

OPEN SPACE & AGRICULTURE ADVISORY COMMITTEE

Regular
Meeting Minutes
March 6, 2012

7:00PM

Call to Order

A regular meeting of the Open Space Advisory Committee and the Agriculture Advisory Committee was called to order at 7:08P.M. Chairwoman Sandra McNicol called the meeting to order and read the following notice requirements.

Notice Requirements

Adequate notice of this meeting was provided in accordance with the Open Public Meetings Act and published in the Hunterdon County Democrat and the Courier News on January 19th, 2012, and by telefaxing a copy of the notice to the Star Ledger, and the Express Times on January 11, 2012. A copy of the notice was also posted in the Kingwood Township Municipal Building and Post Office on January 11, 2012.

In order to ensure full public participation in this meeting, all members of these Committees, and also members of the public are requested to speak only when recognized by the Chair, so that there is no simultaneous discussion or over-talk, and all persons are requested to utilize the microphones which are provided for your use by the Township. Your cooperation is appreciated.

Roll Call

Open Space Advisory Committee

Present

Phil Lubitz
Diana Haywood
Richard Dodds
Sandra McNicol
John Mathieu
Karen Hertzog

Absent

Lee Frank

Agriculture Advisory Committee

Present

Elaine Niemann
William Pandy
Edward Kralovich
Cynthia Niciecki

Absent

Pete D'Costa

2.

Approval of Minutes

Motion and Approval of February 7, 2012 Regular Meeting Minutes of the Open Space/Agriculture Advisory Committees

It was moved by Richard Dodds, seconded by Diana Haywood and carried to approve the February 7, 2012 Regular Meeting Minutes of the Open Space/Agriculture Advisory Committees with the following corrections.

Page #5 Under Horseshoe Bend Park Steering Committee - Progress Report - Sixth line down - Correction of name (Horseshoe Bend LLC) in place of (Horsebend LLC).

Page#5 Under Horseshoe Bend Park Steering Committee - Progress Report - Richard Dodds would like the large paragraph separated - 10th row down after MOA, starting a new paragraph with the title: New Jersey Trails Grant Process.

Roll Call Vote:	Aye	-Lubitz, Haywood, McNicol, Dodds, Mathieu, Niemann, Pandy, Niciecki, Kralovich
	Nay	-None
	Abstain	-Hertzog
	Absent	-Frank, D'Costa

Correspondence

Reminder of the New Jersey Land Conservation Rally - One Day Conference, Saturday, March 10th at Brookdale Comm. College

Chairwoman Sandra McNicol reviewed.

Delaware and Raritan Greenway Land Trust Newsletter - Article on Trail Building Volunteers

Chairwoman Sandra McNicol thought this might be an interest for everyone.

Annual Notice of Open Space and Ag Meetings for 2012 - FYI

Secretary Keller provided an updated list to the Committees.

3.

Reports

Farmland Preservation - Liz Schmid

(Report for March 6, 2012)

Open Space/Agriculture Advisory Committee Report

March 6, 2012

1. Maplewood Farm -The family has signed the option agreement. The appraiser has the paperwork but has not returned my phone calls. The landowner called to try to push him and he said he will try to schedule it this week. We are beginning to run into a time issue with the HLT federal money which is why we are trying to push the appraiser.
2. HLT is wondering if the Township will have any money to contribute to the preservation of Decker (Bl 24 Lot 8) and/or Mulligan (Bl 33, Lot 24). As noted last month, at the usual 20% rate and at a hypothetical \$7,000/acre, the Township would need @ \$175,000.
3. CADB has not made any decision on the Decker and Mulligan properties yet due to other business.
4. Helmer and Gross are waiting for appraisals to be authorized.

There was a very lengthy discussion regarding the properties Liz Schmid reviewed.

Everyone thanked Liz Schmid for her report.

Old Business

Kugler Woods MOA

Richard Dodds gave an updated report on the trails and the Memorandum of Agreement. He stated that the State was interested to know if there were any endangered plants along the trails. He explained that the Township is doing the best to work with the State at this time.

Hunterdon Land Trust - Activity update

4.

Sandra McNicol stated that she had spoken to Kate Buttolph from the Hunterdon Land Trust regarding the Trestensky property and noted that this property should close in November of 2012.

Sandra McNicol asked Richard Dodds if he had anything to report regarding the \$2,500, which is available through the Natural Resource Inventory. He stated that this was for the Horseshoe Bend Park and that there was a piece of a grant that the Hunterdon Land Trust applied. He stated that if they receive the grant, the Township would receive funds to do a Natural Resource Inventory on the Horseshoe Bend Park.

