

THE MONMOUTH COUNTY BOARD OF CHOSEN FREEHOLDERS

MONMOUTH COUNTY AGRICULTURE DEVELOPMENT BOARD



Minutes for a Regular Meeting of the MONMOUTH COUNTY AGRICULTURE DEVELOPMENT BOARD

Wednesday, March 2, 2011, 7:30 PM

Planning Board Conference Room, Hall of Records Annex, 2nd Floor
One East Main Street, Freehold, New Jersey

Chairman McCarthy called the meeting to order at 7:31 PM.

ATTENDANCE:

Present: Bullock, Buscaglia, Butch, Clayton, DeFelice, Geran, Giambrone, Halka, McCarthy, Obal, Potter, Stuart
Staff: Beekman, Brockwell, Honigfeld, May
Representatives: Chenal (Marlboro), Dancer (Millstone), Holland (Manalapan), Kryskowiak (Howell), Rajan (Marlboro)
Public: Tim Anfuso, Steve Becker, Steven L. Becker, John O. Bennett, Wanda Holland, Mike LaMana, Wayne Pomanowksi, Robert Witek

Mr. McCarthy opened the meeting.

EXECUTIVE SESSION

Mr. Potter made a motion to enter Executive Session. Mr. Geran seconded the motion which was approved by voice vote.

The Board re-entered Regular Session at 7:47 PM.

ACTION AS A RESULT OF EXECUTIVE SESSION

Mr. Potter made a motion to authorize Beekman Law Firm to file an application to vacate the Sheriff's Deed on a portion of the Mattei easement in Millstone Township. Mr. Geran seconded the motion which was approved unanimously by roll call vote. Donald Beekman, Special County Counsel, requested that the Board prepare a written resolution. Ms. Honigfeld offered to type one up for memorialization later in the evening.

REVIEW OF MINUTES

Mr. Geran offered a motion to approve the Regular Session minutes of the February 2011 meeting. The motion was seconded by Mr. Halka and approved by voice vote.

Mr. Bullock made a motion to approve the Executive Session minutes of the February 2011 meeting. The motion was seconded by Mr. Geran and approved by voice vote.



CORRESPONDENCE AND OTHER DOCUMENTS

Mr. McCarthy commented on the draft letter regarding Princeton Nurseries. Ms. Honigfeld reported the positive news that the SADC, Park System and Green Acres Program have agreed to a Memorandum of Understanding pertaining to trails through and near the planned farmland easements. In light of this news, members agreed that the draft should be revised before distribution.

REGULAR REPORTS:

- A. Chairman: No report.
- B. State: Not represented.
- C. Staff: The SADC closed on 2 High Ridge Holding Company easements bringing the total preserved farmland in the county to over 13,200 acres.

Staff hosted a successful Monmouth County Greentable on March 1st. The speakers discussed why the horse racing industry is vital to the health of Monmouth County, touching on economic impacts and policy-oriented solutions.

An easement closing is scheduled for the week of March 7th.

- D. Rutgers Cooperative Extension: Mr. Obal reported on the positive turn out at the recent vegetable growers meeting.
- E. Municipal Representatives:
No reports.

NEW BUSINESS:

- **Grants to Nonprofits Program Recommendation Letter (Block 835, Lot 16 – Middletown):**

Ms. Brockwell discussed Monmouth Conservation Foundation's plans to preserve the Gimbel Farm in Middletown. With the Grants to Nonprofits Program, if the MCADB were to support the project, staff would forward a recommendation to the Board of Chosen Freeholders. Mr. Geran made a motion to recommend to the Freeholders that the County participate in the Gimbel project. Mr. DeFelice seconded the motion. The motion was approved by roll call vote, with Mr. McCarthy objecting and Mr. Potter abstaining.

SSAMP REQUEST FOR BECKER TREE SERVICE/WAYNE POMANOWSKI:

Mr. Halka, Mr. Potter and Mr. Stuart recused themselves and left the room.

Ms. Brockwell opened the public hearing and presented some background information on the SSAMP request as well as pictures from the 2/11/11 site visit held on the property.

The Board was advised that the first goal of the evening's hearing would be focused on determining the applicant's eligibility to be considered a commercial farm under the Right to Farm Act.

Robert Witek, Counsel for Becker Tree Service, provided testimony on behalf of his client. He called several witnesses that were all sworn in – Wayne Pomanowski (the farm owner), Stephen Becker (the operator of Becker Tree Service) and Mike LaMana (a consultant forester). John O. Bennett, Counsel for Colts Neck Township, questioned the witnesses.

Board members asked for clarification on several points from the witnesses. Namely, the price that Becker Tree Service charges for a cord of firewood and cubic yard of mulch as well as clarification regarding the invoices submitted. The board also asked for clarification from Mr. LaMana regarding the management recommendations in the Woodland Management Plan and the actual activity taking place on-site.

Mr. Bennett expressed doubt that Becker Tree Service had enough on-site production income to meet the \$2,500 per year eligibility threshold and noted that the township has concluded that almost all of the activity at the site is commercial in nature and would require a use variance in the agricultural zone.

Mr. Witek introduced a brief dated March 2, 2011 at the hearing. Board and counsel felt it was necessary to have additional time to review the brief before making a decision on the matter. Mr. Bennett asked for the opportunity to respond to the brief. Additionally, the board requested clear and written documentation regarding the eligibility for protection of forestry products under the Right to Farm Act.

The MCADB closed testimony.

Mr. May advised that in light of the new document(s), that the Board continue the hearing at the April 6th, MCADB meeting. Mr. Geran made a motion to continue the hearing next month. Ms. Butch seconded. The motion was approved by roll call vote with Mr. Buscaglia objecting.

ACTION AS A RESULT OF EXECUTIVE SESSION (Continued)

Mr. Potter returned to the room. Ms. Honigfeld distributed the draft resolution on the Mattei easement and read the document into the record. Mr. May recommended changing the word “order” to “application”. The remaining Board members unanimously memorialized the resolution.

PUBLIC COMMENT:

None

ADJOURNMENT:

Mr. Potter made a motion to adjourn. Mr. Geran seconded the motion, and the meeting adjourned at 10:01 PM.