

**MINUTES**  
**ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT**  
**BOARD OF DIRECTORS**  
**January 24, 2022**

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:08 AM. Director Directors J. Wright, P. DeBlock and P. Ruszkiewicz along with K. Sumner, T. Ferry and C. DeGroodt (SWCD) were present. B. Diehl, NRCS, joined remotely.

**2022-1-1 DeBlock made the Motion, Ruszkiewicz seconded, to approve December's Board Meeting Minutes as amended. All in favor.**

**ACTIONS TAKEN BETWEEN MEETINGS** – Some bills were paid and are listed on Bills for Board Approval.

**CORRESPONDENCE**

- The bank statements and collateral agreements were available for review.
- The District received the Legoland check in the amount of \$50,000.00 from Drake Loeb, PLLC. It is subject to the terms of our agreement with the NYS DEC. The money can be used for any of the projects that the District submitted to the NYS DEC for the Moodna Watershed. We had prioritized land acquisition near the violation site.
- The Water Quality Symposium information was available for review. It is being held remotely and free to District employees this year. It was mentioned that District Directors are due for District Law Training this year. Sumner mentioned that the District needs to be vigilant in tracking staff and Directors' trainings/meetings and other requirements for the Performance Measures and would like to check statuses at the 6 and 9 month marks.
- The District received an engagement letter from O'Connor Davies for our 2021 audit. The price has increased slightly to \$4,000. It was mentioned requesting an informal quote from KKB&N, the company that assists us occasionally with quickbooks. **2022-1-2 Wright made the Motion, Ruszkiewicz seconded, to approve paying \$4,000 to O'Connor Davies for completing our 2021 audit. All in favor.**
- The District received an event notice from the New York State Conservation District's Employees Association, regarding the 2024 NCF Envirothon. They are requesting funding support and in 2024 it will be hosted by New York State. Discussion followed. No action taken.
- The District sent a letter to Green Farmland regarding the next phase of the bench project.
- The District received an acknowledgement from Cornell Cooperative Extension Orange County, for use of the District's seeder for use at their Education Center & 4-H Park.
- Various newsletters available for review.

**FINANCIAL REPORTS**

**2022-1-3 DeBlock made the Motion, Ruszkiewicz seconded, to file December's Financial Reports for audit review. All in favor.**

## **BILLS FOR BOARD APPROVAL**

A CEC Excavating bill for the final 2021 Wallkill Maintenance work in the amount of \$7,425.00 was added on to the list of bills to be paid. **2022-1-4 Ruszkiewicz made the Motion, DeBlock seconded, to accept the Bills to be Paid. All in favor.**

**GRANT REPORT UPDATE** – The Grant Report is updated monthly to reflect changes. Report was reviewed by the Directors.

## **STAFF REPORTS**

Written staff reports were emailed to Board Members prior to the Meeting for review.

**C. DeGroodt (SWCD)** – DeGroodt mentioned that the District received an Envirothon reimbursement for unused funds in the amount of \$1,733.00.

DeGroodt mentioned that Ferry and Sumner assisted her with re-learning how to complete soil group worksheets.

DeGroodt has been working on the various end of year reports that are due soon as well as 2021 tax forms.

The accountant we used for Quickbooks was due to come to the District office today to discuss taxes, but it has been postponed. We would also like to ask her additional quickbooks questions.

DeGroodt is interested in attending some of the Water Quality Symposium classes.

