

MEETING MINUTES
MORRIS COUNTY AGRICULTURE DEVELOPMENT BOARD
30 Schuyler Place, 4th Floor, Morristown, New Jersey
February 9, 2006

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

Laura Akin
Aimee Ashley Myers
Loren Pfeiffer (arrived at 7:48 p.m.)
Jay Thomson
Kenneth Wightman

Also in attendance:

Kurt Alstede (arrived at 8:53 p.m., departed at 9:23 p.m.)
Joseph Dunn, Morris County Soil Conservation District
Madelyn Devine (departed at 9:23 p.m.)
Peter Nitzsche, Morris County RCE
Mary and Hal Scaff (departed at 9:23 p.m.)
Kevin Martin Walsh, Washington Township Liaison (departed at 8:15 p.m.)
Larry Wepler (departed at 9:23 p.m.)

Staff in attendance:

W. Randall Bush, Esq.
Frank Pinto
Katherine Coyle
Peter Williams

COMPLIANCE WITH THE OPEN PUBLIC MEETINGS LAW

Adequate notice of this meeting in compliance with the Open Public Meetings Act has 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 Akin, seconded by member Ashley Myers, the board approved the minutes of the January 12, 2006 regular meeting. A roll call vote was taken.

Aye: Akin, Ashley Myers, Pfeiffer, Thomson and Roehrich Nay: None Abstain: Wightman

OPEN TO THE PUBLIC

Mary and Hal Scaff (Scaff Farm) and Madelyn Devine (Devine Farm) thanked the board for its efforts to address appraisal issues involving both farms.

REPORT OF DIRECTOR

“*Top 5*”. Mr. Pinto directed the board members to the “*Top 5*” of the Month & Project Status Report included in their meeting packets. The top five project activities for the months of January/February were: 1) 2007 SADC Round: appraisal reviews, appraisal updates, SADC’s preliminary ranking scores, 2) Closing preparations: Thebault, Borinski, Van Wingerden, 3) Pres. Lands: Cianfrocca request for replacement of residence, Meyer construction of barn, 4) Fee Simple: status of Kincaid Farm, and 5) Bill S206: non-agricultural uses on preserved farmland.

Project Status Report. Mr. Pinto discussed the status of all pending applications. He informed the board members that the next closing would likely be the Van Wingerden and Borinski Farms in Lincoln Park.

RIGHT TO FARM

Status of Pending Cases: Request for SSAMP – Ceemacfarm, LLC, Boonton Twp. Ms. Coyle provided the status of the pending matter and informed the members that no documents had been submitted to the board by the applicants.

Mr. Pinto informed the board members that he had attended a SADC meeting regarding the agritourism AMP and RTF procedures. It is likely that the agritourism AMP will be significantly revised. In addition, the SADC will develop new rules outlining the procedures for CADB development of site-specific AMPs.

Ms. Coyle directed the board members to their meeting packets, which contained comments regarding the agritourism AMP submitted by the Warren County Board of Agriculture and the Warren CADB to the SADC. The board reviewed the comments.

CORRESPONDENCE

The board members reviewed several newspaper articles enclosed in the meeting packets.

Mr. Pinto directed the board members to their meeting packets, which contained correspondence submitted by Mr. Chuck Totten. The board reviewed the correspondence. Mr. Pinto stated that in a letter dated January 25, 2006 addressed to Mr. James Totten he informed the landowner that agricultural labor housing as defined in a farmland preservation deed of easement permits the year-round residency of a person(s) who is qualified to reside in such a unit. However, the tax implications of year-round residency of agricultural labor are independent of the development easement restrictions. The issue of assessment is one that must be addressed by the local tax assessor, who must follow the Division of Taxation guidelines for assessment. Further, Mr. Pinto stated that Ms. Pecorari’s request does not constitute “a breach of contract with the Deed of Easement on a preserved farm” and is not contrary or in conflict with the Deed of Easement.

OLD BUSINESS

Resolution 2006-02: Replacement of Residence – Cianfrocca Farm. On motion of member Ashley Myers, seconded by member Akin, the board approved Resolution 2006-02. A roll call vote was taken.

