

MINUTES
ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS
July 19, 2021

The **MEETING** was **CALLED TO ORDER** by the Vice-Chairwoman at 9:04 AM. Directors P. Ruskiewicz and J. Wright joined remotely along with E. Schellenberg (CCE) and B. Luskin (NYS Dept. of Ag & Markets). Director P. DeBlock along with K. Sumner, T. Ferry and C. DeGrootd (SWCD) were present at the office.

2021-7-1 Wright made the Motion, DeBlock seconded, to approve June's Board Meeting Minutes as written. All in favor.

ACTIONS TAKEN BETWEEN MEETINGS – There were no actions between meetings aside from some bills that were paid and are listed on Bills for Board Approval.

CORRESPONDENCE

- The bank statements and collateral agreements were available for review.
- SWCD letter to Parties to the Wallkill River Flood Maintenance Agreement regarding the expansion of the Wallkill Maintenance Agreement. To be discussed under New Business.
- The District received a letter from Richard Hoyt, Attorney, indicating that he is interested in representing the District as an independent contractor for the expansion of the Wallkill Maintenance Agreement if we decide to hire a private attorney for assistance. His hourly rate is \$200/hour. To be discussed under New Business.
- A National Association of Conservation Districts membership invoice was discussed. No action taken.
- A New York Association of Conservation Districts packet with information related to the NYACD 2021 Annual Meeting to be held Tuesday, October 19th – 21st was received from Blanche Hurlbutt, NYACD Director.

FINANCIAL REPORTS – Sumner mentioned this is the first time in a very long time that the District's unobligated fund balance is in the negative. This is not a concern because the District has substantial funds due to come in that will be available for projects.

The District received the 3rd quarter appropriation from the County.

2021-7-2 Wright made the Motion, DeBlock seconded, to file June's Financial Reports for audit review. All in favor.

BILLS FOR BOARD APPROVAL – **2021-7-3 DeBlock made the Motion, Wright seconded, to accept the Bills to be Paid. All in favor.**

GRANT REPORT UPDATE – The Grant Update Report is updated monthly to reflect changes.

STAFF REPORTS

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

C. DeGrootd (SWCD) – DeGrootd's staff report was attached to the Draft Minutes.

T. Ferry (SWCD) – Ferry’s staff report was attached to the Draft Minutes.

Ferry has been moving equipment back to O’Dells and addressing maintenance issues. He mentioned that new tires were purchased for the District’s Ford truck.

Ferry has been working on AEM plans for farms interested in the AEM Round 17 soil health funding.

INTERAGENCY REPORTS

E. Schellenberg (CCE) – The 4-H Fair was open July 9-11 and was well attended. The cap of 200 people was lifted at the last minute.

(G. Constable joined the meeting at 9:17 AM)

B. Luskin (NYS Dept. of Ag & Markets) – We are now back to the original Open Meetings Law.

Luskin mentioned some upcoming events such as Empire Farm Days.

Ag NPS Round 27 applications were submitted and are in the hands of the reviewers. The ranked list may be completed in Sept/October.

AEM Round 17 is going to have some revisions after they have gone through 1 year of the Tier 4 implementation funding.

Ag NPS Round 28 should be released sometime in December. Round 6 of CRF should be released around the same time.

Sumner asked if Luskin knew how many Round 27 applications were received and how much money was requested. Luskin said around 103 applications but he was unsure of the money amount. He may know more after the state committee meeting tomorrow.

NRCS – No one attended from the Natural Resources Conservation Service.

DeBlock (FSA) – The Farm Service Agency is finishing the acreage reporting. DeBlock mentioned that Jeremy’s Shake Shack at the 4-H Fair was very successful.

OLD BUSINESS

Office Procedures - DeGroot participated in an Open Meetings Law webinar. Any location that a Director attends a meeting is considered a meeting location that should be open to the public to attend and the location’s address should be posted ahead of the meeting. Ben Luskin added that all Directors must be on video in order to be considered present at the meeting and to be able to vote or make Motions at Board meetings. Luskin said that there are some proposed revisions to the Open Meetings Law that would hopefully update the law and make things easier to meet.

(K. Stegenga joined the Meeting at 9:25 AM)

AEM Round 16 Tier 4 – This is summarized on the grant report.

Hudson Valley Carbon Farming Project – This is summarized on the grant report. (This is a joint project with the State Committee and four other counties in the Hudson Valley). The project managers put out an invitation to enhance the projects and request additional staff time support.

Walkkill River Floodplain Bench Phase Four – (A proposed project to move upstream from County Route 1 – \$300,000 in state money to support the advancement of the bench project). The executed CRF 5 grant contract was received and the District requested a 25% advance. The earliest any construction could be expected would be this winter clearing trees, but a lot would need to happen to meet that schedule. Sumner is waiting for the draft construction plan and design from our consulting engineers that we need to insert into our permit application. A bill was received from Barton & Loguidice for ~15 hours in on the project.

