

MINUTES
ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS
May 19, 2014

The Meeting was **CALLED TO ORDER** by the Chairman at 9:07 AM. Directors J. Wright, G. Keeton, S. Wong, P. Ruszkiewicz and P. DeBlock were present, along with K. Sumner and C. DeGroot (OCSWCD) and R. Baglia (CCE).

DeBlock made the Motion, seconded by Keeton, to approve April's Board Meeting **MINUTES**. All in favor.

CORRESPONDENCE

Various newsletters were available for review.

The Ag and Farmland Protection Board May Agenda and April Meeting Minutes were passed around. May's Meeting will be on May 21, 2014 at 7:30 PM in Goshen, NY.

The New York State Soil & Water Conservation Committee Meeting is scheduled for May 27, 2014 in Albany, NY. The Ag NPS Round 20 ranked approved list will be announced at the meeting. The Agenda was passed around.

The District received the 2015 Budget Hearing Schedule. The District's Hearing will be on Thursday, August 14, 2014 from 2:00-2:30 in the County Executive Conference Room.

Sumner stated that the dedicated funds on our Financial Report are getting lined up and in order. We used to keep all funds in one account but now all Ag NPS Grants are in separate savings accounts. Keeton made the Motion to approve the Financial Report for April, seconded by DeBlock. All in favor.

Two of the District's trucks need repairs. If a new truck that can tow equipment was purchased, the Dodge would become the new back-up vehicle. We currently have three vehicles. Two are used for towing equipment and the third is a smaller 2007 truck. The Ford has a good motor but the shop gave an estimate of approx. \$575.23 to replace the oil pan. If we paid for the repair, we could possibly get another year out of it.

A bill for the oil pan replacement in the amount of \$575.23 for the Ford and a bill in the amount of \$499.97 for replacing the front axle u-joints in the Dodge were added to the Bills for Board Approval. A Motion was made by Keeton to pay the Bills for Board Approval for May, seconded by DeBlock. All in favor.

Wright asked if DeGroot was able to work on getting the District set up online for wire transfers. Although the initial transfer process required extra time, future transfers should be easier. The Board authorized DeGroot to move funds between accounts and to explore online banking.

STAFF REPORTS

C. DeGroot (SWCD) - There was a previous discussion regarding the purchase of a new District laptop computer to install Quickbooks on. DeGroot did additional research on a laptop and found one that will be ordered later today along with a version of Quickbooks that will work with its operating system.

Approximately 65 tree and shrub orders were received this year. The pick-up location was the District office this year.

Ag NPS Grant project reminders were sent out to all recipients.

DeGroot researched dental and vision insurance for employees. Paperwork was passed around for review. Empire Plan United Healthcare does not offer dental or vision. Some examples of supplemental insurance companies were passed around for review. CIGNA Dental was briefly discussed. It pays for approx. ½ of all procedures.

K. Brown (SWCD) – Kristen was unable to attend the Board Meeting as she is upstate at a week-long training. This training is required in order for her to achieve the NRCS Certified Planner status. The District could receive \$65,000/year if she is a NRCS Planner. The District could get up to \$85,000/year if she is a NYS Certified AEM Planner. Keeton made the Motion to approve Brown's upstate training, seconded by Wong. All in favor.

All of the equipment is in use in the field. The new corn planter was calibrated by Hudson River Tractor. The old planter still has some issues after it was rebuilt by HRT. The fertilizer augers were not replaced. HRT was going to give us the machine back with shot augers. They wanted \$1,000 in labor for them to do it. The hopper lids were also shot. This all should have been included in the original estimate. We will buy and replace the augers and lids ourselves. The corn planter was out in the field and it wasn't planting. It is unclear whether or not they rebuilt the finger pickup mechanisms or just broke the ones we had on the machine. We had to borrow parts from another farm to get it to work. Sumner said that the old planter does not have row cleaners. Wright asked we will need major maintenance on the seeders down the road. Wright described the seeder and the planter to the new Directors.

DeGroot has been working on the Agreement with the County of Orange for the soy bean cups. Although the cups cost \$825.00 and the Agreement was set up for \$800.00 we are not going to haggle over a \$25.00 difference.

River gauges and piezometers are still being monitored by District staff for B&L weekly.