**T. Ferry (SWCD)** – Ferry thanked the Board for the baby gift and approving his leave time.

**K. Sumner (SWCD)** – Phase 3 Area of the bench – Sumner handed out a summary sheet of the three original bids that were solicited in 2020 (1. McCarey Landscaping 2. CEC Excavating and 3. Gurda Landscaping.) The three proposals were solicited on behalf of Pine Island Turf Nursery, who was the actual sponsor of the project. McCarey declined to provide a proposal and CEC was considerably lower than Gurda Landscaping. the RFP was set up to get separate prices for Area 1 and Area 2 because we were not sure if there would be enough money to complete the entire project. Even when you looked at Phase 3, Area 2 there was still a considerable difference in the CEC and Gurda proposals. Sumner asked the low bid contractor to update his proposal, which was 2 years old. Sumner received the new proposal on Friday and it was higher, a 28% increase. There is good justification for the increase, ex: the cost of diesel fuel and materials have gone up. Sumner suggested that the Board approve the increase and recommend that Pine Island Turf Nursery enter into a contract with CEC Excavating. There is not enough money in the SAM grant to completely fund this so there has to be an understanding of where the remaining funds will come from. Discussion followed. Sumner advised the Board that the updated price was based on the original project details in order to allow for a straight-forward comparison to the 2020 price, but that there have been some changes in the job details that he expects will reduce the actual cost. In addition, there are some components of the job that could be delayed for a year if necessary. So he believes that it will be feasible to proceed with the project this year using the SAM grant as the primary source of funding.

Sumner wrote to Green Farmland twice to ask if they were interested in receiving the soil from Phase 3, Area 2 as a courtesy, because they had inquired about it after the completion of Area 1. The second communication informed

them that we needed to know by 1/21/22. Sumner received an email from them on 1/21/22 indicating that they would reply to his inquiry that day. The owners stated that they will take the good black dirt and the sand but not the clay. Sumner told them it was not an option because of the expense involved in developing a truck road to move soil from the project site to an acceptable location. We can't afford to develop two exit routes. They then agreed to accept all of the soil. Discussion followed. Sumner explained to the Board that the plan for use of Area 2 soil as described in the Agreement/Work Plan we have in place with GF is to move it all across Pochuck Creek via a temporary bridge. From that point, there are multiple possible uses of the soil. Building a road to the field owned by GF where the soil would be taken at one point looked like it could be competitive cost-wise with building the temporary bridge. But with the County offering to provide the culverts needed for the temporary crossing at no cost, in addition to other advantages of handling the soil at the Pochuck location, Sumner believes building the bridge is the most responsible option. **2022-1-5 Ruskiewicz made the Motion, DeBlock seconded, to approve the updated CEC Proposal and maintain the existing plan to move the soil across Pochuck Creek. All in favor.**

Sumner passed out a Part C Funding Analysis to the Board. Discussion followed.

Sumner passed out a project sign-up sheet/funding plan to the Board. There are five projects signed up. The total cost-share estimated amount for all five projects is \$125,000. One of the projects for \$50,000 is a covered barnyard and does not yet have any AEM planning completed on it. Sumner recommended to the Board to put this project on hold and approve the other four projects. He proposes we fund them using \$75,000 from AEM Round 17. The other \$25,000 from AEM can be used for the District's Soil Health Incentive Program. The 5<sup>th</sup> project will have AEM planning completed on it, and as long as there is a need for a covered barnyard project, we would keep it on our list for future funding opportunities. Discussion followed. **2022-1-6 Ruskiewicz made the Motion, DeBlock seconded to pre-approve this Project Funding Plan which allocates \$75,000 of AEM Round 17 and pre-approve projects 1, 2, 4 and 5. These approvals would become final after planning and design work and execution of the contracts. AEM planning will be completed on project #3 and depending on the outcome of the planning we would seek funding for that project from other sources. Finally we would allocate the remaining \$25,000 of the AEM Round 17 Implementation funding to our 2022-2023 SHIP program and allocate an additional \$25,000 from our Part C program to this same program. All in favor.**

**Floodplain Bench Phase 4 Update** - The District is waiting on Barton & Loguidice for a design/construction plan.

**Pellets Island Reach Maintenance Project Update** – Sumner was able to get verbal support from a landowner who owns five of the parcels in the project area. This landowner gave him contact information for two of the landowners that we did not have contact info for. One of those hung up on us, the other who owns 5 parcels provided the district with an email address, but has not replied with any position on the project. A project status map was passed around. Discussion followed.

