

**MINUTES**  
**ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT**  
**BOARD OF DIRECTORS**  
**January 14, 2013**

The Meeting was **CALLED TO ORDER** by the Chairman at 9:04 AM. Directors T. Pahucki, J. Wright, D. Hulle and G. Keeton were present, along with K. Sumner, C. DeGroot, K. Brown and M. Monahan (OCSWCD), J. Heller (NRCS), F. Barber (FSA), R. Baglia and R. Range (CCE).

Baglia introduced Ray Range.

Election Of Officers – T. Pahucki would like to retain the present Slate of Officers. G. Keeton nominated J. Wright as Chairman, seconded by D. Hulle. All in favor. J. Wright accepted the position.

Pahucki nominated D. Hulle to remain as Treasurer. All in favor. Hulle accepted the position.

D. Hulle nominated G. Keeton as Vice-Chairman, seconded by J. Wright. All in favor. Keeton accepted the position. It was noted that J. Wright represents the Farm Bureau, D. Hulle represents The Grange, G. Keeton is At Large.

Brown said that at the last Farm Bureau Board meeting the letter from J. Lupinski, Farm Bureau President, to Soil and Water was discussed. The letter requested that Chris Pawelski replace J. Wright on the Soil and Water District Board. The Farm Bureau did not retract this letter. It was discussed at length at the meeting and she said the Farm Bureau Board was not fully aware that this letter was sent out.

Pahucki made the Motion, seconded by Keeton, to accept December's Board **MINUTES**.

The District's Office Policies were distributed to Board Members for review via email before the Board Meeting.

**CORRESPONDENCE** – The Ag and Farmland Protection Board Meeting Agenda for next month was passed around.

Director questionnaires from the Auditor were passed out for signatures.

The District received a letter from Michael Sweeton, Supervisor for the Town of Warwick, regarding a multi-hazard mitigation plan. The District was invited to attend the upcoming planning team meetings as a representative of the community at large.

**SWCD STAFF REPORTS**

**C. DeGroot (SWCD)** – DeGroot mentioned she has been trying to get the District up to date with online banking. Pahucki stated that he is against online banking due to hacking. He asked if the District could get a PIN # to check deposits over the phone. DeGroot will look into this.

DeGroot has been working with the Auditors, completing Soil Group Worksheets and end of the year reports.

The Tree and Shrub flyer was completed and mailed out by staff.

Tax forms 1099s have been completed and mailed as well as W2's.

The 2012 Treasurer's Report has been completed.

**M. Monahan (SWCD)** – Attended a Quassaick Creek Watershed Alliance meeting and stated he will be attending them monthly.

Monahan has been working on Round 13 and 14 Ag Grant close-outs. He also worked on the “Greening the Orange (GTO)” and “Tree and Shrub” seedling programs. He completed order forms for GTO and sent them to local schools.

Monahan collected soil samples from rain gardens and T. Vellenga’s farm.

Construction started at Winslow Therapeutic Center.

**K. Brown (SWCD)** – Did construction checks with Monahan at DeBuck’s for their critical area planting, and Winslow for a diversion.

Worked on paperwork for Performance Measures Parts B and C.

CNMP Status – She is working on the first nutrient management plan. The second set of revisions were mailed to state staff in August. Brown asked Greg Albrect (SWCC) and Bob Brower (SWCC) and they said they reviewed it but have not sent comments yet. She then spoke with B.Steinmuller who is our area representative and he told her he would look into what is taking so long. Keeton asked if a letter to the State Committee from the Board would help. Sumner mentioned putting a word out to other District reps to see if they want to send Board letters also.

Brown attended a Stream Training web cast on January 8, 2013 by Delaware County Co. Stream Team at the NYS DEC, which focused on post flood emergency stream intervention. The main idea was to “connect the stream back with the flood plain”. Baglia mentioned she attended this in Albany. Sumner mentioned that CCE is funding a project in response to climate change – to better prepare municipalities. DEC would like to do a “Train the Trainer” series.

Baglia mentioned on Thursday, January 17, 2013 in Highland there will be a Hudson River Estuary Program.

