

**MINUTES**  
**ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT**  
**BOARD OF DIRECTORS**  
**June 17, 2019**

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:06 AM. Directors P. DeBlock, G. Keeton and J. Wright were present, along with K. Sumner, T. Ferry and C. DeGrootd (OCSWCD) and B. Lusk (NYS Dept. Ag & Markets).

**2019-6-1 Keeton made the Motion, DeBlock seconded, to approve May's Board Meeting Minutes as written. All in favor.**

Introductions were made to Ben Lusk. Ben is the new Associate Environmental Analyst for the NYS Soil and Water Conservation Committee. He replaced Jennifer Clifford. Jennifer is now serving as the Climate Resilient Farming Program Manager. Ben mentioned the District Law Training that the District has to have before the end of this year in order to qualify for the Performance Measures.

**ACTIONS TAKEN BETWEEN MEETINGS** – Directors approved the purchase of a desk stand for DeGrootd, via email, prior to the Board Meeting.

**CORRESPONDENCE**

- Bank account statements from the District's banks were available for review. The District also now receives a Collateral Agreement from M&T Bank which was also available for review.
- The District received the budget packet from the County Executive's office.
- Miscellaneous newsletters were available for review.
- The District received a bill from the Town of Goshen for our Floodplain Development Permit application for the Wallkill River Flood/Celery Avenue Rock Ledge Project for which the Town never issued a determination. The Board Tabled the bill.
- A Resolution from the Orange County Legislature supporting a bill in the NYS Legislature which would direct the Commissioners of Ag and Markets and the NYS DEC to develop a plan to remediate and remove waste tires used in agricultural production, address the vector threat posed by such tires, and to provide farmers with technical and financial assistance through this process was available for review.
- The District received a New York Association of Conservation Districts update from Blanche Hurlbutt, NYACD Ex. Director.

**FINANCIAL REPORTS**

**2019-6-2 Wright made the Motion, Keeton seconded, to file May's 2019 Financial Report for audit review. All in favor.**

Sumner explained bill #4 on the list - last year our Lower Hudson Coalition of Conservation Districts received pass through money from the Hudson Valley Regional Council. There were a couple of individual awards made to Districts for planning projects. One of the counties that received an award did not complete their project so the money became available. We put in a proposal, which was accepted, for money to reimburse the City of Middletown for a green infrastructure project.

Bill #9 is for a NYS Erosion & Sediment Control Certification for K. Sumner. Sumner opted to let his CPESC and CPSWQ certification expire and switch to the NYS certification program.

**2019-6-3 DeBlock made the Motion, seconded by Keeton, to accept the Bills to be Paid. All in favor.**

**Ag Grant Update Report** – A copy of the report was emailed out to Directors prior to the meeting. Three of the Ag NPS grants are due to expire at the end of this year. We have not yet requested a time extension for one of them. There

was a brief discussion on some of the grant projects. There are some large black dirt projects – including fuel storage secondary containment and ag chemical mixing facilities - where they need private engineering, or sign off on a design. These projects present financing challenges since NYS grant funding can't be used for engineering services if projects are not completed. Sumner has had difficulty progressing many of these grant-funded projects.

B. Luskin mentioned DAP (Dairy Acceleration Program) which is an initiative of Governor Cuomo in partnership with the NYS Department of Ag and Markets and the NYS DEC to assist dairy farmers. Funds through this program can be used to pay up to 80% of engineering bills and farmers do not have to show proof of receipts.

## STAFF REPORTS

- **C. DeGroot**

- The District finally received the business rewards credit cards from M&T Bank.
- As a follow-up to the stream cleanup the District organized on May 11<sup>th</sup> along the Monhagen Brook, businesses along Route 17M in Middletown were mailed letters regarding enclosing their dumpsters and litter management
- District staff met with Rob Jankowski, a financial planner with Key Bank, regarding retirement options for staff.

- **T. Ferry**

- Ferry has been busy moving the no till equipment. There is an issue with the row cleaners on the new corn planter, they are close to touching the fertilizer boots. The ones functioning improperly were removed so now the machine is operating without a full set. When row cleaners were added to the older planter, Ferry found there should have been a “set-back” kit installed. The new planter was put out to bid specifying that row cleaners were to be included. Hudson River Tractor won the bid and should have included set-back kits on the planter. The cost is \$175 per row for the parts and there are four rows. Ron O’Dell, who installed the row cleaners on the older planter, reports that there is a considerable amount of work to install the set back kits.
- Ferry took an Ag NPS webinar a few weeks ago for the new round.
- Ferry has been assisting with the tire project.

