

Minutes of the January 27, 2020
Somerset County Agriculture Development Board
Somerset County Administration Building
20 Grove Street, Somerville, NJ
3rd. Fl. Freeholder's Meeting Room

Following the Pledge of Allegiance, the January 27, 2020 Somerset County Agriculture Development Board (CADB) Meeting began at 8:00 AM at the Somerset County Administration Building, 20 Grove Street, Somerville, NJ in the 3rd Floor Freeholder's Conference Room.

Members in Attendance

Mark W. Kirby, Chairman
Edward Seidel, Secretary/Treasurer
Richard Norz
Laura DePrado
Ben Auletta
Sandra D. Rhue
Freeholder Liaison, Melonie Marano

Members Absent

W. Peter Staats, Vice Chairman

Somerset County Staff

Walter Lane, Dir., SC Planning Division
Anthony McCracken, Assistant Dir., SC Planning Division
Kate Katzer, Principal Planner, SC Planning Division
Cathy Bunting, Administrative Assistant, SC Planning Division
Thomas Boccino, Somerset County Park Commission

Public

Amy Mandelbaum, State Agriculture Development Committee (SADC)
Lauren Wasilauski, Montgomery Township
Anthony R. Todaro, Esq., Montgomery Township
Johnathan Pike, Montgomery Resident

Reorganization

Chairman: Richard Norz made a motion to nominate Mark Kirby for the 2020 Chairman position. The motion was seconded by Laura DePrado, Mark Kirby abstained from the vote and the motion was passed and carried.

Vice-Chairman: Richard Norz made a motion to nominate Peter Staats for the 2020 Vice Chairman position. The motion was seconded by Laura DePrado. The motion was voted on and passed and carried.

Secretary: Richard Norz made a motion to nominate Edward Seidel for the 2020 Secretary position. The motion was seconded by Laure DePrado, Edward Seidel abstained from the vote and the motion was passed and carried.

Approval of Minutes

Richard Norz made the following corrections to the December 16, 2019 CADB Meeting Minutes;

- Section 1-4: change “unable” to “unwilling”
- Section “other”: change the spelling of “Leema” to “Lima”.

A motion to approve the revised minutes was made by Richard Norz and was seconded by Ed Seidel. The motion was passed and carried.

Public Comment

Attorney, Anthony R. Todaro and Lauren Wasilauski, both from Montgomery Township attended the meeting to address the Board seeking a letter of interpretation regarding issues on the Hunter Farm property.

Mr. Todaro explained that they have had issues with the owners building into the Municipal Right of Ways without permission. He continued that they have gone to court for this issue and Mr. Philbrick (owner) claims that it is a Right to Farm issue and should be reviewed by the CADB, which results in the judge ordering the issue back to the CADB.

Mr. Todaro and Ms. Wasilauski both explained that they also have had issues with Mr. Philbrick not obtaining permits, having farm vehicles on the roads, building a permanent driveway for additional parking and exceeding impervious coverage limits. They explained that a letter of interpretation would be helpful to avoid the issue being sent back to the CADB in the case they go to court again.

Richard Norz also updated the Board on the findings when the Right to Farm Committee reviewed the issue. The Board and staff all agreed that it is not a Right to Farm issue.

Jonathan Pike, a Montgomery township resident and neighbor of Hunter Farms also spoke at the meeting. He confirmed the issues that were discussed and also added that the owners are using a bus route for horse trailers and it is causing a major safety issue.

The Board agreed to discuss the issue in closed session.

1-2) Somerset County Preservation Plan – Update

Kate Katzer informed the Board that staff and consultants continue to move forward on the plan, explaining that staff should have a draft version to review soon. She also explained that comments for the agriculture section are currently being edited, the maps are still being worked on, and that there will be a Steering Committee meeting scheduled soon.

1-3) SADC Meeting – Update

Amy Mandelbaum provided an update on the most recent SADC meeting. She reviewed the following;

- Acquisition Projects
 - 4 County Projects
 - 5 Municipal Projects
 - 1 Non-Profits
- Informed new CADB members of the role of the SADC and how they work together with the CADB.
- Shared SADC monthly newsletter

- There was public comment on new rules for Municipal & County Programs

Richard Norz informed the Board that he has been formally placed on the SADC and thanked the CADB and Somerset County staff for their support. He also informed the Board that there will be instances where he will not be able to participate in discussion due to conflicts of interests between the SADC and the CADB.

