

MINUTES
ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS
June 19, 2017

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:03 AM. Directors J. Wright, G. Keeton, P. DeBlock and P. Ruskiewicz were present, along with K. Sumner, N. Meyer and C. DeGroot (OCSWCD), J. Heller (NRCS) and R. Baglia (CCE).

2017-6-1 DeBlock made the Motion, Keeton seconded, to approve May'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.
- Letter from B. Hurlbutt reviewed. Re: response regarding the Envirothon registration fee of \$625.00.
- Notice of Claim received from CFI.
- Ag & Markets – AEM contract needs to be notarized for the upcoming year.
- A Housing Trust Fund Time Extension was requested and granted until the end of this year.
- Credit Card fraud correspondence was received and discussed.
- A formal written denial of coverage was received from our insurance company – Trident – regarding the CFI Notice of Claim. The reason given for the denial was that 'breach of contract' was an exclusion in our policy (even though breach of contract has not been proven to be valid).
- Correspondence from us to CFI's Surety and from the Surety to us was distributed for review. Our intention is to 'keep the file open' until we determine if claims against CFI are necessary.

FINANCIAL REPORTS

- An outstanding no-till bill from last year was discussed.
- **2017-6-2 Wright moved to file the April and May 2017 Financial Reports for audit review, DeBlock seconded. All in favor.**
- **2017-6-3 DeBlock made the Motion, Keeton seconded, to accept the Bills to Be Paid. All in favor.**
- The Grant Reports for April/May '17 were available for review.

STAFF REPORTS

- DeGroot
 - Worked on the proposed 2018 draft budget.
- Meyer
 - Meyer has been doing maintenance on the no-till equipment.
 - The AEM close-out for year 12 is due in early July.
 - The Monhagen Brook Planning Project Stream Walks are complete. The second phosphorous sampling is also complete. The 1st sample results are in and looked good. The 2nd sampling results were slightly above safe levels. This could be due to the brook being in high flow stage. There are three more samplings to do.
- Sumner
 - Wallkill Bench Phase 1 – had a group of scouts identify trees and survival rates. They did a good job identifying and one scout expressed interest in interning with the District this summer.
 - Sumner interviewed two people for the vacant technician position.

- The Draper Ditch culvert replacement was completed. Sumner had discussed with all parties what would need to happen in order for money to be transferred over to the project from an existing Ag NPS grant project. This included stabilization/seeding of ditch banks and associated areas around the culvert replacement and possibly repairing a wing of the upstream headwall that appears to be tipping into the ditch. To date, no improvements have been made to the installation.
- Ag NPS projects worked on this past month included M. Lain and Brady Farm (Round 22) and Dean Ford & Sons Dairy Cranston Road facility (Round 18). Also worked on and provided Dean Ford with conceptual Heavy Use Area Runoff Management System plan set for Barn #2 facility.
- Reminded the Board of the firing of NYACD Executive Director. Brief discussion of NYACD functions, dues, etc.

INTERAGENCY REPORTS

- R. Baglia – Cornell Cooperative Extension
 - The New Blue II – Stormwater S&SC and the New Design Manual is on Wednesday, June 21, 2017.
 - Family Fun day is on Saturday, July 29, 2017 from noon until 7:00 PM at the Education Center & 4-H Park in Otisville, NY.
 - Working on scheduling a 4-Hour Erosion & Sediment Control Training with Orange and Ulster SWCDs.
- J. Heller – Natural Resources Conservation Service
 - Dave Mortensen, NRCS State Conservationist, was introduced.
 - NRCS is in a hiring freeze. They are down approx. 30 positions.
 - Took in 12 applications in Orange County for EQIP.
 - Closing on three ag land easement contracts with the Town of Warwick.
 - Attended the Food Safety Modernization Act training at Cornell.
 - USDA employees completed a survey regarding office issues.
 - An acting undersecretary, Dr. Robert Johansen, was appointed.

