

STATE AGRICULTURE DEVELOPMENT COMMITTEE
Special Meeting

February 12, 2026

Secretary Wengryn called the meeting to order at 9:01 a.m.

Mr. Roohr 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.

Roll call indicated the following:

Members Present

Secretary Wengryn, Chairman
Martin Bullock
Scott Ellis
Jess Niederer
Richard Norz
Charles Rosen
Gina Fischetti
Lauren Procida
Brian Schilling

Members Absent

Julie Krause
Tiffany Bohlin

Charles Roohr, SADC Executive Director
Alexandra Horn, Esq., Deputy Attorney General

Old Business

1. Litigation – In the Matter of SADC Resolution FY2015R12(2)
Final Decision – OAL Hearing

Ms. Reynolds stated the matter before the committee stems from an appeal of the SADC's denial of a proposed right-of-way (ROW) location requested by the petitioners Mr. Riewerts and Dr. Tribble who own property adjacent to a preserved farm. Ms. Reynolds reminded the committee the petitioners only access to their property is over a ROW through the preserved farm created by prior landowners via a deed recorded in 1951.

Ms. Reynolds provided a summary of the matter and stated at the March 2024 hearing, counsel for the Petitioners stated they agreed to a ROW configuration (Alternative Two); however, the parties were ultimately unsuccessful to reach a global settlement of all the issues. In December 2025, the Office of Administrative Law (OAL) issued an Initial Decision which concluded the following: the petitioners not receiving notice of the preservation was not legally consequential; the petitioners were not entitled to

compensation based on the preservation of the farm where their ROW was located; the petitioners were bound by the conditions of the deed of easement; and Alternative Two should be accepted as the appropriate configuration subject to engineering plans.

Ms. Horn stated the Final Decision recommends the following: adopting the ALJ's determinations on all pre-initial decision motions; modifying the ALJ's order on the motion to reopen the record to include an analysis of whether extraordinary circumstances existed; adopting and modifying the initial decision's statement of facts and procedural history in response to the exceptions filed by both parties; adopting the ALJ's credibility determinations of the testimony before the OAL; adopting the initial decision's legal background of ARDA and SADC regulations; adopting the holding and modifying the basis for the ALJ's finding that an easement is a nonpossessory interest; adopting the holding and modifying the basis for the determination that petitioners were not entitled to actual notice of the preservation and the lack of notice was not legally consequential; adopting the holding and modifying the basis for the initial decision's finding that petitioners were not entitled to compensation; adopting the holding and modifying the basis for the initial decision finding the petitioners are bound by the deed restrictions; and adopting the holding and modifying the basis for the initial decision's finding the petitioners will need to submit any outstanding engineering reports for SADC review.

At 9:31 a.m. Mr. Roohr read the following resolution to go into Closed Session:

In accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-13, it is hereby resolved that the SADC shall now go into executive session for an attorney-client privileged discussion regarding the proposed final decision in In the Matter of State Agriculture Development Committee Resolution FY2015R12; and any other matters under N.J.S.A. 10:4-12(b) that arose during the public portion of the meeting. The minutes of such meeting shall remain confidential until the Committee determines that the need for confidentiality no longer exists.

Mr. Roohr and Mr. Smith noted their recusal of record and did not participate in Closed Session.

It was moved by Mr. Ellis and seconded by Mr. Schilling to go into closed session. The motion was unanimously approved.

Public Comment

No Public Comment

Action as a Result of Closed Session

- 1. Litigation – In the Matter of SADC Resolution FY2015R12(2)
Final Decision – OAL Hearing**

It was moved by Mr. Rosen and seconded by Mr. Schilling to accept the final decision as

recommended by council. The motion was unanimously approved.

ADJOURNMENT

The meeting was adjourned at 10:15 a.m.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Brian Wilson", is positioned above the printed name.

Brian Wilson, Deputy Executive Director
State Agriculture Development Committee