

MINUTES
ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS
March 18, 2019

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:06 AM. Directors P. DeBlock, G. Keeton, J. Wright and J. Kulisek were present, along with K. Sumner, T. Ferry and C. DeGroodt (OCSWCD).

2019-3-1 Keeton made the Motion, DeBlock seconded, to approve February's Board Meeting Minutes as written. All in favor.

ACTIONS TAKEN BETWEEN MEETINGS – There are a few bills that were paid that are listed on Bills for Board Approval.

CORRESPONDENCE

- Bank account statements from the District's banks were available for review.
- The District and Board sent M. Kemnitz a letter of appreciation for her service on the District Board.
- The District sent a letter to Senator James Skoufis regarding the dairy farming crisis in New York and across the country and the tire removal project. The District is seeking assistance in identifying sources of funding to assist with the tire removal task.
- Sumner wrote a letter on behalf of James Bastek regarding the agricultural land management issues associated with the installation of the Millennium gas pipeline. The letter was sent to NYS Ag & Markets, FERC and elected state and federal officials in Bastek's area. The Director's requested a copy of the letter be emailed to them. Sumner summarized the ongoing issues related to Mr. Bastek's property through which the Millennium Pipeline passes, since the initial installation in 2008. It was mentioned that the land will never be back to what it was before the pipeline went through. Several farmers were affected and it is Ag & Markets responsibility to minimize the impacts to ag land.

(P. Ruskiewicz joined the Meeting at 9:12 AM)

- The New York State Soil & Water Conservation Committee sent the District a letter congratulating the District on meeting all of the Performance Measures Part C requirements for 2018. DeBlock requested that the District keep Directors updated throughout the year when any opportunities arise for Directors to attend meetings and/or trainings that will help them qualify for the Part C. Last year, the Board allocated this Part C money for the tire removal project but if we can get the money elsewhere for the project then we can use Part C for something else.
- The District received a Resolution from the Orange County Legislature reappointing Keeton, DeBlock and Ruskiewicz and appointing Kulisek to the District's Board of Directors.

FINANCIAL REPORTS

It was noted that Soil Group Worksheet income is more than double what it normally is due to all of the requests that have been coming in from Town of Warwick producers.

We are unsure of the status of Performance Measures Part A (50% of the District's disbursements that the state determines to be field related work up to \$60,000.00).

Since our "Unobligated Fund" balance is not excessive, we are not transferring money out to other funds.

There was a brief discussion on the District purchasing a new seeder. Our State Committee said that if we develop a survey to see what types of seeders other Districts use, they would send it out statewide. We estimate a new seeder to cost approximately \$25,000.00. Ferry mentioned that the grain drill usage was down last year compared to the

year prior. The corn planter usage may also be going down. It was mentioned that the corn planter can be used to plant soy beans and that wildlife seedings can be planted with the grain drill.

The Monhagen Watershed Planning Grant still has an outstanding receivable. The end date for the grant was January 2019. Sumner inquired again about it and was told by the Orange County Planning Department and Water Authority that they were looking into a contract revision in order to reimburse the District some or all of our Invoice.

2019-3-2 Wright made the Motion, DeBlock seconded, to file February's 2019 Financial Report for audit review. All in favor.

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

Ag Grant Update Report – The report was shortened as discussed at January's Board meeting. Completed grants were removed. There are now only three open ag grants. Round 20 Livestock Waste has only one farm left participating in it and RD 20 Farm Runoff has two active participants. Next month the Board will receive a hard copy of the Quarterly Ag Grant Update Report as discussed in prior meetings.

STAFF REPORTS

- **C. DeGroodt**

- DeGroodt has been assisting Ferry with Soil Group Worksheets as needed.
- Rachel from KKB&N came to the office on February 26th for additional Quickbooks training with DeGroodt.
- Some of the more recent farm projects were added to the District's website as well as an update on the Wallkill Flood Project.
- The 2018 Annual NYS Sales Tax report was completed and submitted to NYS.

