

MINUTES
MORRIS COUNTY AGRICULTURE DEVELOPMENT BOARD
30 Schuyler Place, 4th Floor, Morristown, New Jersey
November 13, 2014

The meeting was called to order by Chairman Keller at 7:32 p.m. Members present:

Aimee Ashley Myers
Dale Davis
Louise Davis
Rick Desiderio (arrived at 7:43 p.m.)
Harvey Ort

Members with an excused absence:

Kenneth Wightman

Also in Attendance:

Lisa Kelly, Foodshed Alliance (arrived at 7:56 p.m., departed at 8:06 p.m.)
John and Peg Naughtright (departed at 7:55 p.m.)
Frank Pinto (departed at 8:50 p.m.)

Staff in attendance:

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

COMPLIANCE WITH THE OPEN PUBLIC MEETINGS LAW

Chairman Keller announced that in compliance with the Open Public Meetings Act, adequate notice of this meeting had been provided and filed with the Town of Morristown, the Morris County Clerk, the Daily Record and the Star Ledger.

APPROVAL OF MINUTES

On motion of member L. Davis, seconded by member Ashley Myers, the Board approved the minutes of the October 9, 2014 regular meeting. A roll call vote was taken.

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

NEW BUSINESS #1

At this point, member Ort recused himself and left the meeting room.

Naughtright Farm, Washington Township – application for division of preserved farm. Ms. Coyle presented the Staff Report.

Mr. Bush swore in Mr. John Naughtright and Mrs. Peg Naughtright. Mr. and Mrs. Naughtright presented their application to the Board.

The Board agreed that the application does not meet the Deed of Easement requirement that “the division shall be for an agricultural purpose.”

On motion of member L. Davis, seconded by Ashley Myers, the Board agreed to deny Mr. and Mrs. Naughtright’s application for a division of preserved farmland. Staff was directed to draft a resolution memorializing the Board’s decision. A roll call vote was taken.

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

Nay: None Abstain: None

Mr. and Mrs. Naughtright left at 7:55 p.m.

At this point, member Ort returned to the meeting room.

Foodshed Alliance presentation – Lisa Kelly. Ms. Kelly addressed the Board regarding Foodshed Alliance projects including River-friendly Farms Program, Local Share, and Regional Foodshed Resiliency Plan. The Board offered assistance with data regarding agricultural operations in Morris County.

Ms. Kelly left at 7:56 p.m.

OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS

Mr. Frank Pinto introduced himself and informed the Board regarding his new consulting business, Spinelli & Pinto Consulting, LLC.

NEW BUSINESS #2

At this point, members D. Davis and Ort recused themselves and left the meeting room.

Greenfield/Clucas, Washington Township. Ms. Coyle informed the Board that the owners of the contiguous preserved farms will be submitting an application to swap portions of the land and adjust lot lines. The farm owners submitted a request for a waiver of the application fee. The Board reviewed the request.

On motion of member L. Davis, seconded by Ashley Myers, the Board agreed to deny Ms. Clucas’ and Ms. Greenfield’s request for an application fee waiver. A roll call vote was taken.

Aye: L. Davis, Desiderio and Keller

Nay: Ashley Myers Abstain: None

At this point, members D. Davis and Ort returned to the meeting room.

The Board directed staff to research other CADB's policies and fees related to requests for division of preserved farmland.

REPORT OF DIRECTOR & ATTORNEY

Monitoring: Western Region. Ms. Coyle informed the Board that monitoring inspections of Western Region farms began on October 22, 2014 and that Planning staff has been assisting with the field work.

Washington Township Municipal Utilities Authority: Parker Road project. Ms. Coyle informed the Board that the WTMUA will permit the owners of the Maier and Killion farms to keep their wells for the agricultural operations. The owners will not be required to conduct annual testing. The WTMUA will be notifying the farm owners in writing and will copy the CADB and the SADC on the correspondence.

Centenary College – cell tower. Ms. Coyle informed the Board that she had sent correspondence to Centenary College and to Washington Township regarding deed restrictions and the application process for a wireless facility on preserved farmland.