- **K. Sumner**

- Sumner mentioned that we were going to have Ferry take a wetland delineation training but only 15 spots were available and it filled up quickly. As part of our Floodplain Bench permit we will have to do some monitoring that is going to require the same skills you would have to have as a wetland delineator, which would give Travis a good chance for professional development. There was an announcement that there will be a 3-day Statewide Irrigation Management Training in Cobleskill coming up sometime in August. There is going to be a one-time funding opportunity to request grant funding for systems and Sumner found out it will be state-wide. Sumner will see if we can get Ferry signed up for this. The training is free and offers government room rates. Luskin added that he thinks they are focusing the grant on micro-irrigation but that any time of irrigation will be eligible. **2019-6-4 Wright made the Motion to approve Ferry attending this training when the times comes as Sumner sees fit, DeBlock seconded. All in favor.**
- The Town of Wawayanda Supervisor organized a meeting in which Sumner was asked to attend, to review culvert installations on Onion Avenue. Some landowners there have asked the Town to lower some of the culverts to facilitate agricultural drainage in the area. Sumner told the Town representatives at the meeting that, based on observations at the field meeting, he agreed that lowering some of the culverts could benefit the agricultural drainage systems. He also said he thought a detailed elevation survey should be conducted and plans prepared to guide any culvert replacements. The Town’s consulting engineer, who was at the meeting, is expected to assist the Town going forward in what actions they may take. Sumner was not asked to be further involved.
- The Monhagen Brook Watershed Plan is out in print. Copies of the book are available for review. The Orange County Planning Department asked Sumner to go with them to present the plan to the Towns. Sumner thought it would be more useful to identify one or more implementation items from the Plan to ask

the Towns to partner with us on, before scheduling a visit to present the Plan. One of the actions that is included in the plan is the letter sent to Dolson Avenue businesses regarding enclosing their dumpsters. Sumner said unfortunately the plan does not meet the NYS DEC's requirements for a 9-Element Plan.

## **INTERAGENCY REPORTS**

**Federal Programs Update:** Today is the first day of sign-up for the Dairy Margin Protection Program.

Hans Persoon was hired as a new FSA trainee with a possibility of getting F. Barber's old position as CED.

**Ben Luskin (NYS Dept. of Ag & Markets)** – The NYS Soil and Water Conservation Committee monthly report was passed around.

Ben mentioned the Community Resiliency Training Program Funding which is available through the NYS Grants Gateway. The purpose of this funding is to provide Community and Municipality-based training events to increase the resiliency to future flooding and outbreaks of harmful algal blooms in high-risk waterbodies.

The Ag NPS Round 25 Request for Proposals has been released. There is \$15 million available and proposals are due back July 22<sup>nd</sup>. Ben offered to look at our proposal paperwork ahead of time.

The Climate Resiliency Program Round 4 update – 38 applications were received and are being scored.

Tomorrow, June 18<sup>th</sup> is the State Committee meeting.

The Consolidated Funding Application (CFA) is open.

## **OLD BUSINESS**

A photo by Brandon Gurda, the contractor on the Phase 2 Bench South project, was passed around. The photo was taken from the other side of the river showing a panoramic view, where it was being seeded and mulched. All things considered the project is going well. The adjacent landowners have changed their minds several times about how much of the soil from the project they wanted, and have encroached on the construction easement, but the contractor has made extra efforts to accommodate them.

Sumner mentioned that the Gantt property where we put material from the Phase 2 North project has a spot where cat tails started growing. This was surprising since the field has been cropped since the project was completed. Sumner discussed the situation with both the owner and the renter (Dean Ford). Sumner reminded Dean Ford that a stockpile of topsoil was left on the Gantt property and could potentially be used to raise low areas in the fields. Sumner also told Ford he thought a subsurface drain could be installed outletting into the nearby old meander. The Board was agreeable to continuing discussion with Ford and Gantt about how we might be able to assist in addressing any continuing issues with the fields adjacent to the P2N project. Sumner also reported that he discussed management of the Conservation Easement area with Ford and Gantt to better ensure compliance with the terms of the Easement.

