

Minutes of the August 28, 2023
Somerset County Agriculture Development Board

Following the Pledge of Allegiance, the August 28, 2023, Somerset County Agriculture Development Board (SCADB) Meeting began at 8:16 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 full Quorum.

Members in Attendance:

Mark W. Kirby, Chair
W. Peter Staats, Vice Chair
Laura De Prado
Kenneth Osterman
Robert Shultz
Sandra D. Rhue, Secretary/Treasurer
Debbie Norz
Matt D'Alessandro, Soil Conservation District

Members Not in Attendance:

Paul Drake, Commissioner Liaison

Somerset County Staff:

Kate Katzer, Principal Planner- 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:

Dave Zaback, State Agricultural Development Committee
Michael Mueller – Mueller Property
Jacquilin Kirby, New Jersey Dairy Princess
Madgy Nakhla – Nakhla Farm

APPROVAL OF MINUTES: SCADB Regular Meeting – July 24, 2023

A motion to approve the SCADB minutes of the July 24, 2023, meeting was made by Kenneth Osterman and seconded by Laura DePrado. A roll call vote was taken, Debbie Norz and Kenneth Osterman abstained, and the motion passed.

PUBLIC COMMENT & PRESENTATIONS:

Jacquilin Kirby, the 2022-2023 New Jersey Dairy Princess made a presentation to the Board. In the presentation, she expounded on some common misconceptions regarding dairy cow treatment, the importance of dairy farming and its many benefits to the residents of Somerset County and beyond. Ms. Kirby conducted a brief Q&A session after her presentation.

Mike Mueller, owner of a preserved farm at 49 Wertsville Road Hillsborough, N.J., provided comments regarding his application for a barn permit, and expressed his concerns that that he is being treated unfairly.

Mr. Magdy Nakhla addressed the Board with proof of compliance to violations that had been previously cited during a site inspection. The Board notified Mr. Nakhla that there would be a subsequent site visit to inspect the improvements and confirm his farm is in compliance.

INFORMATION ITEMS**1. SADC Meeting -Update**

Dave Zaback of the State Agricultural Development Committee, reported that the Governor has funded two full time positions that will be dedicated to next gen farmers.

Soil Protection Standards were published in the New Jersey Register on August 7, 2023. There will be a sixty-day formal public comment period. Comments should be sent to the SADC.

The SADC approved the 2023/2024 SADC meeting dates for every 4th Thursday except in December when it will be held on the 1st Thursday. There will be no meetings held in August or November.

The SADC approved the publication of Agriculture Mediation Program rules. This will expand on subjects eligible for mediation and adds a continuing education requirement for the mediator who is seeking certification. The proposed rules will be published in the New Jersey Register for comment.

2.County/State Boards of Agriculture – Update

Debbie Norz reported that the State Board of Agriculture has elected Holly Systema as the President. The deadline to return a completed application package for Secretary of Agriculture has been extended to September 29, 2023.

3. Staff Comments

Planning, Policy and Economic Development Planner, Kate Katzer, reported that the Acting Secretary of Agriculture has sent out his final report for August and will be made available for Board members to review.

Ms. Katzer reported that there are currently 32 properties being considered for preservation, totaling approximately 2,300 acres. Ms. Katzer reported that the County is preparing to close on three farms in the next few months, the Drenchko property in Hillsborough Township, the Segal & Moral property in Bedminster Township and the Deerfield Creek property in Branchburg Township.

DISCUSSION AND ACTION ITEMS

1. Soil Protection Standards

The Soil Protection Standard letters were sent to farmers by the SADC last week and County staff have received many calls from farmers with questions concerning the extend of impervious surface on their farm. Ms. Katzer informed the Board that these letters went out to all preserved farmers. Kate Katzer began reviewing the documents shared with the County by SADC and found discrepancies with the mapping provided by the State.

2. Influencing Agriculture

Kate Katzer reminded the Board that the Influencing Ag. event, titled "Field and Beyond" is to be held on September 14, 2023 from 9:00am to 1:30 pm at Duke farms. Registration and breakfast begin at 8:30am. Ms. Katzer provided the Board with details about the event.

3. Dealaman Enterprises (Warren)

A SSAMP was received and reviewed by the Right to Farm Committee during its August 21, 2023 meeting. The packet submitted by Clint Dealaman outlines the operation occurring on the farm apart from the slaughterhouse. Biproduct from the slaughterhouse as well as leaf matter and manure will be utilized for compost on the property. The packet has been forwarded to Deputy County Council, Greg Pasquale, for review. A site visit is currently being scheduled.

4. Right to Farm Complaint-Somerset County Parks (Montgomery)

A complaint was received from a neighbor concerning a parcel leased to a tenant farmer by the Somerset County Park Commission. The complaint was originally sent to Montgomery Township. Staff reviewed the complaint and are working with the Park Commission to contact the tenant farmer and schedule a date for the site visit.

5. Drenchko Cost Share Resolution

Hillsborough Township passed a resolution for the cost share of the purchase of the development rights. Kate Katzer read the SCADB's resolution, which will allow the purchase of the Drenchko Property through a cost share with the State, the County, and Hillsborough Township. A motion to approve the resolution as read was made by Peter Staats and seconded by Laura DePrado. A roll call vote was taken, and the motion was passed.

At 9:21 a.m., a motion was made by Peter Staats and seconded by Debbie Norz to go into Closed Session. A roll call vote was taken, and the motion passed unanimously.

- ✓ Sandra Rhue left the meeting at 10:01a.m. during closed session.
- ✓ Kenneth Osterman excused himself from any/all conversation regarding the Mueller or Osterman properties.

At 10:13 a motion was made by Laura DePrado and seconded by Kenneth Osterman for the meeting to come out of Closed Session. A roll call vote was taken, and the motion was passed unanimously.

5. Results and Actions from Closed Session:

A motion to proceed with the litigation against Michael Mueller for the completion of the removal of the millings on the property was made by Peter Staats and seconded by Laura DePrado. Debbie Norz and Kenneth Osterman abstained, and the motion was passed.

Site visits will be scheduled for the Nakhla and the Dealaman properties.

The Board has requested that a letter be drafted regarding the Soil Protection Standard rules. This letter will utilize existing comments made by the Board in previous letters, and the Board will review the adjustments and make any additional comments.

At 10:31 a.m. a motion was made by Laura DePrado and seconded by Peter Staats to adjourn the meeting. A voice vote was taken, and the motion passed unanimously.

The next meeting will be held in person on September 25, 2023, at 8:00 a.m. in the same location.

Respectfully Submitted by,

Sandra Rhue

Secretary/Treasurer