Legislative Updates. Ms. Coyle provided legislative updates.

RIGHT TO FARM

William Benkendorf, Washington Township. – Resolution 2014-21. On motion of member L. Davis, seconded by Ashley Myers, the Board adopted Resolution 2014-21. A roll call vote was taken.

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

Nay: None Abstain: None

Valley Shepherd, Washington Twp. Ms. Coyle informed the Board that the SADC had responded to Judge Frank Leanza's consent order. In its October 21, 2014 letter, the SADC stated that the agency would not accept the case because the property is in violation of relevant state statutes and regulations, and as such, is not eligible for RTF protections.

CORRESPONDENCE

Ms. Coyle informed the Board that response letters were sent from the CADB and the SADC to Mayor Cogger.

OLD BUSINESS

At this point, member Ort recused himself and left the meeting room. Recuse

Resolution 2014-22: REVISED Preliminary Approval: Tinc Farm, Mt. Olive Twp. On motion of member L. Davis, seconded by Ashley Myers, the Board adopted Resolution 2014-22. A roll call vote was taken.

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

At this point, member Ort returned to the meeting room.

OPEN TO PUBLIC FOR NON-AGENDA ITEMS

Mr. Pinto provided a summary of the SADC's November 13th meeting.

Mr. Pinto left at 8:49 p.m.

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 voted to conduct a Closed Session in order to discuss matters related to the purchase, lease or acquisition of real property, and litigation.

Chairman Keller announced that in compliance with the Open Public Meetings Act, the Morris CADB closed 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.

RETURN TO MEETING

The meeting reopened to the public at 10:03 p.m.

ACTIONS RESULTING FROM CLOSED SESSION

Tim Schrak, Denville Township. On motion of member L. Davis, seconded by member Ashley Myers, the Board directed staff to inform the farm owner regarding the Board's decision during Closed Session. A roll call vote was taken.

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

Paschal, Mine Hill Township. On motion of member L. Davis, seconded by member Ashley Myers, the Board directed Mr. Bush to correspond with Mine Hill per the discussion during Closed Session. A roll call vote was taken.

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

Parks, Chester Township. On motion of member L. Davis, seconded by member Ashley Myers, the Board directed staff to send an offer 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, Desiderio, Ort and Keller
Nay: None Abstain: None

Marancon, Mt. Olive Township. On motion of member L. Davis, seconded by member Ashley Myers, the Board directed staff to send an offer 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, Desiderio, Ort and Keller

Nay: None Abstain: None

Hideaway, Chester Township. On motion of member L. Davis, seconded by member Ashley Myers, the Board directed staff to inform Mr. Alstede regarding the Board's discussion during Closed Session. A roll call vote was taken.

Aye: Ashley Myers, L. Davis, Desiderio and Keller

Nay: None Abstain: D. Davis and Ort

Totten, Washington Township. On motion of member L. Davis, seconded by member Ashley Myers, the Board directed staff to send a letter to the farm owners per Policy: P-10. A roll call vote was taken.

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

Nay: None Abstain: None

Cholish, Washington Township. On motion of member L. Davis, seconded by member Ashley Myers, the Board directed staff to send a letter to the farm owners per Policy: P-10. A roll call vote was taken.

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

Nay: None Abstain: None

Bostrom, Randolph Township. On motion of member L. Davis, seconded by member Ashley Myers, the Board directed staff to send a letter to Randolph Township per Policy: P-10. A roll call vote was taken.

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

Nay: None Abstain: None

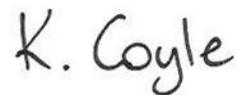
OPEN TO THE PUBLIC

Member Ashley Myers addressed staff regarding farmers' use of the MUA's weigh station.

ADJOURNMENT

There being no further business, on motion of member L. Davis, seconded by member Ashley Myers, the meeting was adjourned at 10:10 p.m.

Respectfully submitted,



Katherine Coyle
Director