

MINUTES
ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS
January 23, 2017

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:08 AM. Directors J. Wright, G. Keeton, P. DeBlock and P. Ruskiewicz were present, along with K. Sumner, N. Meyer and C. DeGroodt (OCSWCD).

2017-1-1 Ruskiewicz made the Motion, Keeton seconded, to approve the December Board Meeting Minutes as written. All in favor.

ACTIONS TAKEN BETWEEN MEETINGS - None

CORRESPONDENCE

- Bank account statements from the District's banks were available for review.
- The National Association of Conservation Districts Membership Request was passed out for review. No action taken.
- Information on the CCE Dairy/Livestock Day & Trade Show was passed out.
- Email to NYS DEC from K. Sumner regarding the filling in of the floodplain/floodway of the Wallkill River downstream of County Route 37 in the Town of Goshen. The DEC concluded that the fill is not in violation of Environmental Conservation Law, but that it is within the floodplain and that the Town should determine if this is in violation of the town floodplain regulations. Discussion followed.
- A letter was sent to the Orange County Department of Planning from the District regarding Legoland, NY. Sumner sent comments focusing on post development storm water management aspects of the proposal, in particular on the water quality/water resource management aspects. Discussion followed.
- Draft response letter to Breakell Law Firm, P.C., whom is representing CFI, regarding the Wallkill Flood Mitigation Project. To be discussed under Old Business.
- The State Soil & Water Conservation Committee approved a Ag NPS RD 18 Amendment Request for the G. Vellenga Farm providing a Tier 3A Plan is developed for the farm, he eliminates the use of the existing barnyard area closest to the road by removing concrete blocks and gates, he keeps animals in an open barn and fix gutters as proposed and the new roof and floor is certified by an engineer as one system. The landowner has not yet gotten back to Sumner. Discussion followed.
- Ag & Farmland Protection Board Meeting Agenda from January 18th and Draft November Meeting Minutes passed around.
- A letter was received from the Orange County Department of Human Resources confirming the appointment of N. Meyer to the position of Conservation District Technician. Discussion followed on revising the probationary period on the District's Provisions of Employment.
- It was mentioned that the District is awaiting the 1st quarter appropriation from the County.
- **2017-1-2 DeBlock made the Motion, Keeton seconded, to pay \$1,500.00 for the NYS Association of Conservation Districts Dues. All in favor**

(J. Heller and M. Bittner/NRCS joined the Meeting at 9:42 AM)

FINANCIAL REPORTS

- **2017-1-3 Wright moved to file the December 2016 Financial Report for audit review, Keeton seconded. All in favor.**
- The County Auditors are scheduled to come February 28th.
- There was a brief discussion on the bills to be paid. **2017-1-4 DeBlock made the Motion, Keeton seconded, to accept the Bills to Be Paid. All in favor.**

- The Draft Grant Update Report for December 2016 was reviewed.

STAFF REPORTS

- Meyer
 - Meyer has been working on the Ag NPS billing, checking cover crops and working with the farms.
 - There are two new farms that joined the AEM program.
 - Requests have been steadily coming in for Soil Group Worksheets.
 - Meyer and Sumner have been working on the Monhagen Watershed Planning Grant, particularly the sampling plan.
 - Meyer has been working on the Annual Reports.
 - He has also been streamlining and organizing the District's files and time keeping. Particularly a spreadsheet he created in excel to better manage staff hours.
 - AG NPS RD 23 Grant Update – it was approved by the State Committee and should be released in March. There are approximately four farms in the Moodna Watershed and ten in the Wallkill all looking for cost-sharing.
- Sumner
 - Corny Cattle had requested assistance with building ponds for watering livestock and irrigation. Sumner is waiting for some information back from them.
 - Sumner discussed advertising the vacant District Technician position. Discussion followed.

INTERAGENCY REPORTS

- J. Heller and M. Bittner – Natural Resources Conservation Service
 - Heller introduced Mikayla Bittner as the new NRCS Soil Conservationist. She will be covering Highland, Middletown and Dutchess County.
 - The Board introduced themselves to Mikayla.
 - All of their EQIP applications except for three have rolled over to the next level.
 - They are completing Ag Land Easements in Warwick.
 - They have one participant in CRP that potentially has to replant 1,300 trees because he is out of compliance. Heller questioned if there were any programs available that could assist the landowner with the tree planting. Sumner mentioned that in the past they had discussed making this a Trees for Tribs project. The landowner does not think that he is out of compliance though. The District will assist if the owner seeks our assistance. Discussion followed.

