

MINUTES
ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS
January 22, 2018

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:05 AM. Directors J. Wright, P. DeBlock, G. Keeton and P. Ruszkiewicz were present, along with K. Sumner, T. Ferry and C. DeGroot (OCSWCD) and M. Ullrich (CCE).

J. Heller (NRCS) did not attend the meeting but mentioned that twelve applications were funded in 2018.

2018-1-1 Ruszkiewicz made the Motion, Keeton seconded, to approve December's 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.
- NYS Association of Conservation Districts Update.
- CFI Contracting, Inc. summons.
- Ag & Farmland Protection Board Draft Minutes and Meeting Agenda.
- NYS DEC 2017 Fall Inspection Report of Wallkill River Flood Control Project.
- Engagement Letter from O'Connor, Davies, our auditor.

(J. Mahoney, Orange County Attorney's office, joined the Meeting at 9:12 AM)

FINANCIAL REPORTS

2018-1-2 Wright moved to file the December 2017 Financial Report for audit review, Ruszkiewicz seconded. All in favor.

Sumner reviewed the list of Bills to Be Paid with the Board. P.DeBlock's 2017 mileage reimbursement, Lehman & Getz Phase I bench subdivision partial payment and the NYS Conservation District Employees Association bill for for Ferry to attend the Water Quality Symposium in March were added. **2018-1-3 Keeton made the Motion, DeBlock seconded, to accept the Bills to Be Paid. All in favor.**

Sumner noted that L&G had originally estimated a cost of \$2,000 for their work on the Phase 1 subdivision, but asked if they could adjust to and cap at \$3,000 due to unexpected delays associated with the R-O-W issue. The Board was OK with this change.

STAFF REPORTS

- T. Ferry
 - Worked on a payment to a local farmer for cover crop.
 - Working on a fuel tank storage replacement project on a local farm.
 - Asked to attend the Water Quality Symposium held on March 13-16th in Syracuse. **2018-1-4 Ruszkiewicz made the Motion, Keeton seconded, to approve Ferry to attend the Water Quality Symposium. All in favor.**
 - Working on soil group worksheets as they come in.
 - Continues to work on the Monhagen Brook Watershed Plan and working on restoration and retro-fit lists.
 - Ferry has been updating AEM plans for farmers interested in applying for AG NPS RD 24 funding.
- K. Sumner
 - Insurance policy renewal – Our agent, Sidle Insurance, shopped around and found a company called Selective to replace our previous company. It's \$1,600.00 more than what we paid last year

but has a stronger Public Official's Liability policy. Sumner sent an email out to the Board prior to this month's Board Meeting and the Board voted to authorize making the switch.

- Monhagen Brook Watershed Update – In December, the Governor's office put out a release about an initiative related to harmful algal blooms in New York State. They picked 10 watersheds state wide that they feel are at-risk. Monhagen Brook Watershed and City of Middletown reservoir watersheds was listed as one of them. Despite the wording of the press release, the phosphorus-impaired status of the Monhagen Brook, and the current Monhagen Watershed planning project the District is involved with, Sumner is being told that the initiative is focused only on the City's reservoir watersheds and will not include the natural Monhagen Brook watershed. There is substantial funding to be divided between these 10 watersheds. There was a separate appropriation for preparation of action plans for each watershed to determine how the implementation money will be spent. The City's priority is land acquisition. DEC seems interested in adding other projects, but they would take place in towns outside the City's control and apparently there has not been much if any communication with these towns. These circumstances made it difficult for Sumner to answer inquiries about what role the District might be able to serve in the initiative. There will be four summits held around the state. The one in the Hudson Valley will be on February 27th.
- Ferry and Sumner took a short tour of the Middletown watershed areas to get a preliminary idea of potential projects that might find a place in a nutrient reduction action plan for the City's reservoir watersheds. There is a large horse training facility near one of Middletown's reservoirs. Director Keeton assisted office staff with making contact with the facility manager to determine their potential interest in conservation projects through our office. The facility manager indicated he will discuss it with the facility's owners.
- Browns Pond Dam – Sumner received a call from a woman that works for the Governor's storm recovery office. She worked with the Village of Washingtonville and the Town of Blooming Grove on their various projects. She and someone from the NYS DEC met with Sumner at the District office to see if the District would reverse the decision they made to withdraw sponsorship of a NYSDEC-HREP grant to remove Brown's Pond Dam. Sumner told them he was confident that the Board did not want to reverse this decision. Keeton mentioned that he felt a larger dam located further downstream from Brown's Pond is a bigger risk.
- Madura bridge approach project update – Finished up before the end of last year. Was paid for out of 2017 money. The contractor did a great job and came in under proposal cost.
- Last month it was decided to focus on the Celery Avenue Project for the new CRF grant due the end of February. The Proposal is mostly written up. Trying to get the Drainage Association to be the participant but still waiting to hear back from Albany to see if they would be eligible.
- The covered barnyard project out at M. Lain's farm is moving along.
- Parking lot retrofits – Two years in a row the District tried to get money to revamp some of Middletown's downtown parking lots. The District was successful with getting funding to partner with Lehman & Getz to do conceptual designs but did not secure construction funding. Middletown was awarded a large grant and decided to use some of that and some of their own funding to pursue these parking lot retrofits. They hired Lehman & Getz to do the final designs and they'd like to do the construction this summer.
- Sumner has been working on end-of-the-year reporting. DeGroot has been working on the financials while Sumner and Ferry are working on the statistical.

