

Franklin Township Agricultural Advisory Committee
Thursday, January 21, 2010
Minutes

1. **Call to order in accordance with the Sunshine Law provision.** At 8:00 Chairman Puskas called the meeting to order in accordance with the Sunshine Law provision.
2. **Roll call.** Present were members Blumig, Hasner, Marshall, Manioudakis, Puskas, and Consultant Loos.
3. **Reorganization.** Puskas asked for Loos to accept nominations for Officers.
 - a. Blumig nominated, and Marshall seconded, Puskas for Chair. There being no other nomination, nominations were closed.
 - b. Marshall nominated and Blumig seconded a motion to nominate Manioudakis as Vice-Chair. There being no other nomination, nominations were closed
 - c. Blumig nominated and Marshall seconded a motion to nominate Loos as Secretary. There being no other nominations, nominations were closed.

Puskas moved and Marshall seconded a motion to approve the nominations made. Motion carried.
4. **Approval of the 2010 Calendar Resolution.** Upon a motion by Hasner, seconded by Manioudakis, the committee approved the attached 2010 Calendar Resolution.
5. **Approval of the October 22, 2009 minutes.** Upon a motion by Blumig, seconded by Marshall, a motion carried to approve the October 22, 2009 minutes.
6. **Financial report.** Loos reviewed the financial report. There is \$18,440,802.40 remaining in the trust fund. Upon a motion by Manioudakis, seconded by Marshall, a motion carried to approve the financial report.
7. **Meeting opened to the public for comment.** Manioudakis moved and Blumig seconded a motion to open the meeting to the public.
 - Michelle Tullio spoke on behalf of Mike Mizerek who has an application for farmland preservation pending before the AAC. Tullio explained that the committee had reviewed this application in October and had given conditional approval, subject to further investigation of certain environmental issues (wetland and C-1 stream corridor impact). She further stated that the property is 6.3 acres, that the applicant was requesting a 1.3-acre exception area around the house and the barn in which he conducts his landscaping business—leaving a 5-acre area for farmland preservation. To qualify for farmland assessment, the applicant raises sheep and has sells firewood.
 - Mike Ford, a licensed engineer also spoke on behalf of Mizerek. Ford showed the committee several maps that showed wetland delineation on an adjacent property and also a concept plan of a possible “build-out” of the Mizerek property that would result in a

total of six houses being constructed. He also responded to questions from the committee regarding stream impact, wetlands and variances needed (front yard length for two lots on a cul-de-sac, side yard length for two corner lots) if the concept plan were to be built.

Upon a motion by Manioudakis, seconded by Marshall, a motion passed to close the public portion.

8. Review of pending PIG applications.

- Duchai on Grouser Road. Appraisals have been ordered.
- Suydam. Applicant withdrew the application.

9. Review of agricultural leases of open space. Loos updated the committee on the status of the Gunther lease: it was put out to bid, but no one bid on it. The township will be rebidding. The committee reviewed the bid specifications and after some discussion, decided to recommend the following changes in the bid specification:

- a. That there be no minimum bid (currently \$8 in item #1);
- b. That the provision in item #13, regarding trash removal, be reworded to include the underlined in the following: "Lessee will arrange for and pay for removal and disposal of all garbage, rubbish or other waste, that is generated by the Lessee;
- c. That a provision regarding wildlife control be added as follows: "Lessee shall implement a wildlife management plan which shall include a plan to control white-tailed deer. In developing the wildlife management plan, Lessee shall provide the Lessor with the names and addresses of all persons that the Lessee gives permission to hunt on the Property. The Lessor will provide the Lessee with a form of identification that will be displayed on any person authorized by the Lessee to hunt on the Property and the Lessee shall instruct his/her authorized hunters that this identification, must be worn while carrying a weapon on the Property. No person shall hunt on the Property without first obtaining that identification from the Township."
- d. That the property not be rebid until Puskas has an opportunity, on behalf of the farm community, to obtain from the Farm Service Agency their records of the number of tillable acres. Upon obtaining that information, the bid shall be amended, accordingly.