**AG NPS Round 27** – Seven projects were included in the Plan of Work.

**Pulaski Culverts** – The District is waiting on Barton & Loguidice to revise their initial analysis.

Sumner met with a Pine Island sod grower who needs to obtain a NYSDEC permit for irrigation. Sumner is working on the application and consulting with Barton & Loguidice. Sumner requested Board concurrence to provide SWCD staff time at no charge to the landowner, but consultant expenses will be passed on to the landowner.

**No- Till Program Update** – The \$5,000 towards program support from the Ag & Farmland Protection Board budget was received.

**Chester Ag Center** – There was a brief discussion. There have been no substantive replies regarding local match for a CRF grant to upgrade the pumping plant.

It was noted that the “Part C Funding Analysis/Projection” document will be entered into record for today’s meeting.

## **INTERAGENCY REPORTS**

**NRCS** – Diehl stated that NRCS is working on planning projects and doing site visits.

**Farm Service Agency** – DeBlock stated that the application date for the Dutchess County County Executive Director position has passed. Their County Committee will be holding interviews on Wednesday. The Dairy Margin Insurance deadline is in February and the ARC PLC corn based program has a March deadline.

DeBlock said that the USDA’s covid policy states that 25% staff may report to work in-person.

## **OLD & NEW BUSINESS**

**Election of Officers** – **2022-1-7 Ruszkiewicz made the Motion, DeBlock seconded, to retain John Wright as Chairman/Assistant Treasurer and retain Paula DeBlock as Vice-Chairwoman and Treasurer. All in favor.**

**Review of Office Policies** – The only change is to the Provisions of Employment (POE). As approved at last month’s board meeting, a section was added to the POE stating that as allowed by NYS Law, the District will give employees the option of using accrued leave to supplement Paid Family Leave. There were no other changes to policies. **2022-1-8 Ruszkiewicz made the Motion, Wright seconded, to accept the change to the District’s Provisions of Employment. All in favor.**

There was discussion on establishing a District Retirement Liability dedicated fund. **2022-1-9 DeBlock made the Motion, Ruszkiewicz seconded, to establish a District Retirement Liability dedicated fund from our general fund in the amount of \$5,000.00. All in favor.**

**Leave Summaries** - The Board reviewed the leave summaries as presented in the meeting materials.

**NEXT MEETING DATE** - The next **MEETING** is scheduled for **Tuesday, February 22, 2022 at 9:00 AM.**

## **ADJOURNMENT**

**2022-1-10 The Meeting was Adjourned at 11:09 AM on a Motion by Ruszkiewicz, seconded by DeBlock. All in favor.**

Minutes Prepared By:

Christine DeGroodt, Secretary to the Board

## **C. DeGroodt**

### **Board Meeting Activities December 17, 2021 – January 21, 2022**

- We have \$467 cash awards on the rewards credit cards
- Filled out the District's portion of the Paid Family Leave paperwork for Ferry.
- Ferry requested his health insurance be cancelled. The request was submitted to our insurance and it was effective 1/1/2022. Updated staff's '22 health insurance deductions.
- Completed soil group worksheets.
- DASNY auto deposit was received.
- Requested an engagement letter from the auditors for auditing year 2021.
- Worked on the District's Treasurer Report.
- Worked on the Performance Measures Part A report and the grant calculation spreadsheets that go with it.
- Submitted the 4<sup>th</sup> quarter FICA/FIT and NYS tax reports.
- Worked on the 2021 Performance Measures Report.
- Scheduled meeting with Rachel, accountant from KKBN, to review our tax forms/quickbooks.
- The Water Quality Symposium is free for District employees this year. I have a few classes I'm interested in taking.