Horseshoe Bend Park Steering Committee - Progress Report

Richard Dodds reported that many good things are happening at the park this month. He stated that there will be an open public meeting for all the residents in Kingwood and surrounding areas at the Horseshoe Bend Park this Friday, March 9th 7:00PM in the large building. He noted that everyone is welcome.

He explained that he received a note from a mom and two daughters from Kingwood Township regarding a project her daughters were interested in doing. She explained that since the storm in October of 2011, and so many trees were lost during the storm that they wanted to plant new trees. She and her daughters went to Round Valley and talked to the folks there and they gave them one hundred trees to plant. Richard Dodds stated that they asked if they could to plant these trees at the Horseshoe Bend Park. He stated that they will be getting together to plant the trees at the park in a few weeks.

Richard Dodds reported on several items he found at the Horseshoe Bend park.

He stated that he hopes to see everyone on Friday night at Horseshoe Bend Park.

William Pandy explained that a resident from Kingwood had been hospitalized with a rare form of Lyme disease that has never been found in humans and is very debilitating. He suggested that a sign be put up at the park warning everyone check for deer ticks.

Additional Preserved Farm Sign for Ukarish Property

5.

Chairwoman Sandra McNicol explained that she contacted Deptcor regarding ordering another sign for the Ukarish property and stated that they will be looking in their files for the records of the first sign that she ordered.

Stormwater Management Report for Equestrian Village - Maps and Plans for Review

Sandra McNicol reviewed and stated that if anyone would like to take a look at the plans and map they can at the end of the meeting. She explained that the Environmental Commission looked over the maps and plans to see if there was an indication of wetland areas. She stated that the plats she reviewed from the file show the stream buffer 50 feet, but that there was nothing that indicated any wetlands. She stated that if the Open Space and Ag Committees feel they need to look over the letter of interpretation then she will try to locate the letter.

Copy of Letter of 2/10/12 to Commission of NJDEP - Request Funding

Chairwoman Sandra McNicol stated that everyone received a copy of this letter.

New Business

Meeting Announcement - Horseshoe Bend Park General Management Plan, March 9, 7:00P.M.

Chairwoman Sandra McNicol reviewed.

Farm Programs - NRCS, Farm Service, Hunterdon County Soil Conservation

Chairwoman Sandra McNicol explained that she and Cynthia Niciecki went to the NRCS Farm Service to see if they could get information on funding for managing the farmlands at Horseshoe Bend Park.

Cynthia Niciecki reported on following from their trip to the government buildings:

6.

Cynthia Niciecki

AG PROGRAMS REPORT

March, 6, 2012

Sandy and I went to the Farm Service Agency today to obtain information about any Government Programs available to the Township for the Horseshoe Bend Park property for Conservation and Wildlife Enhancement purposes. The FSA updated their records showing the township as new owner and provided us with a map showing field acreages.

We learned that municipalities are not eligible for receiving any payments for the Wildlife Enhancement Program and that most of the Conservation Reserve Program contracts run for 10 to 15 years and are with the producer and not the landowner.

We also went to the Natural Resource Conservation Service and obtained an application for a Request for Assistance to the Hunterdon Co Soil Conservation District to address natural resource concerns for Horseshoe Bend Park and to provide technical assistance to develop a Conservation Plan, which is the first step needed to be eligible for any programs.

We should encourage farmers to enroll in whichever programs are applicable.

Everyone thanked Cynthia Niciecki for her report.

Cynthia Niciecki and Sandra McNicol supplied several brochures for everyone to review.

The Committees discussed Conservation Resource Programs.

Chairwoman Sandra McNicol suggested that the Committees vote to request that the Township Committee approve to participate with the assistance to complete the application to the Hunterdon County Soil Conservation to offer free assistance from them.

There was a unanimous vote by both Committees to send a memo requesting that the Township Committee approve to participate with this assistance from the County Soil Conservation District and to complete the application. **All voted Aye on Roll Call Vote.**

7.

Preserved Farm Map - Updated 2012

Chairwoman Sandra McNicol reviewed.

Land Ranking Criteria for Open Space - Two Property Evaluations;
Review at Meeting

Chairwoman Sandra McNicol explained that she and Liz Schmid a few years ago developed land ranking criteria for farmland and farmland preservation. She stated that tonight they were going to explain to everyone how they developed ranking of properties, and a direction of where they would go with preservation from 2007. She reviewed the method they used to rank the properties. She explained that they took the maps from the ERI and coated them, then looked at the maps from the environmental resource inventory and wetlands. She explained they printed out all the maps and lists of soils, and wetlands. She explained that his survey is broken into segments and suitability development factors. She reviewed the evaluations and how they ranked the properties. She explained how the following properties were ranked for the Committees:

Block 26, Lot 24, they felt it did not have a very high ranking, but it is a good example of how they ranked with a total rank of 29 points.