- **T. Ferry**

- Ferry has continued to work on Soil Group Worksheets, most for the Town of Warwick. There were some issues with parcels on rented land which may need revisions.
- Ferry has been working on some AG NPS RD 22 projects, one of which is a secondary containment system.
- The Water Quality Symposium was last week. Some classes Ferry attended were Designing Waterways and Diversions and Access Roads & Stream Crossings.
- Ferry has been talking to Ron O'Dell about the District's no-till equipment maintenance.
- Ferry took the Civil Service Exam for the Technician position this past Saturday.

- **K. Sumner**

- On February 22nd Ruskiewicz and Sumner met with attorneys at the Orange County Law Department regarding the expansion of the Wallkill Maintenance Agreement downstream of Maple Avenue. There were several issues discussed, one of which was the additional easements that would need to be acquired. They established that there is an existing easement granted to the Wallkill Valley Drainage Improvement Association however it's not wide enough to allow for maintenance activities. The County of Orange owns a parcel at the far end of Filomena Drive which gives them the right to use this drive. This will facilitate access to the River if the MA expansion occurs. One of the biggest issues with moving the expansion forward is disagreements with the Town of Goshen supervisor Doug Bloomfield. Four or five years ago Bloomfield said he would support bumping up the Wallkill Maintenance funding from \$60,000 to \$70,000 to provide resources for this larger maintenance area but he made it clear at the last Wallkill River/Black Dirt Region Flood Mitigation Steering Committee meeting that not only is he not in favor of expanding the area but that he will not approve any work along the river. Sumner said we pursue an expansion just on the Wawayanda side, but that would limit potential benefits of the expansion. Damian Brady from Orange County Law Department agreed to talk to Goshen's attorney, Rick Golden, to see if

issues can be resolved. Sumner mentioned we could do a new Intermunicipal Agreement for the maintenance expansion and leave Goshen out of it. The direction of efforts to expand the MA will be largely dependent on the outcome of talks with Goshen. If they are unwilling to participate in a revision to the existing Intermunicipal Agreement between the County and the four Black Dirt towns, an entirely new IMA might need to be explored.

- In order to complete the Phase 2 South floodplain bench project we are hoping to do this summer we need to establish the conservation easements. Orange County Law Department is saying that they can do this work for us. There will also be land surveying work needed. Karen from the Law Department asked Tom Berry, Department of Public Works employee and licensed land surveyor, if he could provide the surveying services. Berry told Karen that he felt that he could do the work but that he had to go to the Commissioner for permission, which was to happen the week of March 4th. Sumner has not heard back on this matter yet.
- Sumner attended a Physical Services Committee meeting on the February 25th to discuss the farm tire removal funding proposal. Both Ruszkiewicz and Kulisek were there and spoke in favor of the tire project. A Financial plan was requested by the Committee. Sumner prepared one immediately following the meeting and provided it to the PS Committee and the Orange County Funding Corporation who had previously been approached about funding assistance for the project. The financial plan was passed out to the Board and discussed. The total cost of both the Secure Covers portion of the project (completed in 2018) and tire pending tire removal is over \$250,000.00. The circulated plan shows that the District would end up covering \$136,000.00 of the total project cost. We were looking for \$75,000.00 from the County of Orange. Ruszkiewicz and Kulisek said that next Monday is the next Physical Services Committee meeting and we can put this on the agenda to ask for \$75,000.00.
- On March 5th Sumner spoke with the Middletown Common Council to help them satisfy their MS4 permit requirements.
- On March 13th Sumner had a phone conference with Congressman Maloney's staff regarding Wallkill River flood mitigation. The main avenue for federal funding is through the Army Corp. of Engineers. (See February's Board meeting minutes for a summary of the Corps process and outcome of their preliminary investigations for the Wallkill.) The Corps process and several other potential approaches to accessing federal assistance were discussed. Sumner will be waiting for additional communication from them regarding possible next steps.
- Dairy Feasibility Study – With assistance from DeBlock, Sumner has been mapping land used by dairy farmers and tract locations kept open by the 34 remaining dairy farms. The Orange County Planning Department expressed an interest in this information as they are trying to prepare a map that will go along with the Dairy Feasibility Initiative being explored by the County.
- Senator Metzger will be attending April's Board Meeting. This was discussed with some of the dairy farmers and several would like to attend. The District will schedule a pre-meeting in order to get a summary of what they think are the issues that Senator Metzger could potentially help the dairy farmers in Orange County/State wide with. We will then send this information to Senator Metzger before April's meeting.
- As previously mentioned, Ferry and Sumner are working on a secondary containment system for petroleum bulk storage for a farm. We have AgNPS funding for several of these projects. If you store over a certain amount of petroleum, you are supposed to have a Spill Prevention Control and Counter Measure Plan. In addition to supplying construction plans for the facilities, staff are attempting to assist participating farms that are affected by this regulation with preparation of the SPCC plans.
- The CRF Round 4 grant is now out and proposals are due in May. This round has \$2.3 million available statewide. The next round (2020) will have \$5 million available. Sumner will take last year's Celery Avenue project, revise it and resubmit it. There was discussion on how much of a local match we will put in for this. We could put in \$50,000 out of next year's 2020 county appropriation money.
- At last month's Board Meeting the Board suggested that Sumner draft a letter to the Goshen Town Board about Doug Bloomfield and the meeting with the Senator that was held on February 8, 2019. At that meeting, Doug Bloomfield, Town of Goshen Supervisor, suggested that work proposed by the District threatened to de-stabilize the banks of the Wallkill and release the contents of the Orange County landfill. He indicated that he will not approve any permit for any project along the river in their

