

**MINUTES**  
**ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT**  
**BOARD OF DIRECTORS**  
**June 19, 2023**

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:03 AM. Directors P. DeBlock, J. Wright, P. Ruskiewicz, B. Cheney were present along with K. Sumner and C. DeGroodt, Director G. Constable joined remotely.

**2023-6-1 Cheney made the Motion, Ruskiewicz seconded, to approve May's Board Meeting Minutes as written. All in favor.**

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

The District had approval from the Board to enter into an Agreement with Barton & Loguidice after receiving their Floodplain Bench Wetland Mitigation Monitoring Proposal .

**CORRESPONDENCE**

- The bank statements and collateral agreements were available for review.
- Ben Luskin, NYS Soil and Water Conservation Committee (SWCC), sent us a written report of general updates on NYS SWCC activities.
- Barton & Loguidice's proposal.
- The New York Association of Conservation Districts updates/news was available for review.
- The District received a Town of Greenville zoning code update because we were on a list of interested parties.
- Memo to Department Heads from Orange County Executive Steve Neuhaus re: 2024 budget. There is no call for a reduction this year.
- Email reply to Sumner from Senator Skoufis's office regarding the possible funding opportunities for the Flood Mitigation work. Sumner mentioned asking the Farm Bureau to write a letter backing this up.
- Phone call from Congressman Pat Ryan's office regarding the District asking them for help to reconnect with the Wildlife Refuge on a project on their property. Sumner sent Maria Ingrassia, a representative for Ryan, the name of the people we were working with at the Refuge.
- Open Space Institute's Annual Report.

**FINANCIAL REPORTS**

**2023-6-2 Ruskiewicz made the Motion, Cheney seconded, to file May's Financial Reports for audit review. All in favor.**

## **BILLS FOR BOARD APPROVAL**

Bill #8 on the list in the amount of \$500.00 was to CEC Excavating to repair trees from the Floodplain Bench Phase 3 Area 2 that resulted from flooding. Trees were re-planted, straightened and re-staked. Since CEC brought in a small excavator, Sumner had them remove a downed tree from the river channel (which is chargeable to the annual Wallkill Maintenance Project).

Bill #9 on list in the amount of \$1,375.00 was to CEC Excavating for three loads of item 4, which Pine Island Turf Nursery will use to repair/maintain the farm roads in proximity of the P3A2 project. Sumner mentioned there is still soil stockpiles from last summer at the project site with a lot of triaxle traffic going in and out removing this material, which causes continued wear and tear on the road.

Bill #7 is to Hollow Hill Farm, LLC/Zylstra in the amount of \$12,519.84. The Board approved the funding for this project last month, but we didn't have a formal contract prepared yet. **2023-6-3 Cheney made the Motion, DeBlock seconded, for the District to enter into a contract with Hollow Hill Farm, LLC. Via the District's Local Cost-Share 2023 Program. All in favor.** Sumner said there has been a lot of progress on this project. All of the posts are in but not all of the wire. So far, the producer has over \$25,000.00 in expenses. Our cost-share rate for their contract is 75% and we approved up to \$24,000.00.

**2023-6-4 Ruszkiewicz made the Motion, Cheney seconded, to pay the bills as presented. All in favor.**

**GRANT REPORT UPDATE** – The Board reviewed the monthly Grant Report. The Grant Report is updated monthly to reflect changes. Sumner mentioned that Ag NPS Round 27 progress is slow.

The Climate Resilient Farming Round 6 Soil Health/Reduced Tillage letters were sent out to participants.

## **INTERAGENCY REPORTS**

**P. DeBlock** – mentioned that the PARP program was extended into July and people should contact the Farm Service Agency to enroll.

## **STAFF REPORTS**

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

**C. DeGroodt (SWCD)** – DeGroodt submitted her staff report via email to Directors prior to the Board Meeting.

**K. Sumner (SWCD)** – See “Old and New Business”.

## **OLD & NEW BUSINESS**

**District Technician Vacant Position Update** – The County's official list expired 6/13. Sumner had asked them for a copy of the list but never received it. Elizabeth C. was approved by the County for provisional hiring. Sumner conducted a second interview with her on 6/14. The District received a lot of resumes but many are from out of the area. Discussion followed. No action taken.

