

MINUTES
ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS
May 21, 2018

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:08 AM. Directors J. Wright, P. DeBlock, G. Keeton, M. Kemnitz and P. Ruskiewicz were present, along with K. Sumner, T. Ferry and C. DeGroot (OCSWCD).

2018-5-1 Ruskiewicz made the Motion, Keeton seconded, to approve April's Board Meeting Minutes as written. All in favor.

ACTIONS TAKEN BETWEEN MEETINGS –The District paid \$25,000.00 to a producer for his Ag NPS Round 22 project - Livestock Heavy Use Area Runoff Management System, after approval of the payment by the directors via email.

CORRESPONDENCE

- Bank account statements from the District's banks were available for review.
- NACD Annual Report and their request for support payment. No action taken.
- NYACD Director Training Notice – This is a 1-day/6-hour training In Cortland on Saturday, June 2nd to cover financial duties, roles and responsibilities.
- Newsletter from The Grange.
- Town of Wawayanda letter in regards to the subdivision on the Phase 1 flood project area. We received final approval for a two lot subdivision in conjunction with phase 1 of the Flood Plain bench project. The District has paid the Town of Wawayanda \$1,100.00 but when Sumner spoke to the Town the other day they mentioned they thought we paid only \$600.00. At the present we are unsure what the final amount is going to be.

FINANCIAL REPORTS

There was a review of April's financial reports. **2018-5-2 Wright made the Motion, Ruskiewicz seconded, to file April's 2018 Financial Report for audit review. All in favor.**

Sumner reviewed the list of Bills to Be Paid with the Board. Sumner noted that \$25,000.00 paid to a producer for Ag NPS Round 22 Livestock Heavy Use Area Runoff Management System was added to the list.

The District already paid \$625.00 for the Regional Envirothon. There is an additional \$500.00 for the New York State Envirothon. **2018-5-3 Wright made the Motion, seconded by Keeton, to approve payment in the amount of \$500.00 for the NYS Envirothon and to send a letter to the Warwick High School stating that they can reimburse the District if they'd like. All in favor.**

2018-5-4 Wright made the Motion, DeBlock seconded, to accept the Bills to Be Paid. All in favor.

STAFF REPORTS

- T. Ferry
 - Ferry has been working on getting the District's two no-till seeders ready for use. Ferry said that the row cleaners are now on the corn planters. The old corn planter has a brand new tire. The new corn planter has two new tires. A new hydraulic hose was put on the new seeder. And they need to have a look at the sensor on row three of the corn planter because the monitor is not registering it.
 - Met with a man who bought property on County Route 56 aka Davis Highway. He approached the District for assistance. He thought he'd be able to farm the property but then found out that most of the property was regulated wetland. He retained an engineering firm to assist him in determining what permits would be needed and in obtaining the permits. NYS DEC told him to

get a farm plan from our office. We told him at a meeting here last September that we would need to know more about his farming goals before we could prepare a farm conservation plan. He came to our office recently with a list of potential vegetables that might work on the site. Ferry is attempting to assist him by preparing AEM paperwork based on the limited information we have about his farm plans. Sumner said there exemptions from wetland regulations for normal farming operations but his plan includes a long driveway, culverts and a house. Ferry assisted the landowner with composing a letter which was sent to the NYS DEC to see if they can give clarification on what agricultural activities can and can't be done in the state regulated wetland on the property. Ferry met with one of the region 3 wetland biologists at the property and was told that it can be tilled, mowed, and shrubs can be removed but he would need a permit to put a road in to cross the stream. Ferry is currently working on an AEM plan for him.

- Received a call from Robert Ewald regarding the Pine Kill in the Town of Deerpark. Ewald indicated that the Kill dries up frequently and this degrades the stream's Trout fishery. He suggested that work done by NYSDEC to address flooding of nearby properties was the cause of the stream drying up, and that DEC indicated to him that they would consider allowing measures that might better maintain flow in the stream. Trout Unlimited are putting trout in the Pine Kill. Keeton said that these trout get stuck in pooled areas over the summer and end up dying. Keeton added that the Pine Kill dries up every year. Based on Keeton's knowledge of this situation, the Board felt that it would be ill-advised for the District to take any further action on the matter at this time.
 - **2018-5-5 Keeton moved to go into Executive Session to discuss litigation at 9:36 AM, seconded by DeBlock. All in favor.**
 - **2018-5-6 Ruszkiewicz made the Motion, seconded by Keeton, to come out of Executive Session at 10:10 AM. All in favor.**
- K. Sumner
 - The Quaker Creek public hearing went without event. This will go in front of the full Legislature in June.
 - Harmful Algal Blooms Initiative (HAB) – **Background Information** -Sumner was asked last month by NYSSWCC to go through a list of potential projects that had been developed for the Middletown reservoirs HABS area and weigh in on which he thought could be ready for a grant proposal this year. Sumner responded that he would need to know what discussions the HABS program staff have had with the municipalities where most of the reservoir watershed lands are located before he could further evaluate the feasibility of the proposed HABS action plan projects. Sumner received no information in response to this request. **Current Update** -The State's consultants released a Draft Action Plan last week. This is all focused on Middletown's reservoir land which is a small area. Middletown's primary interest is in land acquisition and aerators in their reservoir. They are looking for comments, due today, on the Draft Action Plan.
 - The NYS Ag NPS Round 24 proposal has not been released yet.
 - Met in the field with the Fords and the County Lawyer Karen on April 18th.
 - Sumner gave a green infrastructure talk on April 20th for the Orange County Municipal Planning Federation at the Trotter Museum. It was well attended.
 - The District marked trees below the Celery Avenue Ledge Project for possible removal as a flood mitigation measure. NYS DEC is supposed to visit the site tomorrow to see if they are in agreement.
 - Monhagen Brook Watershed Plan – The District has been trying to find a streamside tree planting site in the area. There is one site along West Main Street in Middletown where the brook comes under West Main that is a nice, highly visible location. There is a lot of Japanese Knotweed on the site. The District received a proposal in the amount of ~\$1,000.00 from Vellenga's Lawn Care to scrape out the Knotweed. The trees are will be provided through the NYS DEC's Trees for Tribes program. Keeton expressed concern that it would be very challenging to effectively control the Knotweed. Sumner agreed it would be a challenge, but thought it was worth a try given the high

