

**MINUTES**  
**ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT**  
**BOARD OF DIRECTORS**  
**July 27, 2016**

The **MEETING** was **CALLED TO ORDER** by the Chairman at 7:07 PM. Directors J. Wright, G. Keeton, and P. Ruskiewicz were present, along with K. Sumner, and Phil Cantorino.

This is a special meeting of the Board to discuss the Walkkill River Floodplain Bench project.

Sumner gave the Board updates on a number of topics related to the project. The topics are listed on the attached document.

1. Sumner was given verbal assurance this week by the NYSDEC Mined Land Division that we would be receiving a waiver from obtaining a mining permit.
2. We are still waiting for releases from the sites, other than Dean Ford Lands, that are proposed to receive soil material from the project. This is low bidder CFI's responsibility.
3. Sumner reported that Dean Ford today signed both the Land Rental Agreement and a construction access agreement (both reviewed by attorney Richard Hoyt).
4. A NOI was filed online with NYSDEC yesterday in order for the project to gain coverage under the Stormwater SPDES Construction General Permit.
5. Discussion then proceeded to the proposed project area easement and land purchase. Sumner informed the Board of his latest discussion with the larger of the two landowners involved in the pending phase 1 project. This landowner has made it clear, as has been reported to the Board at previous meetings, that he does not want to own the land under the project. Wright and Ruskiewicz discussed possible County ownership of the land at the July AFB meeting, but it is currently unclear if the County would be favorable. We have determined through consult with NYSSWCC that SWCD's are able to own Real Property. While there are some issues left to be resolved with regard to the purchase of easements and/or fee title for the project area, the Board felt these issues were resolvable and should not hold up commencement of the project construction which is tentatively planned for next week. Waiting much longer to start could greatly jeopardize completion of the project in the 2016 construction season. This could in turn jeopardize receipt of the remainder of the Flood Project grant funding – the funding agreement for which is currently scheduled to expire in 2017. Sumner has been in close contact with attorney Richard Hoyt on these matters and has consulted with the NYS Dept. of Ag and Markets attorney via our NYSSWCC representative specifically about the easement and fee title transfer issue. **2016-7-10 Keeton made the motion to proceed with construction of the Floodplain Bench project once the remaining soil utilization issues are addressed to the Project Engineer and Conservation District Manager's satisfaction. The motion was seconded by Wright. 3 aye's, 0 nay's – passed. 2016-7-11 Keeton made the motion to establish a payment rate of \$2,000/acre to the landowners for granting of the Conservation Easements necessary to comply with NYSDEC permits covering the project. The motion was seconded by Wright. 3 aye's, 0 nay's – passed.**

**2016 -7-12 Ruskiewicz made a motion to adjourn the meeting at 8:35 PM. The motion was seconded by Keeton. 3 aye's, 0 nay's passed.**

Respectfully Submitted,

Kevin Sumner