

**STATE AGRICULTURE DEVELOPMENT COMMITTEE (SADC)  
REGULAR MEETING**

**REMOTE MEETING DUE TO CORONA VIRUS  
EMERGENCY**

**February 25, 2021**

Chairman Fisher called the meeting to order at 9:04 am.

Ms. Payne read the notice stating that the meeting was being held in compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.

Ms. Payne advised that anyone wishing to make a public comment at this meeting should email their comments to [SADC@AG.NJ.GOV](mailto:SADC@AG.NJ.GOV). All public comments will be read during the public comment portions of the meeting.

Roll call indicated the following:

**Members Present**

Chairman Fisher  
Martin Bullock  
Scott Ellis  
Denis Germano  
Pete Johnson  
Roger Kumpel (Serving for Mr. Norz)  
James Waltman  
Gina Fischetti  
Renee Jones  
Brian Schilling  
Ralph Siegel

**Members Absent**

Richard Norz

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Susan E. Payne, Executive Director  
Jason Stypinski, Esq., Deputy Attorney General

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## **Minutes**

### A. SADC Regular Meeting of January 28, 2021(Open Session)

It was moved by Mr. Germano and seconded by Mr. Kumpel to approve the Open Session minutes of the SADC regular meeting of January 28, 2021. Mr. Ellis abstained from the vote. The motion was approved by the remaining members.

## **Report of the Chairman**

Chairman Fisher stated that today staff will finish discussions of the Soil Protection Standards and get them out for comment. He also stated that a new bill was introduced in the Legislature regarding dual use designed to encourage renewable energy sources while keeping New Jersey (NJ) soil preserved for their productivity.

Chairman Fisher stated that he, Ms. Payne and other staff members recently attended a National Association of State Departments of Agriculture (NASDA) meeting where important topics like climate resilience and diversity of workforce on farmland were discussed.

## **Report of the Executive Director**

Ms. Payne stated that she attended several of the NASDA sessions, particularly related to natural resources and climate change, and said she was optimistic about the emerging partnership between environmental and agricultural interests. She explained that agriculture is a key component in addressing climate change, that economic incentives are necessary, and that both sides are striving to find mutually agreeable solutions. NASDA is looking for ideas from the states, as each region of the country is different.

Ms. Payne gave an update on staffing. She noted that Mr. Tim Willmott recently filled a Stewardship position and a fourth regional coordinator position was filled in the acquisition division. Staff is still looking to fill vacancies for a planner, an information technology specialist and a third attorney.

Ms. Payne directed the committee to the delegation report which covers deer fencing, certifications of value and soil and water grants.

Ms. Payne discussed a renewable energy incentive program facilitated by Solar Renewable Energy Credits (SRECs). Most solar projects built in NJ qualify for SRECs through an approval process administered by the Board of Public Utilities (BPU). Up until now, the BPUs siting criteria has prohibited solar on farmland. While some farmland has been used for solar across the state, it has not been done on a large scale.

The original SREC program is ending, and legislation has been introduced to create a successor program that provides for solar facility siting on areas that include agricultural lands. Secretary Fisher, the State Board of Agriculture and the Farm Bureau support renewable energy but are concerned about solar facilities occupying the state's prime agricultural resources. The legislation will be the subject of a senate committee hearing, and SADC staff will be looking to see whether any changes will be made to the original.

Ms. Payne stated that BPU recently proposed a rule that, in part, does not apply BPU siting criteria to solar energy facilities not qualifying for SRECs. That means projects that don't need financial incentives through BPU could essentially be located on broad areas of vacant land throughout the state, including on NJ farmland.