Town. Sumner was concerned that it was disrespectful to make these statements, which he believes are very inaccurate, at this meeting. Sumner's draft letter to the Goshen Town Board was reviewed by the Orange County Law Department and they currently feel that it should not be sent. Ruskiewicz offered to talk to Damian Brady, Orange County Law Department. For now the Board said to hold off on sending the letter.

INTERAGENCY REPORTS

- None

Federal Programs Update: There is a new employee at the Farm Service Agency who will be taking over the NAP Program and acreage reporting. Robert Ford is retiring at the end of April 2019. Information on changes to the Farm Bill was available to producers at the Cornell Cooperative Extension Dairy Day on March 13th at the Education Center & 4-H Park in Otisville, NY.

OLD BUSINESS

Wallkill Flood Project Phase 1 Update - The land purchase of the Barron Field property is complete.

Floodplain Bench Phase 2 South Update - A Financial Plan was emailed to the Directors prior to the Board Meeting. The low bid for the project was \$217,605.00 from Gurda Landscaping. Sumner asked that contractors break their bids down between tree planting and everything else so if we do not have enough money to do everything then tree planting can be held off on and completed the following year. The work without the tree planting is \$151,000.00. There will be some associated expenses beyond the direct construction costs. The Plan assumes we will get free surveying and legal assistance from County of Orange. Sumner is looking for Board approval on this plan. **2019-3-4 Keeton made the Motion, DeBlock seconded, to approve the Financial Plan. All in favor.**

Tire Project Update – discussed earlier in the meeting.

NEW BUSINESS

Some options on a new District rewards credit card were discussed. **2019-3-5 Ruskiewicz made the Motion, DeBlock seconded, for the District to apply for the new M&T Business Rewards Credit Card. All in favor.**

Envirothon – There was Board discussion on the Envirothon fees. Warwick High School wants to attend this year. Ferry offered to help at the Regional Envirothon this year which will be held on May 1, 2019. The State Envirothon will be on May 22 and 23, 2019. DeGroot will send out information about the Envirothon to Directors. **2019-3-6 Wright made the Motion, Keeton seconded, to pay the Envirothon bill if it is for all Orange County schools and if Warwick is attending. All in favor.**

A new Project Financial Assistance Request form is now available on the District website.

The next **MEETING** is scheduled for **Tuesday, April 16, 2019 at 9:00 AM.**

2019-3-7 The Meeting adjourns at 11:17 AM on a Motion by DeBlock, seconded by Keeton. All in favor.

Minutes Prepared By:

Christine DeGroot, Secretary to the Board