INTERAGENCY REPORTS

- M. Ullrich – Cornell Cooperative Extension
 - Greenhouse Grower School will be on February 26th.
 - The Stormwater Management Training Series will be February through June.
 - Onion School will be held on February 28th.
 - The 2018 Empire State Producers Expo will be held January 16-18 in Syracuse, NY.
 - There are a few job openings. Ullrich expects that both positions will require master degrees. D. Lester announced her retirement will be the end of February '18.

- The 2018 Eastern New York Fruit and Vegetable conference will be February 20 and 21 in Albany.

OLD BUSINESS

Celery Avenue Project – Nothing new to report.

Bench Phase I Subdivision – The subdivision of the Bench Phase 1 project area from the parent parcels has been delayed. Since the parent parcels are land-locked, the Town is asking for evidence that the newly created parcel will have an access. No one seems to have a map of the right of way. The District is paying a surveyor to take the right-of-way descriptions from the deeds and create a map to present to the town attorney.

Bench Phase II North is essentially complete, except for remaining administrative items on the Conservation Easement from Robert Gantt.

Sumner advised the Board that B&L was asking about the road repair bill they submitted in 2016. We had asked them to prepare and submit a separate bill for their time responding to the Phase 1 access road issue. The Board decided that no action would be taken on the B&L bill for road repair at this time due to the pending contract dispute issues with the Phase 1 construction contractor.

Wallkill Flood Projects Budget Status - Sumner passed around Wallkill Flood Project photos with a budget summary. Discussion followed. \$1.34 million of the original NYS award of \$2 million has been expended on construction – close to the original budget. He mentioned that the District has not charged staff time in over a year to this grant because we have found other places to charge our staff time to. Sumner also summarized some of the other sources of funding that have been secured for this work.

The Wallkill River/Black Dirt Region Flood Mitigation Steering Committee meeting is on Wednesday.

Performance Measures Part C – Sumner's budget summary and projection of work that could be completed in 2018 allocates 2018 Part C funding to the flood project again this year. If we are approved for the new CRF grant, we will need the \$50,000 dedicated flood project funding in our County appropriation to match the CRF grant. If we don't secure a CRF grant, the \$50,000 would be added to in-hand funding to complete the Celery project. If CRF grant is secured, in-hand funding can be used to try to complete the Bench Phase 2 South project in 2018.

NEW BUSINESS

(M. Ullrich left the meeting at 10:12 AM)

2018-1-5 Election of Officers – Ruskiewicz made the Motion, seconded by Keeton, to retain the current slate of Officers. All in favor.

Review of Office Policies – The only proposed changes were to the Provisions of Employment. Language to recognize and accommodate the Family Leave Act was added, and the policy for updating the salary table revised.

2018-1-6 Wright made the Motion, seconded by Ruskiewicz, to renew all policies without change except for the Provisions of Employment, and to accept the proposed changes to the Provisions. All in favor

The Board reviewed employee '17 Leave Summaries and signed Sumner's Leave Summary.

2018-1-7 Keeton made the motion to approve the purchase of a new district printer, seconded by Wright. All in favor.

O'Connor Davies audit engagement letter was reviewed. It will be \$3,500 for the year 2017 audit and increase to \$3,700 for the years '18 and '19. **2018-1-8 Wright made the Motion, seconded by Ruskiewicz, to sign and accept the engagement letter. All in favor.**

2018-1-9 a Motion was made by Keeton, seconded by Wright, to re-designate signature authority, keeping it the same as years past with both Sumner and Wright as signers. All in favor.

The District salary table issue was revisited. The Board decided that adjustments to the Table will be considered at the time of County budget preparation in June/July, rather than at the beginning of the calendar year as the previous version of the Provisions of Employment indicated.

B&L agreement – had expired in November '17. Sumner updated the Scope of Services. **2018-1-10 Wright made the Motion, DeBlock seconded, to enter into a new agreement with the updated Scope of Services. All in favor.**

2018-1-11 Ruskiewicz made the Motion, seconded by Keeton, to go into Executive Session at 10:29 AM to discuss pending litigation. All in favor.

2018-1-12 The Board came out of Executive Session at 10:48 AM on a Motion by Ruskiewicz, seconded by Wright. All in favor.

The next **MEETING** is scheduled for **Tuesday, February 20, 2018 at 9:00 AM.**

2018-1-13 The Meeting adjourns at 10:50 AM on a Motion by Wright, seconded by Ruskiewicz. All in favor.

Respectfully submitted,

Christine DeGroot, Secretary to the Board