Pahucki said it is the responsibility of the NYS DEC and that they should mitigate and prepare for the flooding that everyone knows is coming. Why do we have to do post flood mitigation. If the DEC is shuffling along and does not want to deal with angry mobs, why should we have to. He feels there are alot of politics involved with flooding.

After the webinar, Brown spoke with Willie Janeway and Bill Rudge, both from NYS DEC, and they discussed who will be the DEC partner on the \$2 million dollar grant. Sumner has a draft list of who will be on the steering committee that he handed out to the Directors.

**K. Sumner (SWCD)** – Sumner received a call from a local farm wanting to expand and build 17-19 new green houses. They have been selling gravel. They thought they were exempt from the mining law because they are an agricultural operation. DEC has a different view on this and said that they need a Stormwater Discharge Permit. It is in the hands of a lawyer now. The District is trying to help.

Intern James Baglia, a geology student at SUNY New Paltz, went out with Monahan to do sieve analyses on rain gardens. James is determining particle size distribution analyses at the lab at SUNY New Paltz.

There are projects to install a laneway at one local farm and barn gutters on another.

Wallkill Maintenance Meeting – Will be held on Thursday, January 24, 2013 at 9:00 AM at the District’s conference room. Directors are invited to attend.

Employee appraisals were completed and Sumner noted that there were no issues of concern, but he would like the Directors to review the appraisals. It was decided to postpone the reviews until a subsequent Board Meeting. Sumner presented the Board with his 2012 Leave Summary. These summaries are requested by the auditors.

## **INTERAGENCY REPORTS**

**R. Baglia (CCE)** – Wednesday, January 16<sup>th</sup> is the Stormwater Management Training Series: Stormwater Basics class.

Maire Ullrich and Ray Range have been working on a Managing Insecticide Use Lunch Meeting which is on January 16, 2013 at Aroma-Thyme Bistro in Ellenville.

Baglia passed out Stormwater flyers.

January 30, 2013 is the Nursery & Greenhouse Grower School at Cornell Cooperative Extension.

**R. Range (CCE)** – Range is teaching Onion School in February and March.

Discussed Conservation Field Days, costs and potential locations. Baglia mentioned that Range used to be a teacher at Minisink. Field Days can be disruptive to send kids on a bus somewhere. It might be better to have presenters go to the schools. Looking for people to do presentations. The SWCD offered to work with him. Brief discussion followed.

**F. Barber (FSA)** – The Farm Bill extension that was asked for was temporary until the end of September 2013. It reauthorizes the direct DCP payments and the MILC program. They are currently administering the 2011 SURE Program and they are working on Irene losses now. They still have a dairy support program and some crop production assistance for now.

He's concerned about the participation of the County Committee as they've had budget cuts and are now down to four Committee Meetings per year. Trying to push to get funding for the County Committee aspect of things.

They have started to do acreage reporting early this year.

**J. Heller (NRCS)** – They received over 40 applications for the 2013 Farm Bill programs (AMA and EQIP). Only one was deemed ineligible. Everyone else has moved forward into the ranking stage.

They are in the process of ranking these applications by the end of this week. They are hoping everything will go through a peer review by 24<sup>th</sup> of January and they will have a strong list of people that will be funded.

The Wetland Reserve Program (WRP) – was re-authorized. They are waiting for the 2013 acreage allocation from Washington DC.

Emergency Watershed Protection Program (EWP) – had one funded project (Town of New Windsor) but it is on a waiting list.

Pahucki asked if the Farm Bill expires in September. Barber stated that it does. Pahucki asked how the WRP Program can be re-authorized. Brown asked if funding is available. Heller said that it is not. They can work on applications and can go out to sites but money is not allocated yet to make any offers on easements.

David Kamrowski, Soil Conservationist in Dutchess County, left for a different position in upstate NY.

Quality Assurance Reviews – March or April. May find problems with contracts in payments.

In accordance with Federal Law and USDA Policy, Heller passed out “And Justice For All” posters.

