordinance regulating dog kennels. In his letter, Mr. Carrabba asked the CADB to oppose the ordinance. Ms. Coyle explained that the CADB does not have the authority to oppose this ordinance or to comment on it. Pursuant to the Right to Farm Act, the CADB has jurisdiction over agricultural activities on commercial farms. Dogs are not commonly considered to be livestock and the keeping, breeding or raising of dogs is not considered an agricultural activity. Since the keeping, breeding or raising of dogs is not protected by the Right to Farm Act, the CADB does not have jurisdiction over those activities. Accordingly, the CADB does not have the authority to oppose this ordinance or to comment on it. On motion of member L. Davis, seconded by member Ashley Myers, the board directed staff to inform Mr. Carrabba that the CADB does not have the authority to oppose the ordinance regulating dog kennels or to comment on it. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, L. Davis, Desiderio, Ort, Wightman and Keller

Nay: None Abstain: None

## **CORRESPONDENCE**

There was no correspondence to review.

## **OLD BUSINESS**

There was no old business to discuss.

At this point, Freeholder Nordstrom, Mr. Miller and Mr. Walmer departed.

## **CLOSED SESSION**

On motion of member L. Davis, seconded by member Ashley Myers, the board closed the open portion of the meeting pursuant to P.L. 1975 Ch. 231, the Open Public Meetings Act and per the board's normal resolution language, and voted to conduct a closed session.

## **RETURN TO MEETING**

The meeting reopened to the public at 9:05 p.m.

## **ACTIONS RESULTING FROM CLOSED SESSION**

*How Farm, Mendham Twp. - Offer to Purchase Development Easement.* On motion of member Wightman, seconded by member L. Davis, the board agreed to extend until January 23, 2012 the deadline for the owners of the How farm to accept or reject the County's offer of November 22, 2011. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, L. Davis, Desiderio, Ort, Wightman and Keller

Nay: None     Abstain: None

*DeNeufville Farm, Mendham Twp. - Offer to Purchase Development Easement.* On motion of member Wightman, seconded by member L. Davis, the board agreed to extend until January 23, 2012 the deadline for the owners of the DeNeufville farm to accept or reject the County's offer of November 22, 2011. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, L. Davis, Desiderio, Ort, Wightman and Keller

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 Wightman, seconded by member L. Davis, the meeting was adjourned at 9:06 p.m.

Respectfully submitted,

Katherine Coyle  
Director