10. Annual Report. Upon a motion by Manioudakis, seconded by Hasner, the committee approved the attached AAC Annual Report.

11. Establishing goals and objectives for 2010. Blumig moved and Marshall seconded a motion that carried, to adopt the following goals and objectives for 2010.

- a. To work toward preserving all agricultural ground in the Township;
- b. To work toward preserving the agricultural community as a viable business enterprise in the Township;
- c. To be an advocate to limit infringement upon agricultural activity through development; and

d. To secure all grants that would assist in carrying out the above Goals and Objectives.

12. **Executive Session.** Upon a motion by Manioudakis, seconded by Marshall, a motion passed to go into Executive Session to discuss farm preservation negotiations.

13. **Action on Mizerek farmland preservation application.** Hasner moved and Manioudakis seconded the following motion: The AAC has reviewed the application to preserve the 6.3-acre Mizerek farm located at 192 Bennetts Lane in Block 88.02, Lot 30 and does not recommend that this farm be preserved for the following reasons:

- The farm is a very small farm (6.3 acres) and the owner is requesting that only five of the 6.3 acres be preserved.
- The farm is not on the township's target list of farms, and accordingly would not be eligible for state or county cost-sharing, resulting in the township having to pay the full amount of purchasing the easement.
- The State of New Jersey's IMAP shows that there are more than 2 acres of wetlands on the property and, unless there is a wetlands delineation that shows that this is not the case, the property appears to have less build-out potential than that shown in the "concept plan" presented by Mizerek's representatives.

The motion passed with Hasner, Marshall, Manioudakis and Puskas voting for the resolution and with Blumig abstaining.

14. **Adjournment.** At 10:26 Manioudakis moved and Marshall seconded a motion to adjourn. Motion carried.

RESOLUTION OF THE
AGRICULTURAL ADVISORY COMMITTEE OF THE TOWNSHIP OF FRANKLIN,
SOMERSET COUNTY, NEW JERSEY
Meeting Calendar for 2010

WHEREAS, the Open Public Meeting Act, P.L. 1975, Chapter 231 of the Laws of the State of New Jersey, Section 13 thereof, requires the public body at least once a year to provide notice of a schedule of regular meetings of said public body to be held during the succeeding year, and; **WHEREAS**, said Act further requires in Section 3 (d) thereof, that adequate notice as required by said Act be mailed, telephoned, telegraphed or hand delivered to at least two newspapers, which newspapers shall be designated by the public likelihood of informing the public of such meetings, one of which shall be the official newspaper, and.

WHEREAS, said Act in Section 14 thereof, further provides that any person may request that a public body mail to him copies of any regular meeting schedule or revision and any advance written notice described in Section 3 (d) of said Act of any regular, special or rescheduled meeting of such body upon payment by such person of a reasonable sum if any has been fixed by resolution of the public body to cover the cost of providing such notice;

NOW, THEREFORE, BE IT RESOLVED, on this 15th day of January 2010 by the Agricultural Advisory Committee of the Township of Franklin, Somerset County, New Jersey that the regular meeting of the Agricultural Advisory Committee of the Township of Franklin, Somerset County, New Jersey during the year 2010 will be held at the Municipal Building, 475 DeMott Lane at 8:00 p.m. on the following dates:

January 21, 2010	February 18, 2010
March 18, 2010	April 15, 2010
May 20, 2010	June 17, 2010
July 15, 2010	August 19, 2010
September 16, 2010	October 21, 2010
November 18, 2010	December 16, 2010

VOTE ON RESOLUTION this 21st day of January, 2010

:

FOR: Blumig, Hasner Manioudakis, Marshall and Puskas,

AGAINST: None

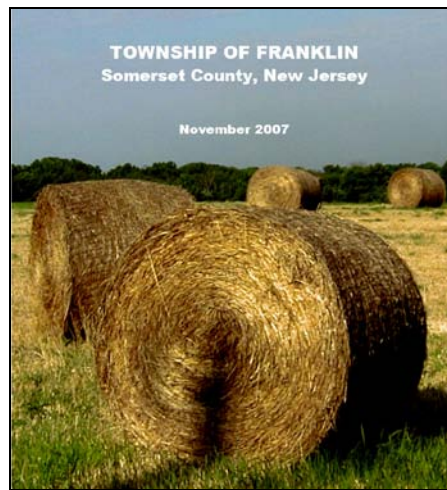
Respectfully submitted,

John Loos, Secretary/Consultant

**Township of Franklin
Agricultural Advisory Committee**

2009 Annual Report

***Preserved land: Connecting and surrounding Franklin's Diverse
Communities***



**Adopted by the
Agricultural Advisory Committee
2010 Members**

Cathy Blumig
Frank Hasner
Emanuel Manioudakis
Berit Marshall
Robert Puskas

Prepared by Loos Consulting
John Loos, Consultant

Adopted on January 21, 2010

The Importance of Agriculture.

The predominant land use in the Township is farmland, as noted in the Township Master Plan. As of August 2007, the total acres classified as farmland was 4,849 equaling 17% of the Township's total of 27,985.9 acres. In addition, of over 3,000 total acres in Six Mile Run, approximately 1,300 acres are currently leased for farmland, and another approximately 400 acres of Township-owned open space land is leased to farmers--bringing the farmed land in the Township to over 6,549 acres or 23.4% of the Township.

The Farmland Preservation Program and the Agricultural Advisory Committee.

Recognizing the importance of keeping agriculture in the township, on June 15, 2000, the Council adopted an ordinance that established the Agricultural Advisory Committee (AAC). The AAC is composed of five members who are residents of the municipality, with a majority of the members actively engaged in farming and owning a portion of the land they farm. The AAC meets on the third Thursday of the month at 8:00 pm. The committee reviews applications from farm-owners who are interested in preserving their farms. Additionally, the committee developed a Farmland Preservation Plan, which was adopted by the Planning Board as an Element of the Master Plan. This is on the township's website at www.franklintwpnj.org/Master-Plan/November%20Farmland%20Preservation%20Plan.pdf

In addition to the above responsibilities, the AAC seeks grant funding and acts as an advocate for township farmers on other matters of interest.

It should be noted that the AAC has a member who serves on the OSAC and attempts are made to coordinate between OSAC and the AAC--to the extent possible. *Because the OSAC is a separate functioning committee, it has produced it own separate Annual Report.*

AAC's Goals and Objectives.

Recognizing the importance of keeping agriculture in the township, on June 15, 2000, the Council adopted an ordinance that established the Agricultural Advisory Committee (AAC). The AAC is composed of five members who are residents of the municipality, with a majority of the members actively engaged in farming and owning a portion of the land they farm. The AAC meets on the third Thursday of the month at 8:00 pm. The committee reviews applications from farm-owners who are interested in preserving their farms. Additionally, the committee developed a Farmland Preservation Plan, which was adopted by the Planning Board as an Element of the Master Plan. This is on the township's website at www.franklintwpnj.org/Master-Plan/November%20Farmland%20Preservation%20Plan.pdf

In March 2009, the AAC adopted the following goals and objectives for 2009.

1. To work toward preserving all agricultural ground in the Township;

2. To work toward preserving the agricultural community as a viable business enterprise in the Township;
3. To be an advocate to limit infringement upon agricultural activity through development;
4. To secure all grants that would assist in carrying out the above Goals and Objectives.

As indicated by the last objective, the AAC seeks grant funding. The AAC is responsible for the township receiving over \$14.2 million in grants toward the purchase of the development rights on 20 farms, as illustrated in Figure 1.