Walkkill River Floodplain Bench Phase 3, Area 1 - This was the excavation work that was completed last fall. There was nothing new to report since the last meeting except that field checks showed continued good tree survival and that there is an infestation of mile-a-minute vine spreading over the bench. Although this area is ultimately planned to be a forested area so he doesn't think this weed will be an issue, he is giving consideration to doing a control effort there. We are supposed to plant the small trees out there this fall so we would have the opportunity to go in and mow around the larger trees and knock the mile-a-minute back.

Walkkill River Floodplain Bench Phase 3, Area 2 – This is the larger of the phase three areas at the confluence of the Pochuck and the Walkkill. There is no new information on when the District will receive the SAM grant. Sumner had spoken to Rob Schreiber, from the County Executive's office, and he agreed to call Tom Corlett, District Director at the Office of NYS Senator Mike Martucci (District 42), to check on the status. Schreiber was told that many of the SAM grants that former Senator Metzger announced never had any money attached to them. The District has been in communication with several different state agencies who have told us that our SAM grant is working its way through the system, has been approved by the Senate Finance Committee and is now at the Division of Budget.

Ag NPS Grant Round 27 – The Round 27 proposal was submitted and we are waiting for the results.

Lego Land Update – The District is anticipating \$50,000.00 from Lego Land to be used for any projects on our list that was developed last summer along with the Orange County Land Trust and the Moodna Intermunicipal Council. Other than getting one email from Lego Land's attorney since last month's meeting which requested clarification, Sumner has no further information on when we might receive the EBP award.

Chester Ag Center/Pumping Plant Visit with OCDPW – Sumner met with the Orange County Department of Public Works representatives along with some of the growers and representatives of the Chester Ag Center at the Cromline Creek/Chester Muck pumping plant on 6/30. Everyone got an up-to-date report on the status of the pumping plant and on DPW's efforts to secure a grant to update the facilities. Orange County DPW submitted a grant proposal to FEMA for approximately \$1 million to install a natural gas line to the facility, and to install new electric pumps powered by a natural gas line fired generator. Sumner prepared meeting notes that are available upon request. If approved the project would have to be completed within two years. If the county is unsuccessful in securing this grant, then the Climate Resilient Farming Grant program may be a good fit, but Sumner cautioned the attendees that he believed we would have to have a substantial local match in order to make an application like that rank well. The FEMA grant is only a 10% local match.

Black Dirt Drainage/Pulaski Highway Drainage – A group of black dirt growers wrote to the County with concerns about culverts under Pulaski Highway. Sumner was called by Erik Denega from the Orange County Department of Public Works (OCDPW) on 7/9. He provided Sumner with a summary of the call he had with Barry Cheney and Paul Ruskiewicz. Sumner's understanding is that the parties would like Soil and Water to submit a Legislative Request for funding to undertake an engineering study of the culverts issue. Erik indicated that Cheney wants the request to be on the Physical Services Committee agenda for this month, and that the OCDPW will assist with the preparation of the request.

(E. Schellenberg left the meeting at 9:44 AM)

NEW BUSINESS

The 2020 Auditor's Report was reviewed and accepted by the Board.

(K. Stegenga left the Meeting at 9:47 AM)

Expansion of the Wallkill Maintenance Agreement – Of the five partners to the Agreement, the Towns of Warwick and Wawayanda are in support of this expansion effort including using funds from the Maintenance Agreement Program to help with the costs of the private attorney. The District has not yet heard back from Minisink, Goshen or Orange County. Sumner said that he doesn't see any wording in the current agreement that sets any geographic limits, so we may not need to amend it. If this moves forward, Sumner will discuss this with Rich Hoyt. The two biggest issues Sumner can see is: 1) trying to find out what DEC's position is on this expansion and 2) obtaining necessary easements on approximately 20 parcels (10-12 landowners). Sumner has a background document he can provide to Hoyt if the Board decides to hire him and it's available to anyone who wants to review it. DeBlock asked if the new pellet's island reach is all in Goshen or Wawayanda. Sumner said both and that the river is the town line. There are four parcels in Wawayanda and the rest are in Goshen.

The letter seeking input of the partners was mailed out on July 7th to the County Executive and to the Chairman at the Legislative office. Discussion followed on hiring Hoyt or waiting another month to give the County time to respond to the letter. Ruszkiewicz said that he will inquire at the County and let Sumner know what he finds out. **2021-7-4 DeBlock made the Motion, Constable seconded, to hire Richard Hoyt for the Wallkill Maintenance Expansion Project. All in favor.**

NEXT MEETING DATE - The next **MEETING** is scheduled for **Monday, August 16 at 9:00 AM.**

ADJOURNMENT

2021-7-5 The meeting was Adjourned at 10:02 AM on a Motion by Constable, seconded by Wright. All in favor.

Minutes Prepared By:

Christine DeGroot, Secretary to the Board