Aye: Akin, Ashley Myers, Pfeiffer, Thomson and Roehrich Nay: None Abstain: Wightman

NEW BUSINESS

At this point, member Thomson left the meeting room.

Request to Construct a Barn – Sally Meyer, Boonton Township. Mr. Pinto directed the board members to their meeting packets, which contained correspondence from Ms. Meyer to the board dated February 3, 2006. Ms. Meyer proposes to construct a barn (60'x120'). The barn would be used for the protection of farm equipment and storage of shavings, grain, and hay, incidental to the operation of a horse farm. Ms. Meyer's correspondence included a reduced survey with the location of the proposed barn marked. The board discussed Ms. Meyer's proposal and agreed that because the structure will be utilized for an agricultural purpose, the Morris CADB does not need to formally approve the proposal. In addition, the total floor space of equine-related structures on the farm will not exceed three and one-half percent (3.5%) of the total whole acres of the farm, as specified in Morris CADB's Policy: P-15.

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

Resolution 2006-03: Jenkinson Farm, Washington Township. On motion of member Wightman, seconded by member Akin, the board approved Resolution 2006-03. A roll call vote was taken.
Aye: Akin, Ashley Myers, Pfeiffer, Thomson, Wightman and Roehrich
Nay: None Abstain: None

Resolution 2006-04: Certified Appraised Value: Susan Peach, Washington Township. On motion of member Pfeiffer, seconded by member Wightman, the board approved Resolution 2006-04. A roll call vote was taken.
Aye: Akin, Ashley Myers, Pfeiffer, Thomson, Wightman and Roehrich
Nay: None Abstain: None

Resolution 2006-05: Certified Appraised Value: Peach Family Partnership, LLP, Washington Township. On motion of member Wightman, seconded by member Pfeiffer, the board approved Resolution 2006-05. A roll call vote was taken.
Aye: Akin, Ashley Myers, Pfeiffer, Thomson, Wightman and Roehrich
Nay: None Abstain: None

Resolution 2006-06: Certified Appraised Value: Brian & Lisa Thebault, Harding Township. On motion of member Pfeiffer, seconded by member Ashley Myers, the board approved Resolution 2006-06. A roll call vote was taken.
Aye: Akin, Ashley Myers, Pfeiffer, Thomson, Wightman and Roehrich
Nay: None Abstain: None

Resolution 2006-07: Certified Appraised Value: Borinski Estate, Lincoln Park Borough. On motion of member Pfeiffer, seconded by member Wightman, the board approved Resolution 2006-07. A roll call vote was taken.
Aye: Akin, Ashley Myers, Pfeiffer, Thomson, Wightman and Roehrich
Nay: None Abstain: None

OPEN TO THE PUBLIC

Mr. Kurt Alstede addressed the board members regarding the preservation of the Hideaway Farm. Mr. Alstede spoke as a representative of the Hideaway Farm, whose owners live out-of-state. He informed the board that the owners are frustrated with the appraised values and explained the owners' financial responsibilities.

Member Ashley Myers informed the board members that the next Board of Agriculture meeting is scheduled for March 7, 2006 at 8 p.m. and that the members of the Morris CADB are invited to attend the meeting.

EXECUTIVE SESSION

On motion of member Wightman, seconded by member Akin, the board closed the open portion of the meeting and voted to conduct an executive session to discuss matters related to the acquisition of real property and the status of pending litigation.

RETURN TO MEETING

The meeting reopened to the public at 9:55 p.m.

ACTIONS RESULTING FROM EXECUTIVE SESSION

On motion of member Pfeiffer, seconded by member Akin, the board directed staff to make offers to the owners of the Devine Farm in Harding Township and the Fellows Farm in Washington Township. A roll call vote was taken.

Aye: Akin, Ashley Myers, Pfeiffer, Thomson, Wightman and Roehrich

Nay: None Abstain: None

OPEN TO THE PUBLIC

Mr. Joseph Dunn provided the board with an update regarding the drainage issue involving the Washington Township Board of Education and the Totten Farm.

ADJOURNMENT

There being no further business, on motion of member Wightman, seconded by member Ashley Myers, the meeting was adjourned at 10:08 p.m.

Respectfully submitted,

Katherine Coyle
Assistant Director