OLD BUSINESS

- Wallkill Flood Project update
 - Sumner handed out the latest CFI payment request. They claim that \$356,000.00 is due to them. There is some disputed work that they included in their calculations. Last month we had put it in writing that we did not agree with their calculations. The original contract and approved change order totaled around \$900,000. We've paid approx. \$600,000. There is approx. \$300,000 left on the original contract. To protect ourselves and to keep better control over the project it was decided at last month's board meeting not to issue payment to them. Sumner recently received a call from their project foreman asking if there was any way to get some more money. Sumner told him he will bring their request up to the Board. After discussion with our attorney and Board Members, it was felt that \$50,000.00 was fair in a show of good faith since they still have not

completed the punch list. There is still work left to do that was original contract work. CFI recently submitted another request. They calculated what they think the cost is to remove the remaining dirt pile. They came up with approx. \$86,000. Sumner said after the dirt is removed CFI still has a lot of site reclamation work left to do such as regrade and fix the staging area, fix the road that was damaged, grade the Ford fields and some other items still up in the air. **2017-1-5 Keeton made the Motion, seconded by Wright, to pay CFI \$50,000.00 upon their submission of all required paperwork. All in favor.**

(J. Heller and M. Bittner left the Meeting at 10:30 AM)

- Phase II – Going well. Aerial maps showing the area of Phase II were passed around. It goes from Rutgers to County Route 1. The tree cutting on the north side was approved to pay out of the general fund last month. That work is complete. Soil tests were completed and look encouraging. The cuts will not be as deep as Phase I and there will not be a lot of clay to deal with. Brandon Gurda, working for Chip Lain, is doing the south side and making good progress. Brandon will dig test pits to find out what kind of soil they are dealing with on that side. Sumner is waiting on B&L's plan. Sumner is estimating 25,000 cu. yds to excavate on the north side which includes excavation of clay.
- The CRF Round 2 Grant was undersubscribed, so all applications can potentially be funded, but it's not a guarantee.
- Wright asked about the D. Ford land purchase. Sumner said it's moving along.
- Waiting on the weather to do the Celery Avenue test.
- Phase III, the next phase of the project is focusing on the two meanders on the DePalma property.
- Walkkill Maintenance Project - Sumner passed around the County's bid package from last year as an example. We may not need to go out to bid anymore since it's always under \$35,000.00. C. Vellenga would maintain the same rate as last year. Not doing much work until after the spring inspection.

NEW BUSINESS

- There was a brief discussion on Board Appointments. P. Ruskiewicz said that he would look into the empty fifth Board Member slot.
- **2017-1-6 Election of Officers – Ruskiewicz made the Motion, seconded by DeBlock, to retain the current slate of Officers. All in favor.**
- Review of Office Policies – the probationary period was edited to include: permanent employees will continue to be probationary for a minimum of 8 weeks and for a maximum of 52 weeks after date of permanent appointment. Item #10 was added to the section on benefits: OCSWCD is obligated by law to reimburse retirees for Medicare Part A and B premiums. **2017-1-7 Wright made the Motion, seconded by Ruskiewicz, to accept all of the Office Policies. All in favor.**
- The Board reviewed and signed employee Leave Summaries.
- There was a discussion regarding Meyer working one day a week from home. As long as the schedule works out, there were no objections from the Board but they stated it will be for Sumner to decide. Meyer's teleworking starts the 1st week in February.
- **2017-1-8 Keeton made the Motion, seconded by Wright, to approve to submit the Ag NPS RD 18 Time Extension Request resolution. All in favor.**
- **2017-1-9 Wright made the Motion, Keeton seconded, to approve Meyer to attend the March WQS training. Ruskiewicz aye. DeBlock had stepped out.**
- There was a discussion regarding purchasing a new laptop for the District. **2017-1-10 Wright made the Motion, seconded by Keeton, to spend up to \$1,000.00 on a laptop. All in favor.**

- Meyers explained accident insurance for volunteers. Discussion followed. The Board agreed to take out the policy.

The next **MEETING** is scheduled for **Monday, February 27, 2017 at 9:00 AM.**

2017-1-11 Meeting adjourns at 12:18 PM on a Motion by DeBlock, seconded by Ruszkiewicz. All in favor.

Respectfully submitted,

Christine DeGroodt
Secretary to the Board