Block 12, Lot 33.01 Sandra McNicol stated that this was ranked very high with a total rank of 47 points.

Block 24, Lot 9.01 Sommo Property - Total rank of 37 points. William Pandy noted there is a historical site near the property.

Phil Lubitz asked questions about steep slopes. Sandra McNicol and Liz Schmid responded.

She would like to have these properties ranked so that when it is time to consider preservation, it will be easier to have an idea.

Farmland Preservation Process

Liz Schmid reviewed the following process for farmland preservation:

8.

Municipal PIG

Cost split 60%/20%/20% between State, County and Municipality

Municipality submits application to County and State with supporting information

County P.B. staff rates farms using established criteria.

Staff presents ranked farms to CADB for consideration

CADB does preliminary screening for appropriateness

CADB does field visits to confirm quality of applications.

CADB does final ranking (preliminary approval) and submits list to Freeholders for approval for County funding.

Option agreements sent out to landowners with set option price at or above which the landowner agrees to continue in the program.

After landowner returns signed option agreement, application is sent to SADC for green light approval. If any issues arise, they are referred back to the municipality for negotiation with the landowner

Municipality puts out requests for bids for appraisals

Municipality selects two appraisers who then submit appraisals.

Municipality sends appraisals to SADC staff for review. Staff decides on an easement value.

Easement value goes to SADC to establish a Certified Value as basis for State cost share.

Municipality presents the Certified Value to the landowner. If it is at or above the option price, the landowner is obligated to accept the value and a municipally developed contract is signed. If it is below the option value, the landowner may choose not to continue with the application but may choose to sign a contract to continue the application.

9.

Municipality passes a resolution agreeing to fund preservation project and sends it to the County.

CADB grants final approval and send to Freeholders

Freeholders give final approval and authorize funding.

SADC grants final approval and authorize funding from municipal PIG grant.

Municipality asks for bids for surveyors, selects a surveyor and the property is surveyed.

The Survey is sent to SADC for review and comment.

See County PIG process

Everyone thanked Liz for the excellent overview of how they go through the process.

Chairwoman Sandra McNicol thanked Liz for providing this list.

County Planning Incentive Grant (CPIG) Program Checklist

Liz Schmid reviewed the following County Planning Incentive Grant Program Checklist:

COUNTY PLANNING INCENTIVE GRANT (CPIG) PROGRAM CHECKLIST

1. Landowner submits CPIG application. CADB staff review the application and check if the applicant submitted a deed, tax map with boundaries marked, title work (if available), property survey (if available), and farmland assessment form.
2. CADB Staff reviews applications in accordance with the CADB application criteria, giving each application a quality score and rank order.
3. CADB approves the applications and the exceptions (Preliminary Approval Resolution). - May include site visit

10.

4. CADB Staff sends landowners determination of CADB ranking and invite to attend (appeal process).
5. CADB Staff coordinates Municipal Preliminary Approval Resolution.
6. CADB Staff drafts option agreements for farms that received Preliminary Approval.
7. CADB Staff sends draft option agreements to County Counsel for review.
8. CADB Staff sends option agreements to applicants/landowners and/or attorneys.
9. Landowners return option agreements to CADB Staff within 30 days.
10. CADB Staff sends signed option agreements to County Clerk's office for recording. Recorded docs back to CADB Staff.
11. CADB Staff sends copies of application and recorded document to County Counsel. (In case of municipal owned easement with no option agreement: CADB Staff sends copy of application to County Counsel.)
12. CADB Staff seeks Freeholder Preliminary Approval Resolution.
13. The Freeholders grant preliminary approval and grant permission to solicit appraisals for each application.
14. CADB Staff prepares SADC Individual Farm Application for each application for which an option agreement was returned.
15. CADB Staff submits SADC Application for Green Light Approval.
16. Receive SADC Green Light Approval. OK to proceed with appraisals.

11.

17. CADB Staff sends Purchasing Green Light Approval information to include with the appraisal request for proposal (RFP).
18. Purchasing sends out RFP.
19. CADB Staff evaluates the returned RFPs and make recommendations to Purchasing. Purchasing puts on BOCF Agenda
20. The Freeholders approve the distribution of appraisal work.
21. Purchasing prepares appraisal contracts.
22. CADB Staff may discuss with appraisers any issues or pertinent concerns about specific properties/applications.
23. Appraisals received and reviewed by CADB staff.
24. CADB Staff notifies applicants when both appraisal reports have been received and submitted.
25. CADB Staff submits appraisal reports to SADC.
26. SADC certifies market value for the farm.
27. SADC provides official certified market value to CADB Staff.
28. CADB Staff sends the applicant the certified value (the offer), and their options to proceed.
29. Applicant responds to CADB within 30 days.
30. CADB Staff notifies municipalities of successful applications and requests a Final Approval Resolution.
31. CADB adopts a Final Approval Resolution.
32. Freeholders adopt a Final Approval Resolution.
33. CADB Staff prepares a Final Approval Package to send to SADC.