Ms. Payne read the agriculture industry impact statement accompanying the BPU proposed rules, which state in part, *"To the extent that the proposed rulemaking facilitates the development of solar energy facilities on land currently agricultural in nature, the proposed rulemaking could have a detrimental impact on the agricultural industry by displacing farming with solar development. Potential harms will likely be limited by existing or future land-use regulations that discourage or prohibit solar development on agricultural lands."*

The BPU statement suggests that a significant amount of agricultural land could be impacted but does not provide any estimate of the extent of such impact. Accordingly, due to the potential for significant adverse impacts on NJ's agricultural resources, SADC staff issued a letter to the BPU requiring consultation before the rule is adopted pursuant to the SADC's authority under the Right to Farm Act. Ms. Payne said that there had been no response to the letter from the BPU yet, but staff is hopeful to hear something in the near future.

Mr. Bruder shared mapping graphics with the committee to help visualize potential impacts to NJ's farmland resources. He reviewed the 2019 NJ Energy Master Plan, the goals of the plan and the SADC agricultural impact analysis of the plan in NJ. Ms. Payne noted that in the absence of siting criteria, solar should be kept off of farmland to achieve farmland resiliency. Ms. Payne asked for the committee's feedback as to whether it wants to send an independent message to the administration or legislature based on this analysis.

Chairman Fisher asked for comment from the committee. Mr. Kumpel asked about the extent to which the siting criteria applied to the Pinelands region. Ms. Payne stated that large scale solar is prohibited in the Pinelands preservation area, Pinelands forest area as well as the Highlands preservation area.

Mr. Waltman asked what the SADC's current authority, if any, would be for a large-scale solar request in an agriculture development area (ADA). Ms. Payne stated that based on section 19 of the Agriculture Retention and Development Act, the SADC does not have the power to stop a solar project. Section 19 says there is an opportunity for review by the county and the SADC, and that if a proposed project is unreasonably adverse, the board or the

committee may direct that no action be taken for 60 days during which time a public hearing may be held and a written report containing recommendations will be made public.

The committee inquired as to whether section 19 applies to private companies with projects in an ADA. Mr. Stypinski stated that is something that will be looked into further. Mr. Bruder observed that typically, private developers of solar projects usually sell the facilities to utility companies, so a great deal of fact-finding is necessary. Ms. Payne stated that more research will be done by staff as to whether section 19 applies to these types of development.

Mr. Johnson asked if there is anything in the pending legislation or proposed BPU rule affecting a preserved farm's ability under SADC solar rules to generate 110% of its prior year energy demand? Ms. Payne stated that the SADC rule is not affected by the proposed legislative and regulatory action.

Mr. Siegel suggested that since the BPU has to approve these requests, the SADC should request that they cross-check with the SADC before approving the solar projects because of the potential impact on agricultural lands. Chairman Fisher stated that even if the BPU knew about these impacts on agriculture, BPU would not be able to stop the solar requests.

Chairman Fisher also stated that renewable energy legislation is moving fast, and no one wants to put up roadblocks in the development of solar. Mr. Siegel suggested a formalized reporting system occur in order to support approval when it comes to solar installation on farmland. Chairman Fisher stated that staff will work towards a collection system soon and he thanked the committee for a lively discussion and noted that the points raised will be taken into consideration.

### **Communications**

Ms. Payne stated that there is a letter in the communications packet from Mr. William Asdal of Chester Township, Morris County. Mr. Asdal is a neighbor of Hideaway Farms. Mr. Asdal was advised that the SADC can't comment on his letter as there is litigation pending with the owner of Hideaway Farms involving Morris County and the SADC. Ms. Payne noted that the first part of his letter addresses alleged violations of the Deed of Easement (DOE) and the second part of the letter deals with Right to Farm (RTF) questions and concerns, some of which may ultimately come before the agency. Although the SADC can't comment at this time, the SADC and staff wanted to assure Mr. Asdal that his letter was received.

### **Public Comment**

Ms. Winzinger stated that Ms. Susan Yates sent an email regarding the draft soil protection standards, and that Ms. Uttal will be sending the full correspondence from Ms. Yates to the SADC and staff.