The Wallkill Maintenance Inspection was on April 30th. They were only able to travel from Maple Avenue to Pine Island Turf along the Wallkill and from the Cheechunk start to County Route 1 on the Pochuck due to poor weather. We received a call from Chip Lain that a few trees are down in the Pochuck River after the last rainfall event. Chris Vellenga will pull them out later this week.

K. Sumner (SWCD) – Sumner has been spending a lot of time moving forward the Stump Cutting Project.

Sumner did a barnyard design for 5-Spoke. The landowner solicited proposals and Vellenga Lawn Care was selected to do the job.

We received a lot of applicants for the District Technician position. Two interviews are scheduled for this week. One applicant has mechanical experience which will help with heavy equipment and maintenance. The other has a family that owns a Christmas tree farm whose father is a Civil Engineer.

The river gauges and piezometers (mentioned in Brown's report) collect information to support our permit application for the ledge modifications.

Hudson Valley Grass Energy (HVGE)– they are on their last grant. They can't operate and break even yet. Robert Thomas, HVGE staff person, has been looking/applying for grants. Thomas has been having discussions with the Gill Farm about having a public demonstration there, which is a requirement for their last grant. It could also be a home for the pelletter when it is not in use on other farms.

Update on D. Ford Farm CAFO compliance Issues - The District has been spending time working with various members of the management team there. We were working with Brian Ford, then it was handed to Dean Ford, Jr., and finally to D. Ford, Sr. Dean Sr. feels that filtering their wastewater through a wetland will work. He was told by the engineer that this would not work as well as by the District. Wright asked if the requirements are financially feasible for them. Sumner thinks that the easiest thing for them to do is to comply. The District has

a significant amount of money set aside for them to do the work. We pay 75% of the costs. So far we have done several design sets for them and the Fords have hired D. Getz's firm to do another.

Sumner continues to participate with the County on the Ag Protection Plan Update. There is another meeting this afternoon at 3:00 PM. He wants to make sure it has focus on a dairy profitability plan. Several people from the Ag & Farmland Protection Board are on this committee.

Sumner mentioned that a few weeks ago the Middletown police came into the office and said there was a chemical fire at Gen-Pak near our office. The police said there was a voluntary evacuation so USDA followed their recommendations.

INTERAGENCY REPORTS

R. Baglia (CCE) – As a fundraiser for the 4-H Park Project they have a number of events that their staff has come up with. The first one is going to be an Open House at Stone House Farm in Chester at the end of the month. There will be a 100 person limit.

They are hoping to begin working on infrastructure on some of the road systems at the park so they can start getting to where they can have events there.

Rachel Moody, their new equine livestock person, is starting on June 9th. They are re-advertising the vegetables person position. The GAPS person will start in September. CCE has someone to fill in this position until then.

The last Stormwater Management Training Series - Stormwater Engineering for MS4s class is on May 21st. The series has been well attended.

Sumner asked if anyone knew who hit the split rail fence at CCE. Baglia said they expect it happened during a snow event.

OLD BUSINESS

The Sexual Harassment/Discrimination draft policy was passed out to Directors and will be discussed at the end of Old Business.

Flood Project Update – field data collection work was already covered. They have completed the wetland delineation in the field and the habitat assessment work that had to be done. The Phase 1 SHIPO Investigation is a cursory screening to look at maps to determine if we have to do a Phase 2. A Phase 2 study would mean we would have to hire a specialist to go out and do shovel tests and prepare reports. B&L, our Engineers, sent out a Request for Proposals and received two back in the \$10,000.00-\$12,000.00 range. The one that is lower is one we have used before named STRATA. Keeton added that STRATA is cheap, local and good. Sumner said this will be coming out of our flood money and he wanted to make the Board aware of that. Sumner said they have been focusing on the stump cutting project. Sumner said he talked to the surveyors a few weeks ago and at that time they said they were going to complete their field work the following week. He will follow up to make sure that happened. He told them to make sure they got good topos in the area of the Transport Lane bridge. Sumner has been discussing this with the engineer Wendell and he is well aware of that and when he gets the survey information from the field work that was recently done he will take a closer look. He agreed that sometime when he is on the road in the area he will meet with Sumner out there. Ruskiewicz said that his father would like to be included in this.