**2024 Budget Update** – The Directors were provided with a DRAFT Proposed 2024 Budget for review, prepared by Sumner and DeGroodt, prior to the Board Meeting. The Proposed Budget submitted for Director review requests an

8% increase in the County Appropriation. Sumner discussed with the Board asking the County to fund all or most of the Floodplain Bench Phase 4 North Project. This project, designed and covered by in-hand permits, does not have any dedicated funding nor do we have a grant proposal pending. Given the significant funding we have secured through several other avenues to progress the Project to this point, he thought making a request like this to the County might be appropriate. Since the Directors supported this idea, Sumner asked the County Legislators on the Board on how such a request might be best approached. Director Cheney suggested the request be sent to the County Executive's office. If it does not get approved, then an appeal would be made to the Oversight Committee. Then the Committee can decide whether or not they want to make the recommendation to fund the project. Sumner will draft a cover letter to send with the budget to indicate this is a one-time special project request. Director Cheney also suggested that Sumner attend the July Physical Services Committee meeting and explain the project to them. The North side project construction costs are estimated at \$750,000.00 (not including SWCD staff time and other non-construction expenses such as professional services and easement expenses). Discussion followed. **2023-6-5 DeBlock made the Motion, Wright seconded, to approve the District's proposed 2024 Budget as presented, which includes an 8% increase in our County Appropriation and to add on \$600,000.00 for a Special Request Floodplain Bench Phase 4 North Project. All in favor.**

**Quaker Creek** – Previously, “Sumner had met with Rob Schreibeis and Frank Dagele. Sumner explained to them that we can not hire an excavator to trespass through everyone's property to dredge the Quaker Creek. The biggest challenge is the number of landowners, approximately 20 landowners (40 parcels). It is a non-regulated stream so we probably do not need any permits. Sumner drafted landowner letters to see how many would support this project. We would want a buffer bench on each side of channel, not trees but maybe grass. Sumner sent a draft of the letter to Frank because he said he would help us get the landowner permissions, but Sumner hasn't heard back.”  
**Update:** Sumner has still not heard back from Frank Dagele so this project may need to be done at a later date.

**Round 7 Climate Resilient Farming (CRF) Program** – The CRF 7 proposal due in August. There was some discussion on J. Wright's NRCS Irrigation project funding. So far, the project is not moving along with NRCS, it's been approximately 6 years. Sumner said Wright's project can be added on to our CRF 7 Grant Proposal, with a focus on Irrigation. It is no longer feasible to do the project through NRCS since so many years have passed, their budget for the project is outdated and the project costs have almost doubled. The District will address any Conflict of Interest at next month's Board Meeting.

**Barton and Loguidice (B&L) Floodplain Bench Wetland Mitigation Monitoring Proposal** - Sumner corresponded with the Directors after last month's meeting to get approval to enter into an Agreement with B&L to complete the first work task in the proposal. The Agreement was presented to the Directors. Sumner is waiting on B&L to tell him when they can come down to further develop the work scope and get the initial field work done. This will be an on-going agenda topic as work progresses. Discussion followed.

Sumner has been working with Shanna, the point person at the Orange County Land Trust for Farmland Protection Projects, to support the submission of one or more farmland protection projects to NYS Ag & Markets under the Request For Applications (RFA) that was just released. Sumner has been sending potential applicants her way. A new requirement of the program as of this year is that the applying farms have completed the AEM program with the District at least to Tier 3. Discussion followed.

**Shuback Bridge Deck Update** – The farm bridge known locally as the 'Shuback Bridge' is in need of maintenance on the bridge deck. There has been increased wear and tear on this bridge from our floodplain bench projects, but the bridge is also used regularly by adjacent farms. Sumner had discussions with the two main users of the bridge, Shuback Farms and Pine Island turf Nursery, about possible sources of funding for this maintenance work. Requesting assistance from NYSDEC (the bridge is within the Federal Flood Control Project area) was not productive. Sumner estimates the cost of materials to install all new driving surface planks (over existing wood stringers which would remain) to be \$2,000.00. Shuback Farms has indicated that they would do the installation. A more limited project

that replaced only the worst planks could probably be done for around \$500.00 in materials. Discussion followed. **2023-6-6 DeBlock made the Motion, Cheney seconded, to have the District provide the materials to repair the Shuback Bridge, with the Shubacks agreeing to do the work, providing that the four towns/partners in the Wallkill Maintenance Agreement agree to reimburse the District. If the partners do not want to reimburse the District, then it will be discussed at next month's board meeting for approval to pay for it out of the District's budget. All in favor.** Sumner said that he will send out an update report to the partners.