## **Old Business**

### **A. Soil Protection Standards – Proposed General Standards and Best Management Practices (BMPs)**

Mr. Everett stated that as a result of the discussion at the Committee's January 2021 meeting, staff reassembled a complete package of reference materials that led to the development of the proposed soil protection standards (SPS). Additionally, marked-up versions of all proposed best management practices (BMPs) are provided to show changes made to the original BMP drafts as a result of comments received from the Soil Protection Standards subcommittee and the full SADC.

He noted that bond counsel to the Garden State Preservation Trust provided an opinion that the proposed standards do not affect the tax-exempt status of any bonds issued for farmland preservation purposes. Mr. Everett advised that if the committee is satisfied that the current drafts of the general standards and BMPs are acceptable, it can authorize staff to distribute the documents to all partners for a 60-day informal review period.

#### **SPS Discussion**

Mr. Everett reviewed the proposed land use chart and summarized the least and most reversible land uses broken down in color categories -- red, orange, yellow and green -- under the general standards of soil disturbance. [The general standards, including the land use chart, are included in the meeting materials attached to these minutes].

Mr. Germano asked if any pre-existing improvements in the semi-permanent soil category would count towards the 5%. Mr. Everett stated that they would count toward the 5% if not constructed in accordance with best practices. Ms. Payne stated that if semi-permanent uses are currently in place, the assumption is that when the rules go into effect, these semi-permanent soil disturbance uses will be considered permanent soil disturbances, but it's important that the farmers know we are willing to work with them.

Chairman Fisher expressed concern that SADC staff do not have the resources to evaluate each farm and determine which category each practice falls under. Ms. Payne stated that staff would generate an aerial map of the apparent soil disturbance that has already taken place on each preserved farm so that landowners understand how the SADC sees the soil protection rules applying to each farm. If a landowner feels his/her property was not accurately mapped, the SADC can engage with landowners to refine the mapping and provide guidance as to how to stay within the soil protection limits by following the BMPs. However, for the very small number of farms that have nearly reached or exceeded the soil protection limits, staff could have a conversation about specific practices to determine which category applies.

Mr. Germano stated that the standards need to be explained in narrative form to ensure the public can understand them. He urged the committee to develop, review and approve a narrative statement for landowners. Chairman Fisher agreed. Mr. Everett agreed, and noted the standards presented today are drafts, do not apply to exception areas, and for any land uses that fall under the yellow or orange categories, the farmer does not have to follow the BMP if they are not concerned about exceeding the soil protection limits on their farm.

Mr. Kumpel asked about cranberry bog operations, including the roadways between the bogs. Mr. Everett stated the bogs themselves would be exempt from these regulations, but the roadways could be subject to yellow and orange categories. He also noted that any existing roadways that fell under the yellow category would be exempt. Mr. Kumpel stated the importance of making these details clear to the agricultural community.

Mr. Everett reviewed the average sizes of farmstead complexes in the Mid-Atlantic counties and noted that the average farmstead complex occupies 6% of the total farm's acreage. Mr. Waltman stated that the farmstead complex could exceed the total amount of existing (individual) disturbances. Mr. Everett stated the farmstead complex figure represents both existing and future growth; the Rutgers study noted that approximately 40% of the farmstead complex is developed with individual disturbances and you don't want to regulate to this current figure but instead have to consider future growth

Mr. Everett reviewed the North American Industry Classification System commodity groups by average farm acres in NJ. There is divide between more intensive and less intensive infrastructure that is approximately 75 acres, - the less intensive farms being larger than 75 acres and the more intensive farms being less than 75 acres – and 75 acres is also is the average size of a farm in NJ in 2017. The land use chart contemplates both 8% or 6 acres of total soil disturbance, whichever is greater, so it's necessary to have minimum disturbance acreage because small farms proportionally will not generate enough disturbance allocation on their own without a minimum disturbance allocation.

Mr. Everett reviewed Rowan University's study of individual disturbances across all 2,700 preserved farms in NJ and how the 6-acre number came about. He explained the rate of compliance and percent of small farms in the preservation portfolio and described what that would look like if 6 acres were dispensed with and only 8% was used. He noted that staff proposes 8% or 6 acres plus an additional 5% for land uses that fall under the orange category of soil disturbance, which reduces the number of farms that are not in compliance. The 6 acres allotment was chosen to provide enough disturbance allocation because a smaller farm will have a difficult time being viable without necessary infrastructure.

