

ORDINANCE NO. 20-32
INTRODUCTION DATE: 09-02-2020
ADOPTION DATE: 09-16-2020

**AN ORDINANCE AMENDING CHAPTER II, ADMINISTRATION, SECTION 2-29
(AGRICULTURAL ADVISORY COUNCIL) OF THE REVISED ORDINANCES OF
THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF
NEW JERSEY**

BE IT ORDAINED by the Township Committee of the Township of Millstone, County of Monmouth, State of New Jersey, as follows: (additions are underlined, and deletions are in [brackets]):

I

Chapter II, Administration, Section 2-29, Agricultural Advisory Council, is hereby amended to read as follows:

2-29 AGRICULTURAL ADVISORY COUNCIL.

2-29.1 Establishment. – No change.

2-29.2 Organization, Membership, Terms.

The Council shall consist of a minimum of three (3) members and a maximum of five (5) members appointed by the Mayor with consent of the Township Committee. All members shall be residents of the Township. A majority of the Council shall be comprised of persons actively engaged in farming and owning a portion of the land they farm. All members of the Council shall serve without compensation. Nothing shall prohibit a member of the Council from simultaneously serving on the Open Space [~~and Farmland~~] Preservation Council.

Initially two (2) members (if a three (3) member Council) or three (3) members (if a five (5) member Council) shall be appointed to a one(1)-year term and one member (if a three (3) member Council) and two (2) members (if a five (5) member Council) shall be appointed to a two(2)-year term. All terms thereafter shall be for two (2) years. A term shall expire on December 31 and shall begin on January 1 of the appropriate year.

All vacancies shall be filled for the unexpired term only. Members shall serve until their successors are appointed and qualified.

2-29.2A Alternate Members: Terms of Office; Compensation.

One (1) alternate member shall be appointed by the Township Committee. The alternate shall be a resident of the Township and shall serve without compensation. The term of the alternate member shall be for two (2) years. A vacancy occurring otherwise than by expiration of term shall be filled by the appointing authority for the unexpired term only.

An alternate member may participate in discussion of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member.

2-29.3 Removal of Members. – No change.

2-29.4 Election of Officers; Meetings.

~~a. [The members of the Council shall annually elect from their own members a Chairperson, Vice Chairperson and Secretary. The duties of the Chairperson shall be to set the meeting dates, conduct the meetings of the Council, appoint subcommittees, determine the activities and functions of the Council and report on such to the Township Committee. The duties of the Vice Chairperson shall be to assist the Chairperson in the completion of his or her duties and to act in his or her stead during an absence. The duties of the Secretary shall be to record the minutes of all meetings of the Council and to receive and transmit all correspondence of the Council.]~~ The members of the Council shall annually elect from their own members of Chairperson and Vice Chairperson. The duties of the Chairperson shall be to conduct the meetings of the Council, appoint subcommittees, determine the activities and functions of the Council and report on such to the Township Committee. The duties of the Vice Chairperson shall be to assist the Chairperson in the completion of his or her duties and to act in his or her stead during an absence. The duties of the Secretary shall be to record the minutes of all meetings of the Council and to receive and transmit all correspondence of the Council.

b. No change.

2-29.5 Budget. – No change.

2-29.6 Powers and Duties. – Deleted in its entirety and replaced with the following:

The powers and duties of the Council shall be as follows:

- a. To foster and promote the preservation of farmland within the Township.
- b. To assist Millstone in promoting the viability of the agricultural industry as well as promoting the economic and other benefits which result from preserving farm operations.

- c. To become fully aware of all lands within the Township currently used for farming and/or agricultural related purposes by compiling and maintaining an inventory of farming and agricultural lands within the Township.
- d. To analyze how the Township can best protect the continuance and preservation of farmland within the Township.
- e. To determine existing and future problems facing farmers and the farming community and to recommend reasonable and desirable solutions to the Township Committee.
- f. To encourage and promote appropriate farming and agricultural related activities.
- g. To encourage existing farmers to continue their farms in active operation.
- h. To encourage and assist farmers and the farming community in making applications for farmland preservation programs, including applications to the County of Monmouth Planning Incentive Grant Program, applications to the State of New Jersey Direct Program, applications for the Non Profit Preservation Program as well as the Township of Millstone Planning Incentive Grant Program.
- i. To assist in minimizing conflicts between farming/agricultural uses and adjacent or nearby residential and commercial uses.
- j. To promote the Right to Farm Act (N.J.S.A. 4:1C-1 et seq.) including educating the community about the Act and assisting in mediating right to farm issues.
- k. To make an annual report to the Township Committee setting forth the activities and operations of the Council during the preceding year.
- l. To keep the Township Committee informed of current preservation applications and developments in the farming community.
- m. To respond to any ordinances introduced by the Township Committee that may have an impact on the farming community.
- n. To advise the Township Committee with respect to pending legislation at the County or state level which may impact on the farming community.
- o. To keep the farming community informed of any municipal, County or State legislation which may impact on the farming community.
- p. Report to and advise the Planning Board of its findings and recommendations on land use, land management and farmland preservation.
- q. To perform such other tasks referred to it and as may be assigned to it by the Township Committee having to do with farming and agricultural related activities.
- r. Subject to the preexisting approval of the Township Committee, the Council is empowered to complete, review and, if appropriate, approve farm applications pursuant to State Agriculture Development Committee (SADC) regulations and policies, including N.J.A.C. 2:76-17A.3 “Grant eligibility” and N.J.A.C. 2:76-17A.9, “Committee review of an application for the sale of a development easement” and the Council Chairperson may execute the “Affidavit of Municipal Advisory Committee Verification.”

2-29.7 – 2-29.9 No change.

II

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

III

If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portion of this Ordinance.

IV

This Ordinance shall take effect upon adoption and publication according to law.

EXPLANATORY STATEMENT: This Ordinance amends the powers and duties of the Agricultural Advisory Council.