

MINUTES
MORRIS COUNTY AGRICULTURE DEVELOPMENT BOARD
30 Schuyler Place, 4th Floor, Morristown, New Jersey
June 12, 2014

The meeting was called to order by Vice-Chairman Wightman at 7:33 p.m. Members present:

Aimee Ashley Myers
Dale Davis
Louise Davis
Harvey Ort
Kenneth Wightman

Members with an excused absence:

Rick Desiderio
Gregory Keller

Staff in attendance:

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

COMPLIANCE WITH THE OPEN PUBLIC MEETINGS LAW

Vice-Chairman Wightman 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

The minutes were not available.

OPEN TO THE PUBLIC

There were no comments from the public.

CLOSED SESSION

Member L. Davis made a motion seconded by member D. Davis, to close the open portion of the meeting pursuant to P.L. 1975 Ch. 231, the Open Public Meetings Act. Vice-Chairman Wightman announced that in compliance with the Open Public Meetings Act, the Morris CADB considered closing the open portion of the meeting in order to discuss matters related to the purchase, lease or acquisition of real property, and litigation in Closed Session. The Board then

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 8:58 p.m.

ACTIONS RESULTING FROM CLOSED SESSION

Ivan Bader, Montville Twp. On motion of member L. Davis, seconded by member Ort, the Board directed staff to inform Mr. Bader regarding the Board's decision per the Board's discussion during Closed Session. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, L. Davis, Ort, Wightman

Nay: None Abstain: None

Will, Rockaway Twp. On motion of member L. Davis, seconded by member D. Davis, the Board directed staff to inform Mr. Will regarding the Board's decision per the Board's discussion during Closed Session. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, L. Davis, Ort, Wightman

Nay: None Abstain: None

Cantor North, Chester Twp. On motion of member L. Davis, seconded by member D. Davis, the Board directed staff to inform the farm owner regarding the Board's decision per the Board's discussion during Closed Session. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, L. Davis, Ort, Wightman

Nay: None Abstain: None

D. Post, Chester Twp. On motion of member Ort, seconded by member L. Davis, the Board directed staff to send a letter to the landowner per the Board's discussion during Closed Session. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, L. Davis, Ort, Wightman

Nay: None Abstain: None

REPORT OF DIRECTOR & ATTORNEY

Washington Township meeting. Ms. Coyle informed the Board that she attended a meeting with Washington Township representatives to discuss the Farmland Preservation Program and the Right to Farm Program.

Preserved farm monitoring – Central & North-East regions. Ms. Coyle informed the Board that monitoring of farms in the Central & North-East regions was completed.

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

RIGHT TO FARM

Matthew Johnston, Washington Twp. – Request for SSAMP #1. Ms. Coyle informed the Board that she had distributed Resolution 2014-06, which was adopted at the May meeting.

Matthew Johnston, Washington Twp. – request for SSAMP #2. Ms. Coyle presented a draft SSAMP Review Checklist for the Board’s review and consideration. On motion of member L. Davis, seconded by member Ort, the Board adopted the SSAMP Review Checklist and directed staff to forward the Checklist to Mr. Johnston. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, L. Davis, Ort, Wightman

Nay: None Abstain: None

Anthony Cappuccio, Washington Twp. – Complaint. Ms. Coyle informed the Board that the SADC was in the process of reviewing the farmer’s Commercial Farm Certification and that the SADC conducted a site visit on May 1, 2014.

Fish Farm, Florham Park – Complaint. Ms. Coyle presented to the Board a Staff Report regarding eligibility for Right to Farm Act protections. The Board discussed the report and made the following determination:

- the Fish Farm is a “commercial farm” as defined by the Right to Farm Act;
- the dispute involves activities related to the production of livestock (beef); production of livestock is included on the list of permitted activities set forth in N.J.S.A. 4:1C-9;
- cows getting out of the Fish Farm property pose a direct threat to the health and safety of the residents and drivers in Florham Park; and
- the Fish Farm does not meet the eligibility criteria pursuant to N.J.S.A. 4:1C-9, and is therefore ineligible for the protections of the Right to Farm Act.

On motion of member L. Davis, seconded by member D. Davis, the Board adopted Resolution 2014-12 memorializing the Board’s determination. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, L. Davis, Ort, Wightman

Nay: None Abstain: None

Vincent Carrabba, Mendham Twp. – complaint. Ms. Coyle informed the Board that she had not received a response from Mr. Carrabba regarding the Board’s request for a Commercial Farm Certification. On motion of member L. Davis, seconded by member D. Davis, the Board directed staff to send a letter to Mr. Carrabba requesting information by June 30, 2014. A roll call vote was taken.

Aye: Ashley Myers, D. Davis, L. Davis, Ort, Wightman

Nay: None Abstain: None

OLD BUSINESS

Tranquility Farm, Chester Twp. – review of activities. On motion of member L. Davis, seconded by member D. Davis, the Board adopted Resolution 2014-13 memorializing the Board’s May 8, 2014 determination. A roll call vote was taken.

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

Scott Farm 2, Washington Twp. – proposed new use. Ms. Coyle informed the Board that she had sent a letter to Mr. Karlinski and Mr. Campbell regarding the Board's May 8, 2014 decision.

NEW BUSINESS

Resolution 2014-14: Preliminary Approval: Tinc Farm, Mt. Olive Twp. On motion of member D. Davis, seconded by member L. Davis, the Board adopted Resolution 2014-14. A roll call vote was taken.

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

Resolution 2014-15: Preliminary Approval: Parks Farm, Chester Twp. On motion of member D. Davis, seconded by member L. Davis, the Board adopted Resolution 2014-15. A roll call vote was taken.

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

Resolution 2014-16: Preliminary Approval: Cantor South Farm, Chester Twp. On motion of member L. Davis, seconded by member D. Davis, the Board adopted Resolution 2014-16. A roll call vote was taken.

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

Resolution 2014-17: Preliminary Approval: Young 2 Farm, Chester Twp. On motion of member L. Davis, seconded by member D. Davis, the Board adopted Resolution 2014-17. A roll call vote was taken.

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

Resolution 2014-18: Preliminary Approval: Inganamort Farm, Chester Twp. On motion of member L. Davis, seconded by member D. Davis, the Board adopted Resolution 2014-18. A roll call vote was taken.

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

CORRESPONDENCE

There was no correspondence to review.

OPEN TO THE PUBLIC

There were no comments from the public.

ADJOURNMENT

There being no further business, on motion of member L. Davis, seconded by member D. Davis, the meeting was adjourned at 9:52 p.m.

Respectfully submitted,

K. Coyle

Katherine Coyle
Director