Mr. Waltman stated that he is concerned about the aggregation of the red and orange categories and, despite the number of farms with dirt roads and geotextiles, the Committee should not adopt a standard to allow for 6 to 8 acres of cut and fill. Mr. Waltman stated he believes these allocations are too high to be applied to all farms and the SADC should adopt a different method to calculate soil disturbance limitations. Mr. Everett stated that the question becomes how to deal with non-compliant farms that could potentially come before the committee in litigation. The extra 2% or 2 acres, whichever is greater, that would be allocated to farms that currently exceed the disturbance limitations will help avoid that. Mr. Waltman suggested to grandfather farms that are out of compliance in hopes that the extra two acres will help those farms to be in compliance.

*Mr. Waltman referred to the letter he wrote to Secretary Fisher on February 19 that was distributed to the committee. He pointed out that the proposed standards would allow as much as 60% of a 10-acre preserved farm and 30% of a 20-acre preserved farm to be damaged by cut and fill activities. He reminded the committee that Quaker Valley Farms was found to be*

*in violation of its deed of easement for cut and fill activities that impacted 16.7% of that farm's land.*

*Mr. Waltman pointed out that the proposed standards would allow as much as 60% of a 10-acre preserved farm, 30% of a 20-acre preserved farm and 20% of a 30-acre preserved farm to be covered with buildings and pavement, and that such farms could be covered by an additional 5% of gravel for parking and travel lands under the proposal. He stated that he is aware of a number of towns that have limited lot coverage in their rural and agricultural zones to a much lower percentage.*

Chairman Fisher suggested that each piece of the SPS be voted on separately so that, if needed, they can be revised in accordance with the committee's wishes and then be released for pre-proposal comments. He asked the committee if they would like to motion for the SPS to be released for pre-proposal comments.

Mr. Germano motioned for staff recommendation as proposed of 8% or 6 acres, whatever is greater and that includes the additional 2%/2 acres that was allocated for farms that are currently non-compliant. Mr. Schilling seconded that motion. Mr. Waltman proposed an amendment to the motion to set the disturbance limit at 8% or 2 acres, whichever is greater, and then grandfather the 27 non-compliant farms and provide an additional number of acres to farms that are out of compliance. Mr. Siegel seconded Mr. Waltman's amendment.

Chairman Fisher asked Mr. Germano if he would agree to accept Mr. Waltman's amendment. Mr. Germano declined, and his original motion remained before the committee for discussion.

Ms. Jones stated that she was concerned with the proposed high allocations of soil disturbance related to smaller farms in light of Mr. Waltman's comments and that she cannot vote in favor of Mr. Germano's motion. Mr. Everett stated the premise behind the proposed numbers are to support agricultural viability and agricultural development, and 2 acres is not enough for operations such as equine and green house operations, almost all of which are under 75 acres in NJ.

Mr. Schilling commented that his concern lies with the land being farmed profitably, and in many cases, infrastructure determines whether a farm operation is economically viable.

Mr. Siegel acknowledged the enormous amount of work and effort that the staff put into drafting the standards. He stated that it's important to note the percentage of infrastructure that should be allowed on a preserved farm. He stated that taxpayers in NJ have paid a lot of money to preserve farms and expect them to stay primarily undeveloped.

*Mr. Siegel urged the SADC to delete the provision of the Soil Protection Standards policy that would allow a 6-acre minimum for soil disturbance on small and medium sized farms. He stated a 6-acre minimum for soil destruction, impervious coverage or structures would consume 20 percent of the land on a 30-acre farm. He noted that about one in five farms preserved since 1985 are less than 30 acres. Mr. Siegel said the taxpayers of New Jersey have made a massive investment in farmland preservation, the most of any state in the*

*nation's history, and the Soil Protection Standards policy as proposed does not respect their investment.*

Mr. Schilling stated that he understands both Mr. Waltman and Mr. Siegel's point of view and that there should be broader input.

