

**Minutes of the July 24, 2023**  
**Somerset County Agriculture Development Board**

Following the Pledge of Allegiance, the July 24, 2023, Somerset County Agriculture Development Board (SCADB) Meeting began at the new start time of 8:15 A.M. This meeting was held in person in the Commissioner's Meeting Room at the Somerset County Administration Building in Somerville, N.J.

**Open Public Meetings Act Compliance Statement**

Chairman Mark Kirby reported the meeting had been duly advertised in accordance with Open Public Meetings Act as follows:

In accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 *et seq.*, adequate notice of this meeting has been provided. The date and time information for this meeting were published in The Star Ledger and the Courier News. The agenda for this meeting was also posted on the Somerset County Agriculture Development Board's website.

**Roll Call**

Roll call was taken. There was a Quorum.

**Members in Attendance:**

Mark W. Kirby, Chair  
W. Peter Staats, Vice Chair  
Laura DePrado  
Kenneth Osterman  
Matt D'Alessandro, Soil Conservation District

**Members Not in Attendance:**

Robert Shultz  
Sandra D. Rhue, Secretary/Treasurer  
Debbie Norz  
Paul Drake, Commissioner Liaison

**Somerset County Staff:**

Kate Katzer, Principal Planner- Office of Planning, Policy and Economic Development  
Walter Lane, Director – Office of Planning, Policy and Economic Development  
Tom Boccino, Supervising Planner – Preservation, Office of Planning, Policy and Economic Development  
Patrice Brown, Administrative Assistant, Office of Planning, Policy and Economic Development  
Josephine Taranto, Preservation Planner, Office of Planning, Policy and Economic Development  
Greg Pasquale, Deputy County Counsel

**Public Members Present:**

Richard Dodds, NJ Conservation Foundation Staff  
Dave Zaback, State Agricultural Development Committee

**APPROVAL OF MINUTES: SCADB Regular Meeting – June 26, 2023**

A motion to approve the SCADB minutes of the June 26, 2023, meeting was made by Kenneth Osterman and seconded by Laura DePrado. A roll call vote was taken, and the motion passed.

**PUBLIC COMMENT & PRESENTATIONS:**

Mr. Magdy Nakhla of Nakhla Farms spoke to the Board during public comment with questions regarding the violations on his property and requests made to him by certified letter indicating tasks that must be completed before he can successfully submit his SSAMP application. Mr. Nakhla requested clarification as to how much of the millings he needed to remove, and where he could store the millings once removed. The Board explained that the millings in his exception area were not part of the remediation efforts that needed to occur, and that the millings could be stored on the exception area, but that as part of the SSAMP process he would likely need to use a different material more suitable to be placed on the preserved ground. Mr. Nakhla stated that he understood and should be able to remove the millings from the preserved land by the requested deadline, but asked if an extension would be possible if he was unable. The Board instructed Mr. Nakhla to make a written request by August 21, 2023, so the Board could review the request at its August 28, 2023, meeting.

**INFORMATION ITEMS**

**1. SADC Meeting -Update**

Dave Zaback of the State Agricultural Development Committee reported that Soil Protection Standards were approved by the SADC for publishing to the New Jersey Register and once the standards have been published, they will be available for public comment. Secretary Douglas Fisher has retired as of the end of June. Joe Atchison, previously the Assistant Secretary of Agriculture, is the acting Secretary until a new Secretary is selected.

**2. County/State Boards of Agriculture – Update**

No comment.

**3. Staff Comments**

Planning, Policy and Economic Development Planner, Kate Katzer, reminded the Board of the 2023 Somerset County 4-H Fair to be held August 9, 10 and 11. Ms. Katzer gave the particulars on the event including a thank you to Norz Hill Farms for donating the corn for the corn box. Ms. Katzer also notified the Board that the Deer Fencing Surveys went out to all Preserved Farms via email and mail. Responses are coming in right now. The County is looking into potential ways to help support Farmers with deer fencing issues as well as reaching out to the agricultural community in search of other ways to help.

Planning, Policy and Economic Development Director Walter Lane shared that the Somerset County Preservation Plan received the Smart Growth Award from New Jersey Future which will make the 4<sup>th</sup> award this Plan has received, including the National Association of Counties (NACo) award. Commissioner Director Shanell Robinson attended the NACo awards ceremony at its annual conference this past weekend in Texas. The Board congratulated the Preservation team.

**DISCUSSION AND ACTION ITEMS**

### 1. Nakla Farm

A motion was made by Laura DePrado and seconded by Kenneth Osterman to add the Nakhla Farm to the closed session for discussion. A roll call vote was taken, and the motion passed unanimously.

### 2. Special Occasion Events Draft Resolution Introduction

Kate Katzer read the Special Occasion Events Procedural Resolution to be discussed during closed session.

### 3. Influencing Agriculture

Kate Katzer announced that the Influencing Ag event "Field and Beyond" will be held on September 14, 2023, from 9:00am to 1:30 pm at Duke Farms. The event is part of the 40<sup>th</sup> anniversary celebration of the Agricultural Preservation Program. There will be various panels and discussions that will highlight the many changes, challenges, and successes of the agricultural community. Ms. Katzer shared that "Save the Date" cards have begun going out, and the Board should find a copy in their emails.

At 8:42 a.m., a motion was made by Laura DePrado and seconded by Peter Staats to go into Closed Session. A roll call vote was taken, and the motion passed unanimously.

*Ken Osterman recused himself and stepped out of the room and did not take part in any discussions about the Mueller Farm during closed session. He returned once the conversation about the aforementioned property was completed.*

At 9:25 a motion was made by Ken Osterman and seconded by Laura DePrado to come out of Closed Session.

### 5. Results and Actions from Closed Session:

A motion was made by Laura DePrado and seconded by Peter Staats for Deputy County Council to draft a letter to be sent to Mr. Mueller's attorney, Tony Sposaro, Esq., regarding the ongoing violations on the property. A roll call vote was taken, and the motion passed. Kenneth Osterman abstained.

A motion was made by Laura DePrado and seconded by Kenneth Osterman to approve the Special Occasions Event resolution with amendments to Point 1- to add "or incomplete" to the sentence and Point 5 added "No application will be deemed complete if the previous year's survey was not received". A roll call vote was taken, and the motion was passed unanimously.

At 9:29 a.m. a motion was made by Ken Osterman and seconded by Laura DePrado to adjourn the meeting. A voice vote was taken, and the motion passed unanimously.

***The next meeting will be held in person on August 28, 2023, at 8:15 a.m. in the same location.***

Respectfully Submitted by,

*Sandra Rhue*

Secretary/Treasurer