visibility of the site on this highly traveled route into Middletown. Someone will have to commit to site maintenance for a few years, which Sumner offered to do. **2018-5-7 Wright made the Motion, seconded by DeBlock, to approve hiring Vellenga's Lawn Care to prepare the site. All in favor.**

- Winslow Therapeutic – The District is trying to get a private engineer to assist with two of their projects that require PE approval.
- Millenium Pipeline – Sumner received a call from Tetra Tech which is a consulting firm. FERC engaged them to go out and investigate ongoing concerns from landowner James Bastek regarding issues he has with the pipeline's impacts on his land. Sumner provided some background to the Tetra-Tech rep on th District's past involvement with this matter.
- Monhagen Watershed Planning Grant Stream Cleanup – All District staff attended along with approximately 10 volunteers. Participants removed around one ton of trash from the stream corridor, most of which came from the Dollar General store. Letters were sent by the District prior to the clean-up to all of the nearby businesses to engage them to actively and voluntarily manage their dumpster issues as well as to invite them to participate in the clean-up. Many of the dumpsters lack enclosures, which are required by City code. We are trying to address this concern pro-actively with landowners and businesses, otherwise the City might issue code violations. Not a single volunteer from any of the stores showed up.
- Travis is working with two producers that rent Stewart Airport buffer lands for farming. The NYS DEC is making them go through the AEM process (which is supposed to be voluntary) with the District. Travis updated their existing plans. Sumner subsequently received a call from the DEC requesting information from the District on one of the farmer's pesticide usage on the buffer lands.

(M. Kemnitz left the Meeting at 10:30 AM)

- Sumner went to New Paltz on May 10th to give a talk on the Walkkill Flood Project. Approximately 40 people attended the talk that was sponsored by Hudson River Watershed Alliance. The organizer of these monthly meetings, Russell Urban Mead, told Sumner that he received call the day before the presentation from David Church, Orange County Planning Department, and that Church told him that not everyone in Orange County supports the District's flood projects.
- Sumner was at the AFPB meeting this month where parcels being considered for addition to the County's Ag Districts were being discussed by the Ag Board. One parcel being considered is operated as a horse farm. This landowner in the Town of Walkkill was upset that the District was unable to get them included in one of the recent AG NPS grant rounds for projects that they wanted completed on their farm. An agreement could not be reached between the District and the producer in terms of how much money to include for these projects. The District was then contacted by the NYS Ag & Markets sometime later with regard to potential violations on this farm related to accepting fill material. While it is unclear what the ultimate outcome of these potential issues is or will be, it is Sumner's understanding from a very recent conversation with A&M that DEC is still investigating the situation. Sumner wanted the District Board and the Ag Board to be aware of these circumstances. He related these concerns to K. Morris at the OC Planning Department. Sumner also noted that the soils information presented to the Ag Board regarding the parcels being considered for inclusion on the Ag District seemed incorrect to him at the meeting. Upon closer examination subsequent to the meeting, Sumner determined that the soils database being used to generate the prime and important soils maps shown at the Ag Board meeting was in fact incorrect. He brought this to the attention of Planning Department who presented the maps at the AG Board meeting.

INTERAGENCY REPORTS

DeBlock mentioned that it was reported to her that there is a landowner that is illegally dumping debris that is obstructing a group drainage ditch in Goshen. He has clogged up ditches on Jessup Switch Road and is building a road which is filling in the ditch. The local Drainage District committee, of which Ruskiewicz is the Chairman, may be able to play a role in addressing the situation. Ruskiewicz agreed to look into it.

OLD BUSINESS

Update on Tire/Trench Silo Project - Out of 17 trench silo operators previously identified, five responded to the letter sent out for the opportunity to participate in the silage cover trial on a farm in Orange County. The five names were put in a hat and Mike Miedema was chosen at the Ag and Farmland Protection Board Meeting, with Phil Johnson's name being picked as a back-up. If the District gets a good deal from the company we may be able to cover a portion of the cost for a cover for Phil Johnson as well. A letter will be sent to the remainder of the 17 people so they know where the cover is so they can go and view it. Ruskiewicz recommended the District do the cover trial first and see how it goes, get feedback and then ask for County funding on more covers.

NEW BUSINESS

- None

The next **MEETING** is scheduled for **Monday, June 18, 2018 at 9:00 AM.**

2018-5-8 The Meeting adjourns at 11:15 AM on a Motion by DeBlock, seconded by Ruskiewicz. All in favor.

Minutes Prepared By:

Christine DeGroot, Secretary to the Board