

## **Dutchess County Agricultural Advisory Committee**

May 23, 2019, 10:00 A.M.

Dutchess County Farm & Home Center, 2715 Route 44, Millbrook, NY

### **MINUTES**

**Present:** Mark Adams, John Lekic, Mary Ann Johnson (Deputy Director of Hudson Valley AgriBusiness Development Corporation), Nick Joseph (Assistant to the Chair of the County Legislature), Stephanie Radin, Matthew Sabellico, Rebecca Thornton, Eoin Wrafter, Jennifer Fimbel, Harry Baldwin, and Shelby Frangk

**Absent:** Mark Condon, Isaac Coon, Todd Erling, Doug Giles, A. Gregg Pulver, Brian Scoralick, and Leon Vehaba

#### **Welcome and Introductions**

Chair Sabellico opened the meeting at 10:03 a.m.

The February 28<sup>th</sup> meeting minutes were reviewed and accepted by the committee.

#### **Agriculture Navigator Updates**

Jen noted some of the tasks that she has been working on since our last meeting. Highlights include:

- An employee from Livingston County Cornell Cooperative Extension requested information on the Dutchess County Agricultural District 8-Year Review process; Jen provided a vast array of documentation to him.
- She has also been working with Assistant County Executive, Ron Hicks, on drone education for farmers.
- Jen was asked by the Harlem Valley Chamber of Commerce to both assist and present at a tourism event for all businesses in and around the Harlem Valley. She extended the invitation to attend to all committee members and noted it was a free event.
- She attended a meeting in Columbia County for municipal officials on farm animal regulations in cities and villages. The meeting was focused on homesteading, not commercial agricultural operations. At the meeting, the proposed Town of Poughkeepsie and adopted City of Beacon code language were used as local models.
- Jen attended a legislative breakfast to meet Congressman Delgado's Washington D.C. staff. The main topics to come out of that discussion were the need for transportation for small farms and a food consolidation location for farmers.
- Jen noted that the 2017 Census of Agriculture was released on April 11<sup>th</sup>, showing that since 2012 Dutchess County lost 9% of farms and 10,000 acres of farmland, changing from 112,482 acres in agriculture (678 farms) in 2012 to 101,948 acres in agriculture (620 farms) in 2017. It also states that our product market value was down 11.5%. The group discussed their impression that agriculture is growing and changing in Dutchess County, and hopefully these figures will change in the future to reflect that.
- She added that daily posts are made to "Dutchess County Agriculture...It's A Growing Thing<sup>SM</sup>" Facebook Page and the Dutchess County Agriculture It's a Growing Thing<sup>SM</sup> newsletter was distributed four times during this quarter. The Dutchess County Agriculture It's a Growing Thing<sup>SM</sup> Instagram page has 164 followers.

#### **Countywide Right-to-Farm Law**

Eoin stated that the Dutchess County Right-to-Farm Law was announced as a 2019 initiative at the 2018 DC Agricultural Advisory Committee Forum. Dutchess County staff have been researching NYS Right-to-Farm laws for best practices. The group reviewed and discussed the proposed draft law. Highlights include:

- Out of the 62 counties in NYS, there are 16 counties with Right-to-Farm laws.
- The proposed draft law is an amalgamation of the model law in the Dutchess County Agricultural & Farmland Protection Plan and the best practices from other state-wide laws, including the most recently passed Right-to-Farm Law in Clinton County (2014).
- The law references NYS Agriculture & Markets Law as the basis for right-to-farm practices/guidance.
- The intent of these laws is to make a declarative statement about the positive role that agriculture, particularly as a local business, plays in the county. It will provide value as an educational tool for both farmers and neighbors, but can also act as a model law for Dutchess County municipalities. This law also works in concert with the Ag Plan initiative to encourage more local farm-friendly practices.
- Eoin noted that he believes one of the best elements of the law is the Right-to-Farm Dispute Resolution Committee, which is an arbitration method/relief valve to explore farming-related complaints, which cannot be settled solely by the involved parties. The intent is that this may be done prior to, or if desired, alternatively to reaching out to NYS Agriculture and Markets.
- In order to receive protection under this law, a farming operation is required to follow sound agricultural practices and be responsible land owners.
- In advance of August, the hope is that this law would be adopted by the Legislature, go through the public hearing process, and be ceremoniously signed by the County Executive at the 2019 Ag Forum.

Specifically, the group discussed particular edits to the draft law, including:

- On p. 1, a decision to not include the phrase “whether for profit or otherwise.”
- On p. 1, a decision to change the rural and agricultural traditions to “agricultural character.”
- On p.1, include “proper pest and disease management practices” in place of crop production methods. Also, this phrase should be moved after operation of farm equipment.
- On p.2, the group discussed the committee to resolve farm-related disputes, including keeping the committee small, referencing the [NYS Agricultural Mediation Program](#), composing the committee of a mix of both ag and non-ag individuals, and clarifying how individuals are appointed to the committee by the Legislature.
  - It was agreed that the Right-to-Farm Dispute Resolution Committee shall be composed of the Chair of the Dutchess County Agricultural and Farmland Protection Board (or their representative from the AFPB), the Dutchess County Department of Planning and Development Commissioner (or their representative), and one (1) representative from a mutually agreed upon party, such as the New York State Agricultural Mediation Program.
- On p. 3, include a reference to the requirement to be “enrolled in an agricultural district” to Section 3.
- On p. 3, amend the phrase relating to reasonable costs to read “...associated with the function of the committee process shall be borne by the participants.”
- On p. 4, under “Notification of Real Estate Buyers,” the group discussed the requirement that this notice be included for property within an agricultural district, as well as for property within 500 feet of property within an agricultural district. Clarification from local realtors at the Dutchess County Association of Realtors will be sought, as well as clarification of this requirement in Agriculture & Markets Law.

### **Farmworker Fair Labor Practices Act**

Mark Adams and Harry Baldwin described the Farmworker Fair Labor Practices Act, which is actively before the NYS Senate, to the group; this act would give overtime hours/minimum wage increase to farmworkers, whom are currently exempt from earning this kind of compensation. The concern is that this is cost prohibitive for farmers and could cause NY farms to go out of business. The public hearing was May 2<sup>nd</sup>; a number of farmers

spoke out regarding the potential unintended consequences of this act.

**Open Discussion**

Chair Sabellico noted that, in the interest of time, we will skip open discussion today.

**Next Meeting**

The next meeting will be the Dutchess County Agricultural Advisory Committee Forum on **Thursday, August 22<sup>nd</sup> at 8:00 a.m. at the Dutchess County Fairgrounds**. Eoin announced that he has reached out to Carolyn Grossman Meagher, the NYC Regional Planning Director, to be the speaker at this year's forum. He added that her position was first announced in Mayor de Blasio's OneNYC sustainability plan. Her focus is on the NYC foodshed and regional agriculture. Also, Eoin mentioned that he is expecting a similar format to last year with updates from certain committee members on current projects/initiatives.

Meeting adjourned at 12:11 p.m.

Respectfully submitted:

Shelby Frangk, Planner  
Dutchess County Planning and Development