OLD BUSINESS

- Wallkill Flood Project update
 - All contract work in Phase I is complete. The District is seeking three written proposals for both projects in Phase II. Currently have three for the south side and are waiting on two additional written proposals for the north side. The Phase II north side bench may have less acres to put soil on because D. Ford planted on some fields. A 7-8 acre field on the south side which was supposed to take soil was also planted.
 - Celery Ave – We received a completed and stamped set of specs from B&L. We are still waiting on the Town of Goshen permit.
 - Sumner passed out a Wallkill Flood budget update to Directors for review. He cautioned that he could not recommend that all three flood projects be pursued until additional funding is identified, based on current funding projections.
 - Sumner told the Board that our attorney R. Hoyt will not be representing us with regard to the CFI Notice of Claim and that information was handed over to the Orange County Law Department. It is our understanding that CFI has 90 days from the date of presentation of the Notice of Claim to file a lawsuit, and that we have 90 days to depose someone from CFI.
 - Three projects were discussed: 1. Phase II North Side. 2. Phase II South Side. 3. Celery Avenue. **2017-6-4 DeBlock made the Motion to focus on the Phase II North Side project before moving on to the south side or to Celery Avenue, seconded by Keeton. All in favor.**
 - There was discussion on doing more aggressive tree cutting downstream from the Celery Avenue ledge. Sumner noted that numerous growers from that area believe that tree cutting along the

River in this section is a primary need in terms of improving flood protection. He also noted that work like this could be pursued without identifying/securing new funding if consensus can be gained to utilize the existing federal flood control project maintenance fund for the work. We would need to work with NYSDEC to develop a tree cutting plan that they were comfortable with. Wright asked if Sumner could write a draft letter for the Ag & Farmland Protection Board to use as an example that can be used to send to the NYS DEC and send it to him, something that can be presented Wednesday night at the Ag & Farmland Protection Board meeting. Sumner offered to do a draft letter. DeBlock asked if the County of Orange would also write a letter in support of this and Ruskiewicz said he would look into it. **2017-6-5 DeBlock made the Motion that we request that the County of Orange, Vegetable Growers Assoc. and the Ag & Farmland Protection Board write letters to the NYS DEC in support of more aggressive tree cutting downstream from the Celery Avenue ledge, Ruskiewicz seconded. All in favor.**

NEW BUSINESS

- Dam Removal Project at Browns Pond Lake– The District agreed to sponsor the project application. The proposal went in. After two visits to the Rowe farm by Sumner, we then found out that Rowe’s irrigate hundreds of acres of crops out of that pond and have five pumping stations around the pond. They have the capability to pump up to 750 gallons a minute. The Otterkill Golf Course irrigates out of it as well. Sumner informed the Rowe’s of our sponsorship of the proposal, but noted we were not aware of how extensive their reliance on this water source was. He told them the topic would be revisited at the next Board meeting and that the Board might re-consider their sponsorship. However, he reminded them that if Soil and Water declined to sponsor, it was likely that another entity would step in. If the dam removal is to proceed, it might be better in terms of keeping the farm’s interests and needs at the forefront if Soil and Water was the sponsor. Sumner has been discussing the situation with Chazen also (the firm that took the lead in the proposal development). Discussion followed. **2017-6-6 Ruskiewicz made the Motion to back out of this sponsorship due to pertinent information that was not disclosed to the District originally, DeBlock seconded. All in favor.**
- The District’s 2018 Draft Budget was reviewed and discussed. **2017-6-7 DeBlock made the Motion to keep the salaries and the County Appropriation Request the same as last year, seconded by Wright. All in favor.**
- Meyer mentioned that his two month trial period of working three days a week is up.

(Heller, Mortensen and Baglia left the meeting at 10:58 AM)

2017-6-8 DeBlock made the Motion, seconded by Keeton, to go into Executive Session at 11:02 AM to discuss employment history of one or more employees. All in favor. 2017-6-9 The Board came out of executive session at 11:30 AM on a motion by DeBlock, seconded by Wright.

Noah Meyer re-joined the meeting. Sumner told Meyer that the Board had agreed to extend his part time status for 6 months. He also told him that the Board wanted him to work 24 hours per week, so if an office holiday falls on his regular work day he should plan on coming in another day that week.

Discussion then took place on the challenges of managing the equipment rental program with Meyer as the primary program coordinator being part time and Sumner’s other managerial obligations. The Board suggested a detailed log of equipment maintenance activities be kept with each piece of equipment and filled out after each maintenance activity or other relevant repair or operational concern. They also stressed to Meyer to provide a detailed update to Sumner regarding the status of the equipment and pending rental jobs before leaving for the rest of the week on Wednesdays. Sumner and Meyer should also communicate on Monday mornings on coordinating the equipment program.

The next **MEETING** is scheduled for **Monday, July 17, 2017 at 9:00 AM.**

2017-6-10 Meeting adjourns at 11:50 AM on a Motion by Ruskiewicz, seconded by Keeton. All in favor.

Respectfully submitted,

Christine DeGroot, Secretary to the Board