Chairman Fisher called for a motion to release the SPSs for pre-proposal comments.

It was moved by Mr. Germano and seconded by Mr. Schilling to distribute the Soil Protection Standard documents to all partners and the public for a 60-day informal review period. A roll call vote was taken. Mr. Bullock, Mr. Ellis, Mr. Germano, Mr. Johnson, Mr. Kumpel, Ms. Fischetti, Mr. Schilling and Chairman Fisher voted in favor of the motion. Mr. Waltman, Ms. Jones and Mr. Siegel voted against the motion. The motion was approved.

### **BMP Discussion**

Mr. Everett reviewed the BMPs with the committee. [The BMPs are included in the meeting materials attached to these minutes]. Mr. Germano asked who would be responsible for monitoring the maintenance of the BMPs. He suggested the narrative explanation of this program include wording that annual monitoring of preserved farms will examine whether the maintenance requirements of the BMPs are being followed. Secondly, if either the annual monitoring or a specific complaint about a property results in an investigation of the preserved farm, that may result in the withdrawal of the certification and the farmer may be required to restore disturbed area.

Mr. Germano reiterated that the narrative has to be clear that adherence to the BMPs will be evaluated during normal annual monitoring, the farmer will be required to fix areas where practices do not follow the BMP to get back into compliance and in cases where that is not possible, they could potentially lose their certification and be required to restore the area. Mr. Germano stated that he is very supportive of this program as presented, however his concern lies with all of the detail and he wants to make sure that the narrative is done properly so that the idea can be clearly presented to the farmers.

Mr. Waltman stated that he is concerned about areas on a farm used primarily for parking versus areas primarily used for farming in relation to the parking area BMP. He suggested the BMPs should try to minimize impacts as much as possible and stated the current revisions to the documents move away from that mission.

Ms. Payne stated that staff is trying to understand the big picture of NJ farmers and what it takes to be productive on a large NJ farm in terms of how temporary parking coincides with large scale ag-tourism operations. She commented that there must be a line of tolerance and staff is being careful to make sure that it's not impossible for farmers to grow their operations successfully. The same thought process applies to nurseries and the need for gravel lanes for those operations.

Mr. Germano and Mr. Johnson stated that they are concerned about bulk density testing of semi-permanent parking and storage areas and suggested removing those provisions from the BMP draft. Mr. Clapp explained that areas more heavily used and having less crop

growth (orange category parking) would be bulk density tested annually to ensure those areas are meeting the standards and such testing for the yellow category parking would only be conducted if the annual monitoring indicated a potential problem. Chairman Fisher suggested that portion of the BMP be clarified so that it is clearly understood.

Chairman Fisher asked what would happen if the bulk density provision was removed altogether. Ms. Payne stated that this issue should be raised with the public during the solicitation of pre-proposal comments and explained that the SADC is open to other ideas on how to ensure that viable farmland will not be damaged. Chairman Fisher suggested possibly removing sections A and B under design criteria number 4 from the semi-permanent parking and storage BMP to help with clarification and avoid confusion.

Mr. Germano suggested that the footnote under the design criteria for the Agricultural Water Impoundments BMP should not be a footnote, but rather a part of the actual design criteria. Staff agreed and will make the revision to this BMP.

Mr. Waltman stated that the general structure for these BMP standards provides valuable direction on how to handle infrastructure; however, he is concerned about the allowance for gravel to be capped with materials that result in an impervious surface.

Mr. Germano suggested making a change in wording under the BMP for Soil Stockpiling. He stated that point number 7 under “maintenance of soil stockpiles” should read “The following uses are permitted on low intensity *topsoil* stockpiles”. Staff agreed to that change because there is no low intensity versus moderate-intensity subsoils stockpiles.

Lastly, Mr. Germano noted a correction to be made under the design criteria for Temporary Structures in which the words ‘*Universal Construction Code*’ was used incorrectly and should be referred to as the ***Uniform Construction Code***.