Tire Project Update – The original price quote from Casings was \$4 per tire for smaller tires and that anything over 25" tires we would get charged by the ply (\$12 a ply). Sumner told farmers keep the large tires out and then we would see how much money we have left over and figure out a way to dispose of the larger tires later on. Early on in the collections we determined that the men loading the trucks were counting tires smaller than 25" as ply tires which was resulting in unanticipated costs. After Sumner brought this to the attention of Casings, we renegotiated with Casings to \$1,500 per truckload of tires, regardless of size. Their truck holds approximately 600 standard size tires which comes out to less than \$2.50/tire. It was mentioned that at a couple of the pick up sites the Casings workers were asked to collect tires that were strewn in the woods and even had trees growing out of some of them. Others were buried by debris, and others not in a pile for easy pickup. This was unfortunate since Sumner specifically asks farms if the tires are in a pile ready for loading. Some of the farmers will not be ready to load tires this summer. Discussion followed regarding

people that were not on the original tire pick-up list calling the District for tire removal. It was made clear that this project was targeted to dairy farmers and that we can put people that call on a list and if there is any money left over after the farms on the original list are picked up, maybe they can be helped. Invoices that come in are sent to IDA and they are paying Casings directly until the \$37,500 is used up. Once we have used up the IDA money we will begin using the County money, which we do not have yet but will hopefully be included with our next appropriation check.

The County of Orange Law Department believes that picking up the tires is a prevailing wage job, but NYS SWCC representatives have advised Sumner that they believe tire pick ups on private land would not be subject to PW. The SWCC reps were going to request additional clarification from their legal staff. Sumner also discussed having farmers pay the tire vendor, and the District reimburse the farmer. SWCC representatives believed this would be an acceptable procedure. Sumner will develop a simple agreement for us to enter into with the farmer, similar to what we currently have with the Ag NPS grants.

Update on the District Retirement - District staff met with a financial planner to discuss retirement options. He recommended that the District join the NYS Retirement System for Ferry and that Sumner and DeGrootd may be interested in starting Simplified Employee Pension IRAs (Sumner and DeGrootd would opt out of NYS Retirement). For all staff to join NYS Retirement the fee is approx. \$66,000/year over the next 25 years. After that it would be approx. \$18,000/year plus the cost for any new employees. The SEP IRAs allows up to 25% of employees salaries to be put into it and is employer contribution only. The Board could decide annually what percentage of the employee's salary would be contributed, according to the Planner. The SEP enrollment due date is in November and the due date to join the NYS Retirement is March 2020.

#### **NEW BUSINESS**

Discussion then turned to the 2020 Proposed Budget, supporting paperwork for which is due to the County before the next Board meeting. Sumner presented the Board with a draft of the standard one-page Revenues/Disbursements Proposed Budget form that the District uses each year. The draft was distributed to the Directors earlier by email. Sumner reviewed the budget, including the 'professional/contractual services hired' line that was added starting last year as an alternative to showing a second technician in the budget. The draft included a 1.8% increase in County Appropriation request to cover 2% COL increases. Based on the retirement discussion that preceded New Business, the Board was in agreement that we should increase the County Appropriation request to allow for phasing in of a retirement plan for all employees that was commensurate with the County and other similar municipal entities, in addition to the COL increase. **2019-6-5 Keeton made the Motion, DeBlock seconded, to submit our proposed 2020 budget to the County with an 11% increase in our County Appropriation request. The total we are requesting for our 2020 County Appropriation 242,991.00. All in favor.**

District Regional Manager's Meeting Update – Both Sumner and Keeton attended the Managers Meeting.

Sumner reviewed the changes to the AEM Base Program, which were discussed at the Manager's Meeting. We have to submit our 2020 AEM plan by November and will need to identify the projects we plan on including using the \$100,000 implementation funding that will be available over the course of the two-year contract. The importance of having a defensible system for ranking/selecting projects was emphasized. Sumner suggested that we might want to initially consider a focus on completing designed/permitted priority projects that were identified by the Wallkill/Black Dirt Flood Mitigation Committee and endorsed by the District Board. This will be revisited next month.

The next **MEETING** is scheduled for **Monday, July 22, 2019 at 9:00 AM.**

**2019-6-6 The Meeting adjourns at 11:54 AM on a Motion by DeBlock, seconded by Keeton. All in favor.**

Minutes Prepared By:

Christine DeGrootd, Secretary to the Board