12.

34. SADC gives final approval.
35. CADB Staff prepares contract, sends to County Counsel for review, incorporates comments and sends to landowner.
36. CADB Staff prepares individual farm information and provides to Purchasing.
37. Purchasing sends out Survey RFP.
38. Landowners return signed contracts.
39. CADB Staff selects surveyors and recommends choices to Purchasing.
40. Purchasing recommends surveyors on Freeholder agenda.
41. CADB Staff orders title work
42. CADB Staff sends landowner contracts to BOCF Clerk to be put on BOCF agenda.
43. CADB Staff receives title work. One copy is sent to County Counsel.
44. Freeholders approve survey contracts and landowner contracts.
45. County Counsel reviews title work
46. CADB Staff forwards title work to surveyors giving them notice to proceed.
47. County Counsel sends letter to applicant/attorney with items to be addressed at closing.
48. Surveyor submits draft survey/descriptions to CADB.
49. CADB Staff forwards copies to County Counsel, engineering, applicant and title company for review.

13.

50. CADB staff will collectively review survey and identify errors. CADB staff will collect comments from all parties and forward comments to surveyor for revisions; copy of comments to County Counsel for review.
51. Surveyor returns revised survey and descriptions to CADB, which is then distributed to all parties.
52. CADB Staff prepares cost share breakdown and forwards to County Counsel.
53. CADB Staff obtains endorsements from the title company (insure copies of endorsements sent to County Counsel)
54. County Counsel drafts Deed of Easement and Restrictive Covenant as part of the closing package.
55. County Counsel sends closing package and request issuance of grant agreement, payment voucher, and closing schedule from SADC.
56. SADC sends closing approval and forwards grant agreements, payment vouchers, and closing schedule to County Counsel.
57. CADB Staff has Freeholder Clerk place Grant Agreement/Resolution on Freeholder agenda.
58. CADB Staff forwards payment voucher to Finance for completion; Finance returns to CADB Staff.
59. After Freeholder approval, CADB Staff returns grant agreements and payment voucher to SADC.
60. CADB Staff notifies municipality of cost share amounts.
61. County Counsel establishes closing date with landowners, SADC, CADB Staff, and municipality.
62. CADB Staff coordinates wiring of funds from Municipality.

14.

63. CADB Staff notifies County Treasurer of closing date and amount needed (all funds received three days prior to closing).

64. Closing held.

65. County Counsel forwards original recorded documents and title insurance policy to County (copies to SADC and CADB Staff).

Everyone thanked Liz Schmid for her review of the checklist.

Discussion: OS/Ag Goals for 2012

Chairwoman Sandra McNicol noted that this will be discussed Next month.

Senate Bill

Elaine Niemann reviewed a Legislative Bill S1085 that is currently pending. She explained that this is a Bill that will allow logging on public lands. She noted that with the Lockatong preserve as well as Horseshoe Bend this is a particular interest to Kingwood Township, because if this Bill is adopted there could be logging in those two different areas of Kingwood. Richard Dodds noted that Kugler Woods would also be included. Elaine Niemann stated that she was contacted by Julie Allen and explained that a representative from the D.E.P. will be coming out to meet with mayors in Hunterdon County on Friday March 16th to give their interests and concerns. She explained that at the last Township Committee meeting they received a copy of a resolution that Readington Township adopted, but that they did not take any action or adopt a supporting resolution at that time. She noted that tomorrow will be a special meeting for the Township Committee and wanted to know if the committees would like to take any position on this to be discussed regarding this subject. The members of both committees all commented and gave their opinions.

15.

It was moved by Phil Lubitz, seconded by John Mathieu and carried to approve to send a memo to the Township Committee from the Open Space and Agriculture Advisory Committees advising them that the Committees are not in favor of this Senate Bill S1085.

15.

Roll Call Vote:	Aye	-Lubitz, Haywood, McNicol, Dodds, Mathieu, Niemann, Pandy, Niciecki, Kralovich, Hertzog
	Nay	-None
	Abstain	-None
	Absent	-Frank, D'Costa

Public Comment - Privilege of the Floor

N/A

Adjournment

It was moved by Richard Dodds, seconded by Diana Haywood and carried to adjourn the meeting at 8:50M. **All** voted **Aye** on **Roll Call Vote**.

Respectfully submitted,

Cynthia L. Keller
Secretary