It was moved by Mr. Germano and seconded by Mr. Kumpel to distribute the BMPs and the SPS with the changes that were discussed, to all partners and the public for a 60- day informal review period. A roll call vote was taken. Mr. Bullock, Mr. Ellis, Mr. Germano, Mr. Johnson, Mr. Kumpel, Ms. Fischetti, Mr. Schilling and Chairman Fisher voted in favor of the motion. Mr. Waltman, Ms. Jones, and Mr. Siegel voted against the motion. The motion was approved.

There were a few committee members who had reservations about distributing the BMPs and SPSs without the committee reviewing the narrative description, but a majority of the members felt that it was necessary to get them out soon for feedback. Mr. Ellis suggested that Mr. Germano review the narrative document once the changes are made. Chairman Fisher agreed and said that he will look them over with Mr. Germano.

## **New Business**

### **A. Stewardship**

**Note: Mr. Johnson left the meeting during this discussion.**

#### 1. FY2020 Annual Monitoring Report

Mr. Kimmel and Mr. Willmott provided an overview of the FY2020 easement monitoring program, which is based on monitoring e-Form reports submitted by the SADC and partners as well as subsequent outreach conversations with partners. Each year, the SADC and its farmland preservation partners, the County Agriculture Development Boards (CADBs) and non-profits organizations, are required to monitor the farms on which they hold the farmland preservation deeds of easement. Partners submit their monitoring reports to the SADC, inform the SADC of any concerns or violations observed during the monitoring visits, and work with landowners and farmers to address the concerns.

As expected, the number of inspections in FY2020 dropped for most counties, nonprofits and the SADC as a result of the COVID pandemic. Some issues that caused performance to drop were staffing, drone monitoring, and submitting the e-Form.

Mr. Willmott and Mr. Kimmel reviewed plans for improving the monitoring process in FY2021, including increasing monitoring completion rates.

It was moved by Mr. Germano and seconded by Mr. Ellis to adopt the FY2020 Annual Monitoring Report. The motion was unanimously approved.

### **B. Resolution of Final Approval – FY2022 PIG Program**

Mr. Bruder referred the committee to the Municipal PIG Program and Plan Update for Millstone Township in Monmouth County. He reviewed the specifics of the township's update with the committee and stated that the staff recommendation is to grant final approval and release of the funds for the township's planning grant. Mr. Bruder thanked the Millstone agriculture advisory committee and stated that he looks forward to working with it in the future.

It was moved by Mr. Waltman and seconded by Ms. Jones to approve Resolution FY2021R2(1), granting approval to the following application under the FY2022 PIG Program, as presented, subject to any conditions of said resolution.

1. Millstone Township, Monmouth County Planning Incentive Grant Application Including Update to the Comprehensive Farmland Preservation Plan.

The motion was unanimously approved. A copy of Resolution FY2021R2(1) is attached to and made a part of these minutes.

### **C. Resolutions: Final Approval – County PIG Program**

**NOTE: Mr. Bullock recused from this matter.**

Ms. Miller referred the committee to two requests for final approval under the County PIG Program. She reviewed the specifics of the requests with the committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Kumpel and seconded by Mr. Schilling to approve Resolution FY2021R2(2), granting approval to the following application under the County PIG Program, as presented, subject to any conditions of said resolution.

1. Gibson Farm, SADC ID #13-0477-PG, Resolution FY2021R2(2), Block 44, Lots 4, 5, 6 and 7, Freehold Township, Monmouth County, 52.089 acres.

Mr. Siegel explained he would be voting against the approval of farms under 75 acres until the 6 acre allowance in the proposed soil protection standards has been resolved.

A roll call vote was taken. Mr. Bullock recused. Mr. Ellis, Mr. Germano, Mr. Kumpel, Mr. Waltman, Ms. Fischetti, Ms. Jones, Mr. Schilling and Chairman Fisher voted in favor of the motion. Mr. Siegel voted against the motion. The motion was approved. A copy of Resolution FY2021R2(2) is attached to and made a part of these minutes.