There was a brief discussion on the District's part-time District Technician job. O'Dell indicated to Sumner that he no longer wishes to move the equipment or help the landowners with operation, but he will still assist in equipment repairs.

Sumner mentioned to the Board that he and Director DeBlock attended a Manager's Meeting last week in Millbrook.

There was discussion on what meetings Directors attended so far in 2023 that can help qualify us for the Performance Measures C money. Wright attended an Eastern Horticulture meeting in Albany. Constable attended a Farm Bureau meeting (we will see if this can qualify). Ruszkiewicz attended the Association of Counties and the State Vegetable Growers conference in January.

DeGroodt asked the Board if they wanted to continue allowing the option to join Board Meetings via Zoom. Discussion followed. They would like to continue with it.

**2022-6-7 DeBlock made the Motion, seconded by Ruszkiewicz, to go into Executive Session at 10:35 AM to discuss the promotion of one or more employees. All in favor.**

**2022-6-8 On a motion by DeBlock, seconded by Cheney, the Board came out of Executive Session at 11:25 AM. All in favor.**

**NEXT MEETING DATE** - The next **MEETING** is scheduled for **Monday, July 17, 2023 at 9:00 AM.**

#### **ADJOURNMENT**

**2023-6-9 The Meeting was Adjourned at 11:38 AM on a Motion by DeBlock, seconded by Cheney. All in favor.**

Minutes Prepared By:

Christine DeGroodt, Secretary to the Board

June, 2023

## 10. Old Business

### a) Wallkill Flood Projects

i. Floodplain Bench Phase 3 Area 2 – Per Board approval at May meeting, CEC Excavating was hired to do repairs to tree plantings that resulted from flooding events. On 5/30 approximately 80 trees were re-planted, straightened, re-staked, etc. Most of the repaired trees were leafed out and appeared to still be viable, though their fate after the flood damage and the dry weather we have been having is questionable. On 6/8, observations from a distance suggested some large trees were turning yellow/brown. I believe these to be mostly Sycamores. We will assess overall survival at some point in the near future. While at the site with an excavator, I had CEC remove a down tree from the River channel. This work is chargeable to the annual Wallkill Federal Flood Control project, so I directed CEC to divide the day's billing between the tree repair and the tree removal.

Pine Island Turf Nursery owner requested P3A2 contractor CEC to provide 3 loads of item #4, which PITN Nursery will use to repair/maintain the farm roads in proximity of the P3A2 project. Stockpiled soil from the Project continues to be removed from the site by triaxle dump trucks. **I recommend to the Board that we reimburse CEC for the cost of this material, since these are lingering impacts related to the P3A2 project that were not specifically addressed in the Project Contract.**

ii. Floodplain Bench Phase 4 – Trees cut and stockpiled in March in preparation for this Project needed to be removed from the site since removal was not part of the tree cutting contracts and firewood seekers have not removed much. Two firewood contractors were engaged. One of the contractors removed trees. The other will get the remainder when the Project starts. No money was collected from these contractors since the wood which was nearly all Swamp Maple had little value.

The current anticipated schedule for full on construction to start is late July.

iii. Wallkill Maintenance Area Expansion – No new reports

b) Carbon Farming Project – Some work remaining to be done on Southway compost project. No indication if Minkus controlled drainage project will get completed.

c) AEM Round 17 Tier 4 – Two of 4 projects completed. Deadline is e-o-y.

d) Legoland EBP – Fully complete and closed out

e) Tech Position – Official list expired 6/13. Elizabeth C. was approved by the County for provisional hiring. I conducted a second interview with her on 6/14. Decision on offering position to her to be discussed at June meeting.

f) AgNPS Round 27 – Project work progressing slowly. See Grants Report.

g) SWCD Law Revision – The group promoting changes appears to have stepped back on this effort for the time being.

h) For the third time, the Assembly and Senate have passed this bill that would extend regulation on streams. Do the directors want to write to the Governor again?

## 11. New Business

a) 2024 Budget – The directors have been provided a DRAFT Proposed 2024 Budget prepared by Sumner and DeGroodt. We will need to discuss and approve or adjust and approve at June meeting so we can provide formal budget packet to the County by early July. The Proposed Budget submitted for Director review requests an 8% increase in County Appropriation. I would like to discuss with the Board asking the County to fund all or most of the Floodplain Bench Phase 4 North project. This project, designed and covered by in-hand permits, does not have any dedicated funding nor do we have a grant proposal pending. Given the significant funding we have secured through several other avenues to progress the Project to this point, I thought making a request like this to the County might be appropriate. If the Directors support this idea, I would be seeking advice from the County Legislators on the Board on how such a request might be best approached.

b) At this time, we are still anticipating submitting a proposal to the Round 7 Climate Resilient Farming program, due in August. The proposal is expected to have two or three farm irrigation projects. We will present a Resolution for Board approval to prepare for this application.