## **TF January Board Meeting Activity Summary**

- Returned to work from leave.
- Working on closing out AEM Round 16, due 2/28/2022
- Working on soil group worksheets
- Working on AEM for participants in round 17

Report to Board                      KMS

January 2022

### **AEM/AEM Round 16 Tier 4 (Implementation Projects)**

**Contract end date was 12/31/2021. All close out materials due to NYSSWCC by 2/28.**

Browne project complete. Still working with participant and NYSSWCC on close out.

Vreeland project complete and certified by engineers. Still working with participant and NYSSWCC on close out.

Van Aken project is complete. Close-out expected without complications.

### **Hudson Valley Carbon Farming Project [contract ends 4/30/2022]**

No activity to report this month.

### **Floodplain Bench**

#### **Phase 4 (CRF 5)**

Still waiting on B&L for design/construction plan before JAP can be completed and submitted.

#### **Phase 3, Area 1**

First reimbursement request to DASNY was made on 11/24 for \$9,500 planting expenses.

Reimbursement of \$8,500 was received late December. DASNY deducted \$1,000 for mowing to prepare for planting because it was labelled as 'Maintenance' on contractor billing, and the DASNY Agreement can't reimburse for maintenance activities. I disputed this decision and was told we can re-request it at end of Agreement if there are remaining funds. I informed the contractor to avoid using 'Maintenance' as a billing code.

#### **Phase 3, Area 2**

The low bid contractor has updated his proposal from 2020 based on increased costs of materials and supplies. We will review/discuss at Board meeting.

I wrote to Green Farmland twice to ask if they were interested in receiving the soil from P3A2. The second communication informed them that we needed to know by 1/21/2022. I received an email from them on Friday 1/21/2022 indicating that they would reply to my inquiry that day. As of distribution of this Board report, reply has not been received.

### **Other Flood Mitigation**

Pellets Island Reach Maintenance Program – I was able to secure verbally the support of a landowner who owns 5 of the parcels in the Project area. He gave me contact information for two of the landowners who we did not have phone numbers for. One said he would call me back, hung up, and never called back. The other, who owns 5 parcels in the Project area, provided an email address, but has

not replied with any position on the Project. Landowners who have not responded were sent a '2<sup>ND</sup> ATTEMPT' letter. See Project Status map. No reply from NYSDEC regarding regulatory concerns.

Quaker Creek – I recommend some additional discussion on whether a flood control/riparian improvement project should be prioritized at this time.

### **Round 27 ANPSACP**

Work Plan documents have been submitted. We anticipate ramping up activities on this Project after end-of-year reports and grant close-outs are completed (late February-March).

### **Other**

Legoland EBP –\$50,000 check from LLNY was received on 1/20/2022.

Pulaski Culverts – Waiting on B&L to revise their initial analysis.

Wallkill Maintenance work was completed on several reaches of the Project area late in December, 2021 and January, 2022. Summary report sent to NYSDEC.

Chester Ag Center – Still no substantive replies regarding local match for a CRF grant to upgrade pumping plant.

Met with Pine Island sod grower who needs to obtain NYSDEC permit for irrigation. I am working on the application and consulting with B&L. Request Board concurrence to provide SWCD staff time at no charge to landowner, but consultant expenses passed on to the landowner.

No-Till Program –\$5,000 towards program support from AFBP budget received from Orange County.

### **Requests for Grant Proposals Expected to be Released Soon/Potential Proposal Ideas**

Climate Resilient Farming(CRF) – Water Management Track / Quaker Creek, Chester Muck Pump Plant

CRF – Soil Health Track / Enhanced Soil Health Field Demonstration Project including roller/crimper and swing hitch NT seeder purchase

AEM Round 17 (Non-competitive, but need to identify projects that \$100,00 Implementation funding will be applied to)

2022/2023 Soil Health Incentive Program (SHIP) and AEM Round 17 T4 Projects – Please see 'Project Funding Justification and Recommendations to Board of Directors' document included in your meeting materials.

### **Other Financial Matters**

The Board may want to consider establishing a 'Retirement Liability' dedicated fund.

Please see 'Part C Funding Analysis/Projection' document included in your meeting materials.