It was moved by Mr. Bullock and seconded by Mr. Kumpel to approve Resolution FY2021R2(3), granting approval to the following application under the County PIG Program, as presented, subject to any conditions of said resolution.

2. James, Linda and Fritz Chando, SADC ID #06-0209-PG, Resolution FY2021R2(3), Block 214, Lot 21, Commercial Township, Cumberland County, 79 acres.

A roll call vote was taken. Mr. Johnson, who announced at this time that he had returned to the meeting, abstained. The motion was unanimously approved by the remaining members. A copy of Resolution FY2021R2(3) is attached to and made a part of these minutes.

### **D. Resolutions: Final Approval – Direct Easement Purchase Program**

Ms. Miller referred the committee to one request for final approval under the Direct Easement Purchase Program. She reviewed the specifics of the request with the committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Siegel and seconded by Mr. Waltman to approve Resolution FY2021R2(4), granting approval to the following application under the Direct Easement Program, as presented, subject to any conditions of said resolution.

1. Estate of Dorothy Kenney, SADC ID #06-0084-DE, Resolution FY2021R2(4), Block 188, Lots 1 and 2, Lawrence Township and Block 44, Lot 5, Fairfield Township, Cumberland County, 139.5 acres.

A roll call vote was taken, and the motion was unanimously approved. A copy of Resolution FY2021R2(4) is attached to and made a part of these minutes.

#### **E. Resolutions: Final Approval – Nonprofit Program**

Ms. Miller referred the committee to one request for final approval under the Nonprofit Program. She reviewed the specifics of the request with the committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Schilling and seconded by Mr. Siegel to approve Resolution FY2021R2(5), granting approval to the following applications under the Nonprofit Program, as presented, subject to any conditions of said resolution.

1. Daniel and Raquel DeTullio, SADC ID #06-0009-NP, Resolution FY2021R2(5), Block 27, Lots 3, Fairfield Township, Cumberland County, 30.41 acres.

A roll call vote was taken, and the motion was unanimously approved. A copy of Resolution FY2021R2(5) is attached to and made a part of these minutes.

#### **F. Resolution of Approval – SADC Bylaws Amendments – Procedures for Alternate SADC Members**

As a result of the discussion at the SADC January executive session meeting and advice from the Attorney General's Office, Mr. Smith reviewed with the committee the proposed amendments to the SADC Bylaws. He noted that there is an amendment to section 4 of the Bylaws which sets forth in more detail the role of the alternate member position, the conduct of that individual as a regular member, and the extent to which alternate members function when they attend public and executive sessions but are not sitting as a regular committee member.

Mr. Smith recommended, upon further review of the Bylaws, that section F, which notes that an alternate is a state officer, be a stand-alone provision to make it more clearly applicable to alternates sitting as a committee member and alternates who attend meetings but are not taking the place of a regular member. Mr. Smith noted that the word "the" needs to be inserted before "executive director" in the main body of new section 4.

It was moved by Mr. Ellis and seconded by Ms. Fischetti to approve Resolution FY2021R2(6), granting approval to the SADC Bylaws amendments, as revised, subject to any conditions of said resolution. Mr. Kumpel abstained from the vote. The motion was approved.

#### **Public Comment**

There was no public comment.

Chairman Fisher thanked everyone for the many hours spent preparing the draft SPSs and commended the staff, partners in government and volunteers for all of their hard work.

**TIME AND PLACE OF NEXT MEETING**

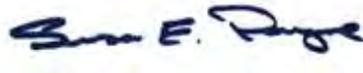
**SADC Regular Meeting:** 9 A.M., Thursday March 25, 2021

Location: TBA

**ADJOURNMENT**

The meeting was adjourned at 1:16 p.m.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Susan E. Payne". The signature is written in a cursive style with a large initial 'S'.

Susan E. Payne, Executive Director  
State Agriculture Development Committee