I reported last month on the possibility of a flood mitigation/drainage/buffer project on Quaker Creek. Such a project could potentially qualify for funding through the CRF program. I made several efforts to contact the farmer who asked about a potential project here to progress the idea, but have not heard back. I think the project has a lot of potential but, as I mentioned last month, it could be very complicated and time-consuming mainly because of the number of landowners that would be involved/affected. Pursuing this project for the current CRF offering might be possible if we got the technician position filled soon. Otherwise, looking at a 2024 project might be the next best option.

c) Barton and Loguidice Floodplain Bench Wetland Mitigation Monitoring Proposal - I corresponded with the Directors after last month's meeting to get approval to enter into an Agreement with B&L to complete the first work task in this proposal. I will discuss the complete proposal at the meeting.

d) I have been working fairly closely with OCLT to support the submission of one or more farmland protection projects to NYSA&M under the RFA that was just released. A new requirement of the program is that the applying farms have completed the AEM program at least to Tier 3. Older AEM Plans need to be updated. This is turning out to be a bit of a challenge largely because of our current technician vacancy. I generally assign most of the AEM planning work to the technician.

#### Other

Bridge Deck – The farm bridge known locally as the 'Shuback Bridge' is in need of maintenance on the bridge deck. There has been increased wear and tear on this bridge from our floodplain bench projects, but the bridge is also used regularly by adjacent farms. I have had discussions with the two main users of the bridge, Shuback Farms and Pine Island turf Nursery, about possible sources of funding for this maintenance work. Requesting assistance from NYSDEC (the bridge is within the Federal Flood Control Project area) was not productive.

I estimate the cost of materials to install all new driving surface planks (over existing wood stringers which would remain) to be \$2,000. Shuback Farms has indicated that they would do the installation. A more limited project that replaced only the worst planks could probably be done for around \$500 in materials. I would like to discuss this matter further at the meeting.

Zylstra Grazing project, funded by us through our 'LCSP', is progressing. Request for partial payment is on Bills for this month.

No-Till Equipment Rental – It has been challenging managing our five planters with the technician position vacant. Our employee Ron O'Dell has assisted with needed repairs, but he is for the most part not wanting to do equipment moves.

Farm Tires follow up

## C. DeGroodt

### Board Meeting Activities May 12, 2023 – June 16, 2023

- We have \$592 cash awards on the rewards credit cards.
  - Soil Group Worksheet requests are still coming in.
  - Worked on the Climate Resilient Farming Round 7 proposal paperwork. Sent out commitment letters to participants for signatures.
  - Updating staff time in the AEM timesheet.
  - Worked on the Ag NPS Round 29 proposal. Submitted CRIS applications to NYS Parks, Recreation and Historic Preservation for some of the projects. Received letters back stating no historic places will be impacted by the projects.
  - Worked with M&T Bank Manager to update some of our sub-titles on our M&T accounts. As grants get closed-out and we get new ones, we have to change the account names.
  - Soils information sent to Town of Warwick for PDR.
  - Assisted with preparing the draft 2024 budget.
  - Assisted with no-till program re: insurance, agreements
  - Contacted contractors we work with to receive up-to-date copies of their Certs. Of Insurance.
  - Scanning and loading archived Board Meeting Minutes to our share drive.
  - Working on a new facebook page for the District. Issues with the current one.
  - Updates to Office Manager job description (was 20+ years old).
  - Letters sent out to CRF Round 6 participants who have Reduced Tillage in their contract.
  - Financials sent to NYS DEC and confirmed that account is closed out for the Legoland EBP project. Confirmed the SAM/DASNY grant is also closed out.
  - Assisted a producer with finding his Prime and Statewide Important soils on his property.
  - Spreadsheet started for District vehicle maintenance. Assisted with bringing a truck for inspection and oil change.
- 
- **MISC/MONTHLY:** Payroll, taxes, mail, phones, walk-ins, office supplies ordered, type minutes/board meeting documents/financials, pay bills, computer backup, bank deposits, etc.