**OLD BUSINESS** – None.

**NEW BUSINESS** - The 2013 Annual Plan of Work was approved by Keeton, seconded by Pahucki. All in favor.

Sumner had previously sent out the District Policies to the Directors via for Director review. There was no change to the Health Insurance Policy or Sexual Harrassment Policy. Pahucki stated he would prefer to wait until Director Pillmeier was in attendance at a future meeting to discuss the Policies because he has some concerns over some of the changes made on policies. Sumner said he would like to discuss the Procurement Policy today, if the Directors are comfortable with that, as it is relevant because he wants to send out the “Request For Bids” for the Wallkill Study for the \$2 million as soon as possible. Sumner met with J. Burpoe, Orange County Commissioner of General Services, last Friday and Burpoe advised Kevin to update the District's Procurement Policy to comply with current municipal law. Most municipalities are adjusting their policies.

Burpoe said that Standard practice for most counties is to set a limit of \$50-\$70,000 for professional services before using a bid process. Under GML, professional services are not subject to competitive bidding regardless of dollar amounts, so this is more of an internal procurement policy decision. He recommends a set limit for \$50,000. He also suggested it be called a "Request for Information (RFI)", not a formal Request for Proposals. Princeton Hydro thought six month time frame was do-able. 3 months is not enough time. Sumner said to send out and see who submits RFIs under \$50,000. We can ask for bi-weekly reports. Burpoe said the District could use the County's Procurement Policy, which is 18 pages long. Pahucki questioned the due dates. Sumner said the dates can be changed, this was just a rough draft. With Director approval, if the RFI goes out, it goes with informal review.

Pahucki does not agree with the Secretary of the Board signing checks. It was explained that if the Treasurer or Assistant Treasurer are unavailable, or if a bill comes in last minute, this can be very helpful to the District. DeGroot had to be listed as a signer on the account in order for her to be able to go to the bank and check for automatic deposits from Ag and Markets. If she can't check, the District has to wait a month for a paper bank statement to be received in the mail, which causes the farmers to wait for their money and other challenging delays in making payments. Pahucki made the Motion that the Secretary to the Board is not to sign checks, seconded by Keeton. All in favor.

Pahucki wants the District Vehicle Policy amended to add that permission may be granted from the District Manager for an employee to bring a District vehicle home.

Pahucki then moved to discussion of the Provisions of Employment. Under **Reprimands/Termination of Employment**, Pahucki wanted to add "*use of unlawful drugs or alcohol and reckless use of the District vehicle during work hours will be cause for immediate termination*". Sumner said that the original Provisions of Employment came from the County. He also said there can always be extenuating circumstances such as a glass of wine with dinner at an evening meeting. Heller added that federal employees are not held to any bearing on drinking alcohol when out at trainings after work hours, such as at the Water Quality Symposium. Wright suggested making that rule "during business hours" as after hours, it's the employee's personal time. Keeton suggested any infractions should be brought in front of the Board for discussion before anyone is terminated. There was no final decision made on amending this portion of the Provisions of Employment. District Policies will be brought back to a subsequent Board Meeting for additional review and discussion.

Sumner passed out a 2013 Black Dirt Region/Wallkill Watershed Flood Control Program spreadsheet that lists preliminary project steering committee members regarding the \$2 million dollar flood grant. Brown mentioned that she was told by someone at DEC that there will be many in DEC to speak to agencies – they are working on choosing a flood control person. It will probably be Bill Rudge and one other person. Sumner pointed out that we just completed the Pellets Island Project with DEC endorsement. Wright agrees that the DEC should be appointed to sit on the Committee. Hulle seconded this. Sumner can send a request to the regional office. The Board agreed to request someone from the DEC to include in the flood control program. Sumner was told that the contract was to be sent last week but has not yet received it.

Pahucki made the Motion for Sumner to send out the "Request for Information", seconded by Keeton. All in favor.

Sumner pointed out that on the last Ag & Farmland Protection Board (AFPB) Meeting Minutes it was stated that the SWCD decided against purchasing a post pounder due to potential liability reasons, which is an error. No one on the Board remembered having that conversation. Sumner said that liability was not the reason this project proposal has been put on the back burner.

The **NEXT MEETING** is scheduled for Tuesday, February 19, 2013 at 9 AM. The **MEETING** was adjourned at 11:12 AM on a Motion by Hulle, seconded by Keeton.

Respectfully submitted,

Christine DeGroot  
Secretary to the Board