ADDRESS	BLOCK #	LOT #	ACRES	PURCHASE PRICE	TOWNSHIP COST	SADC GRANT	Somerset County PIG grant	FEDERAL GRANT
Courtelyous Ln.	37.02	2	57.6	\$2,811,526	\$2,811,526	\$0.00	\$0.00	
Bennetts Lane	85	32	36.6	\$600,000	\$64,882	\$411,463.62	\$123,654.54	
Courtelyous Ln.	37.02	1.01	30.104	\$1,129,201	\$235,052	\$668,308.80	\$225,840.21	
S. Middlebush Rd.	74.01	9	68.246	\$2,559,225	\$640,147	\$1,212,048.96	\$404,016.32	\$303,012.24
277 Bennetts Ln	85	22	15.409	\$462,270	\$184,908	\$277,362.00	\$0.00	
Bennetts Lane	85	14.06	20.9114	\$917,429	\$273,358	\$483,053.34	\$161,017.78	
Rt. 518	10	6.03	8.896	\$306,912	\$61,382	\$184,147.20	\$61,382.40	
Rt. 518	10	2, 6.04	8.516	\$293,802	\$58,760	\$176,281.20	\$58,760.40	
106 Cortelyous Ln	57.01	56	6.144	\$216,269	\$86,508	\$129,761.52	\$0.00	
1930 Amwell Rd.	74.01	8.01	57.87	\$3,854,167	\$1,387,629	\$1,847,372.05	\$619,166.20	
59 Old Georgetown Rd.	10	10.03 & 10.05	14.81	\$510,945	\$510,945	\$0.00	\$0.00	
Cedar Grove Ln.	508.02	10.01	20.184	\$258,355	\$258,355	\$387,532.80	\$0.00	
S. Middlebush Rd.	58	9.04	17.26	\$816,480	\$326,592	\$489,888.00	\$0.00	
Old Georgetown Rd	11.01	23.00	79.98	\$2,459,231	\$2,459,231	\$0.00	\$0.00	
Skillman Lane	57.01, Lot 32.01	Block 85, Lot 62.01	133.00	\$12,354,218	\$6,282,000	\$4,072,218.00	\$2,000,000.00	
191 Bennetts Lane	85.00	27.00	6.61	\$521,234	\$521,234	\$0.00	\$0.00	
2072 Amwell Road	73.01	40	14.248	\$997,710	\$997,710	\$0.00	\$0.00	
25 & 33 Grouser Rd	59.01	9 & 10.02	15.555	\$544,425	\$544,425	\$0.00	\$0.00	
28 Old Georgetown Rd	11.01	24.01	19.836	\$545,490	\$545,490	\$0.00	\$0.00	
		TOTAL	631.78	\$31,613,400	\$18,250,135	\$10,339,437.49	\$3,653,837.85	\$303,012.24

Figure 1: Grant funding for Farmland Preservation

In 2009, the AAC submitted another PIG application grant to the SADC and is still awaiting the results of that application. However, it has been notified that the NJ legislature has appropriated another \$750,000 in FY 2010 for farmland preservation in the township.

In addition to working directly to preserve farms through the township, the AAC works closely with the SADC and Somerset County's County Agricultural Development Committee and assists them in preserving farms through state or county programs with

no actual township dollars spent, except for the cost of township consultant cost assisting in the preservation effort.

Pending Farmland Preservation Efforts.

The township has been working for several years toward the end of preserving the 143.5-acre Terhune farm on Canal Road. In the latter half of 2009, a tentative agreement was reached to purchase the farm for \$34,000 per acre, for a total purchase price of approximately \$4,879,000. After the township closes on this property, Larry Terhune will have a life-tenancy right to live on the farm and use the tillable fields for agricultural purposes.

In addition to the Terhune farm project, two other possible farmland preservation efforts are currently under review.

In 2008 and 2009, the AAC adopted a list of 25 farms that are targeted for preservation. These farms, totaling more than 1,000 acres, will likely become the centerpiece of the township's next efforts to preserve farms.