Stump Project - Sumner said that Goshen finally relented and it appears that the most recent development is that the NYS DEC stood by what they said last year and that DEC staff had no concerns regarding the project as long as the stumps are not pulled or treated at this time. Sumner, again, put it in writing to N. Halloran that stumps would not be pulled or treated at this time. Stumps can be cut and then at least there is the option to mow. They

can get an estimate later on to treat the stumps. There was a brief discussion regarding the variety of trash that is being dumped along the river. Keeton said some of the piles are over 40 feet tall. We are still missing a couple of the Landowner Access Agreements. The Agreement for the County land has been received. It was mentioned that mowing is a separate proposal.

Sumner said that Kelly Dobbins, OC Planning Dept., spoke with K. Brown and asked for us to add Robert Schreibeis and Steven Neuhaus, Orange County Executive, on the mailing list for the Flood Committee meetings.

DeGroot is working on a Time Extension Request on the \$2 million contract. It runs out in July.

The District has been trying to get money to supplement the \$2 million grant. We have two proposals out that we have not yet heard back on. There is a program called The GIGP Program which is well funded. The more common types of practices they would do under this would be like a Stormwater Parking Lot Retrofits but there is a component for flood plain improvement. Sumner will talk to someone who is one of our consultants that works for the NYS DEP to see if he has an idea if our bench project would be well received. If there is a chance that the County Grants Unit could do the administrative work involved, we could feed them the technical information. Sumner doesn't think the Grants Unit is there to write grants for other agencies but given that this is a fairly high visibility issue and the County supports the flood project in the black dirt, they may do it. Soil and Water would still be the applicant. Sumner said that Julie Richmond is the head person at the Grants Unit and we've worked with her before on the HMGP Grant last fall.

Sumner passed out copies of the \$2 million grant timeline.

The NRCS Working Agreement was briefly discussed. No action taken. Sumner has not had a chance to review this yet.

Sexual Harassment/Discrimination draft policy – An example that was provided by Shannon Wong was passed around. Discussion followed regarding changing the name on it to Soil & Water and how else it could be tailored towards our office. Wong suggested that we look at examples from FSA and CCE to compare. Sumner will work on edits and it will be discussed at next month's meeting.

NEW BUSINESS

When some companies operating under DEC permits have violations, sometimes part of the settlement in addition to remediation is called an environmental benefit project. They have to put up money and then that money goes towards projects that improve natural resources or towards protecting the environment around the area of violation. A company that handles thousands of lead batteries was in violation because of contamination issues. They have to put up \$300,000. The District put in a proposal a few years ago through our Water Quality Coordinating Committee asking for \$150,000 for two projects. One project is modeled after the DEC's Trees for Tribes. Initially we said we'd do projects around the area of violation the first year and then after that the equipment purchased through this project will belong to the District. The second project was to do some green infrastructure work at the Seward Avenue building. The Town of Wallkill endorsed our proposal. Then there was a change in administration and Dan DePew took over as the Town Supervisor. He wanted to put in a proposal to protect the Town's wellheads next to the Wallkill River. Sumner met with him and it was agreed that both proposals would be submitted. The attorneys have things mixed up between the two proposals and now the Town of Wallkill is getting \$171,000.00 and the District is supposed to get \$30,000.00 which is supposed to go through the Town of Wallkill. Sumner called the lawyer in Albany and sent him all the documentation but was told it is too late in the process to make any changes. Sumner found out that DePew is working to get that \$30,000.00 switched over to the Town of Wallkill and the District would get nothing to do our project. Sumner mentioned that he is on the Town of Wallkill Conservation Commission and they wanted Sumner to sign a Working Agreement as a representative of the Conservation Commission and that he had authority to legally compel the Conservation Commission to complete the project. Sumner said the Conservation Commission is an advisory committee for the Town and has no authority to enter into an agreement or to compel anyone to do

anything. He is hoping that the NYS DEC attorney does the right thing and keep the Agreement worded so that the money will pass to the District. We'll still have to work with the Town of Wallkill.

The **NEXT MEETING** is scheduled for Monday, June 16, 2014 at 9:00 AM.

The **MEETING** was adjourned at 11:10 AM on a Motion by Keeton, seconded by DeBlock. All in favor.

Respectfully submitted,

Christine DeGroodt
Secretary to the Board