I-4) County/State Boards of Agriculture – Update

County: Richard informed the Board that there have been new members of the leadership team for the executive committee. He explained that John Knox was appointed as President and Matt Puskas as Vice President. He also explained that no one has stepped up to fill the Secretary position and that the committee will be utilizing new member, Eric Fargo and his student from the Agriculture program at the Somerset County VoTec for meeting minutes.

State: There was no update.

I-5) Staff Comments

Hosea Farm: Ms. Katzer informed the Board that the owners of the Hosea Farm, a 70 acre parcel in Montgomery, have expressed interest in preservation. Rich Norz explained that he will have to recuse himself from all discussions regarding the property in the future.

Hunter Farms: Discussed in closed session.

Aq Day 2020

The Board and staff discussed plans for the upcoming National Agriculture Day. Ms. Katzer educated the new Board members on National Agriculture Day and how the Board participates.

D-1) 2020 Meeting Dates

The Board reviewed the draft schedule for the CADB's 2020 meeting dates. Richard suggested that at least three meetings should be switched to the evening and explained that it is difficult for the working farmers, especially during the summer and early fall months.

Laura DePrado commented that she felt holding evening meetings for more than one month was unrealistic and may be too difficult for others on the Board.

Richard Norz made a motion to approve the meeting dates as presented however to change the meeting times to the following;

- January – March: 8 A.M.**
- April, May and June: 6 P.M. or 7 P.M.**
- July and August: 8 A.M.**
- September and October: 6 P.M. or 7 P.M.**
- November and December: 8:00 A.M.**

The motion was seconded by Sandra Rhue.

Discussion: Sandra Rhue asked for clarification on how long the Board has been meeting at 8:00am. The Board estimated between 7-10 years. The Board also discussed the best time that would enable a quorum and the availability of meeting rooms.

The result of the vote was as follows;

Sandra-Yes
Ben-Abstain
Laura- No
Richard-Yes
Ed-No
Mark-No

The motion was not passed.

A motion to approve the meeting dates as originally submitted was made by Laura DePrado and was seconded by Edward Seidel.

The result of the vote was as follows;

Sandra-Yes
Ben-Abstain
Laura-Yes
Richard-No
Ed-Yes
Mark-Yes

The motion was passed and carried.

D-2) 2020 Committee Assignments

The Board reviewed the drafted committee assignments for the year 2020. Richard Norz requested to be taken off of the PIG Committee due to him being a member of the SADC. Sandra Rhue agreed to take his place.

A motion to approve the committee assignments with the change was made by Edward Seidel and was seconded by Richard Norz. The motion was passed and carried.

Other: The Board reviewed a drafted resolution honoring J. Johnson for his 13 years of service on the CADB. A motion to approve the resolution was made by Laura DePrado and was seconded by Edward Seidel. The motion was passed and carried.

The CADB agreed to invite J. Johnson to the February 24, CADB meeting to receive the resolution.

D-3) Potential Projects

There were no other potential projects besides the Hosea property that was discussed under another item.

Kate explained that the maps on the Drenchko property were sent to Amy Mandelbaum at the SADC and that the Gund application was in its final stages and would be expected to close within the next two weeks.

D-4) Chubb/Ace Farm (Bedminster)

The Board was informed that the Chubb/Ace Farm has now closed.

D-5) Closed Session

A motion to enter closed session was made by Laura DePrado and was seconded by Sandra Rhue. The motion was passed and carried and the Board entered closed session.

A motion to exit closed session was made by Laura DePrado and was seconded by Edward Seidel. The motion was passed and carried and the regular portion of the CADB meeting resumed.

D-6) Results and Actions from Closed Session

Richard Norz made a motion to allow staff to write a letter of interpretation for the Hunter Farms Right-of-Way issue. The letter will state that the Board has determined that the Right-of-Way issue between the Township and Hunter Farms is not a Right to Farm issue, and should not be heard by the SCADB. The motion was seconded and passed.

Other: Ms. Katzer explained that Dave Marek from the Somerset County Patriots has chosen June 11, 2020 for Agriculture night and would like to have the CADB participate.

Adjourn

A motion to adjourn the meeting was made by Richard Norz and was seconded by Laura DePrado. The motion was passed and carried. The meeting was adjourned.

Respectfully Submitted by,

Ed Seidel
Secretary/Treasurer