

**Minutes of the January 22, 2024**  
**Somerset County Agriculture Development Board (Reorganization) Meeting**

Following the Pledge of Allegiance, the January 22, 2024, Somerset County Agriculture Development Board (SCADB) Meeting began at 8:18 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 Statement**

Chair 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

Debbie Norz

Robert Shultz

Sandra D. Rhue, Secretary/Treasurer (Sandra Rhue arrived at 8:20 a.m.)

**Members Not in Attendance:**

Kenneth Osterman

County Commissioner Paul Drake, Liaison

Matt D'Alessandro, Soil Conservation District

**Somerset County Staff:**

Walter C. Lane, Director, Office of Planning, Policy and Economic Development

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

Alyssa Puccio, Deputy County Counsel

**Public Members Present:**

Sandy Kerzner, Kerzner Property (Hillsborough Township)  
Amanda Curley, Day Pitney (Kerzner Property)  
Ed Kuc, Environmental Specialist (Kerzner Property)  
David Kois, Director of Planning (Hillsborough Township)  
David Zaback, SADC (State Agriculture Development Committee) Staff

**REORGANIZATION OF THE SCADB AND SWEARING IN OF BOARD MEMBERS**

Robert Schultz and Sandra Rhue were sworn into office as continuing Board members under oath by County Council, Alyssa Puccio.

A motion was made by Vice Chair Peter Staats and seconded by Debbie Norz for the following slate of officers: Mark Kirby as Chairperson, Peter Staats as Vice Chair, and Sandra Rhue as Secretary. All nominated officers accepted the nominations. A roll call vote was taken, and the motion passed.

**Approval of Minutes:**

A motion to approve the SCADB minutes (with corrections) of the December 18, 2023 meeting was made by Laura DePrado and seconded by Debbie Norz. A roll call vote was taken, and the motion passed.

**PUBLIC COMMENT & PRESENTATIONS:**

Kerzner Property Hearing - Hillsborough Township

Amanda Curley of Day Pitney, representing the owners of the Kerzner Property, stated to the Board that the owner of the property, Sandy Kerzner, is seeking permission to farm the property. Ms. Curley stated that Mr. Kerzner has received conflicting information from the Township of Hillsborough preventing farming activity on the property from being conducted. The Township of Hillsborough issued a stop work order for clearing related to the farming activity, as well as the threat of a \$1,000.00 per day fine for the violation. Attorney Amanda Curley presented Department of Environmental Protection expert Mr. Ed Kuc as a witness. Mr. Kuc answered questions from the Board and expounded on the historic conditions and his own familiarity with the Kerzner property. Mr. Kuc also offered recommendations from an environmental perspective, that the property should be allowed to once again be farmed. Mr. David Kois, Director of Planning and Deputy Director of Zoning for the Township of Hillsborough was present to represent the Township of Hillsborough in this matter. Director Kois stated that there were violations against the current ordinances. Both representatives' arguments were heard by the Board and the matter was added for discussion during Closed Session.

**INFORMATIONAL ITEMS:**

**1. SADC Meeting –Update**

Dave Zaback, of the State Agricultural Development Committee, reported that there will be a meeting on Thursday. No further information was provided.

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

Debbie Norz updated the Board that the Board of Ag Convention is coming up in February. Mike Powell has been chosen by the 4H agents to represent Somerset County 4-H at Ag Convention, and he was also chosen by the State to represent all of New Jersey 4-H by addressing the delegation at the Convention during the banquet.

Ag. in action will be held September 7, 2024, and the Thomas Everett picnic will be held later the same day.

The Somerset County Board of Agriculture will be hosting a tourniquet training given by Robert Wood Johnson for farmers and the public.

Assemblyman William Spearman is now the chair of the Assembly Commerce Economic Development and Agriculture. Agriculture is no longer a standalone committee. The State Board of Agriculture names have been submitted to the Governor for selection to the committee.

## **3. Staff Comments**

Kate Katzer, Principal Planner of the Somerset County Office of Planning, Policy and Economic Development, reported to the Board that the Drenchko and Smith properties are scheduled to close in February.

Ms. Katzer also informed the Board that Ag. Day topics will touch on aspects of food insecurity and culinary education. One educational component will include the creation of recipes to accompany seasonal produce at food pantries that can be utilized by families who may be unfamiliar with how to prepare the produce.

Ms. Katzer informed the Board that monitoring is almost complete for the year and the Board will have a full monitoring report at the next meeting.

Walter Lane and Kate Katzer will be presenting at the Ag. Convention at Harrah's Casino in Atlantic City in February. The presentation that Mr. Lane and Ms. Katzer are participating in is named Somerset County Foraging Healthier Relationships Between Government and Agriculture.

Ms. Katzer reported that she is currently working on the Annual Report which will be available in March for the Board to review.

The Board has been provided with the new committee lists and rosters for 2024.

## **DISCUSSION AND ACTION ITEMS:**

### **1. Soil Protection Standards Letter**

A revised letter was presented to the Board as a follow-up to the discussion at last month's meeting regarding a letter that was forward to the SADC. A motion was made by Debbie Norz and seconded by Laura DePrado to approve the revised letter. A roll call vote was taken, and the motion passed.

## **2. Closed Session**

At 9:19 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.

At 9:39 a.m. a motion was made by Debbie Norz and seconded by Laura DePrado to come out of Closed Session. A roll call vote was taken, and the motion passed.

## **3. Results and Actions from Closed Session**

Kerzner Property Hearing Hillsborough Township- A motion was made by Sandra Rhue and seconded by Laura DePrado to pass a resolution memorializing the Board's findings that the owner has the right to farm on the Kerzner property. A roll call vote was taken, and the motion passed.

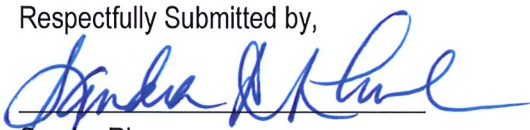
Axcel Farm Hillsborough – A motion was made by Debbie Norz and seconded by Laura DePrado to direct staff to send a violation letter directing the owner to confirm the removal of millings, the spreading of clean soil, restoration of the topsoil and roadways, and the removal of the fencing from the emergency access lane. A roll call vote was taken, and the motion passed.

House Farm Montgomery Township - A motion was made by Peter Staats and seconded by Laura DePrado to direct staff to send a letter and email to Mr. House reminding him that he stated that he would have the hay bales removed from the front of the property by February 1<sup>st</sup>. A roll call vote was taken, and the motion passed.

At 10:34 a.m., a motion was by Laura DePrado and seconded by Bob Shultz to adjourn the meeting. A voice vote was taken, and the motion passed.

***The next meeting will be held in person on February 26, 2024, at 8:15 a.m. in the same location.***

Respectfully Submitted by,



Sandra Rhue  
Secretary/Treasurer