

**MINUTES**  
**ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT**  
**BOARD OF DIRECTORS**  
**November 27, 2017**

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:07 AM. Directors J. Wright, P. DeBlock, M. Kemnitz, G. Keeton and P. Ruszkiewicz were present, along with K. Sumner, T. Ferry and C. DeGrootd (OCSWCD) and M. Ullrich (CCE).

**2017-11-1 DeBlock made the Motion, Ruszkiewicz seconded, to approve October's Board Meeting Minutes as written. All in favor**

**ACTIONS TAKEN BETWEEN MEETINGS** –There was a payment in the amount of \$150.00 to the Town of Wawayanda for work on the Walkill Flood Project subdivision.

**CORRESPONDENCE**

- Bank account statements from the District's banks were available for review.
- Draft September Ag & Farmland Protection Board Meeting Minutes were available for review as well as Agendas for October and November.
- An update on the New York Association of Conservation Districts annual meeting which took place last month was passed out for review.
- Letter from M&T Bank regarding an incorrect amount on a check they cleared. They credited the difference back to our account which will show up on our next statement.
- Mohonk Consultations Autumn 2017 newsletter was passed around.

**FINANCIAL REPORTS**

**2017-11-2 Ruszkiewicz moved to file the October 2017 Financial Report for audit review, DeBlock seconded. All in favor.**

Sumner reviewed the list of Bills to Be Paid with the Board. **2017-11-3 Wright made the Motion, Keeton seconded, to accept the Bills to Be Paid. All in favor.**

**STAFF REPORTS**

- T. Ferry
  - The no-till equipment has been moved back to O'Dell's farm.
  - AEM Tiers I and II have been completed on Emmerich Tree Farm.
  - Working on the AEM Interim Report.
  - Looking into prices for tillage coulters and row openers for both no-till machines. It will cost approximately \$3,100.00 plus shipping from Pine Plains Equipment. **2017-11-4 Wright made the Motion, Keeton seconded, to purchase the parts. All in favor.**
  - Warner Bass, who rented the District's no till grain drill, requested a \$98.00 reduction on his bill. He is claiming there was not adequate seed output so he had to go over his acreage twice. Discussion followed and the Board denied his request saying that the Rental Agreements users have to sign clearly states that the SWCD is not responsible for excessive or inadequate output of seed or fertilizer materials.
- K. Sumner
  - Sumner attended the District's Legislative Budget Hearing.
  - Sumner and Ferry attended the Walkill Inspection with the NYS DEC and Army Corp. Ten issues were found. Sumner mentioned that while at the inspection a NYS DEC person said they would

look into paying for the removal of two farm bridges over the Wallkill that are thought to restrict flow. Sumner sent him a reminder to look into this.

- To promote New York grown trees, State Agricultural Commissioner Richard A. Ball came down for a ceremonial tree cutting last week at Emmerich Tree Farm in Warwick, NY. The tree was donated and will be displayed in the New York State Capitol.
- The Wallkill River Flood Maintenance Group met on November 14, 2017. Sumner brought the group up to date on activities.
- Sumner attended the last Ag & Farmland Protection Board meeting on November 15<sup>th</sup> where he gave a report on the Wallkill Flood Project.
- The covered barnyard is moving forward on Lain's project. Sumner noted that DePew's bill that was approved by the Board was for Lain's project.
- The Brady Farm project is completed.
- The Draper Ditch Culvert project is almost done. There are a few bills to be paid on it (on list) and there still has to be a field inspection with Albany staff.
- Dembeck's EQIP funded projects were briefly mentioned.
- The Ag & Farmland Protection Board approved the District's request for funding to add row cleaners on one of the planters. The District will purchase them and be reimbursed. Approximately \$2,800.00 was approved.
- M. Kemnitz offered her services as a grant writer for the District. Brief discussion followed.
- There was a brief discussion on the Chester Ag Center.

## **INTERAGENCY REPORTS**

- M. Ullrich – Cornell Cooperative Extension
  - There will be five stormwater meetings to be held in the spring, starting in February. Flyers are almost finished.
  - MS4 trainings will be upcoming around the County.
  - Food Safety Programming planned this fall.
  - The Annual Dinner is next Monday the 4<sup>th</sup> at the Wallkill Golf Course.

P. DeBlock mentioned that postcards went out to all the farmers regarding FSA Open House which is scheduled now until spring. Open House is to explain programs to people and to encourage new farmers.

## **OLD BUSINESS**

- Wallkill Flood Projects – Bench Phase I
  - The Wawayanda subdivision has been submitted to the Town.
- Phase II
  - Conservation easements – Gantt is okay with maintaining ownership of the land but we will pay for the easement. Construction is complete
    - Phase II North – All construction and planting is complete. Live stakes were planted last week. Ferry is working on a vegetation report.
    - Bob Gantt has been a great partner in this project and he contacted Sumner and offered to purchase the small piece of property owned by DePalma if the landowners were interested, just to simplify things for the District. If he bought it, he asked if we could make the whole meander part of the bench. Sumner then thought about shifting more of the bench to his side and connecting it with Phase I. It would mean a lot less clearing of woods and less expense. Sumner passed out an aerial view of the conceptual project areas. Sumner sent this info. to our engineer and he is in agreement with it but still has to run a model to make sure it's not going to have too much of an impact on the overall benefit.

- There was brief discussion on how professional services to support the flood mitigation work will be handled going forward. No action taken.
- Sumner passed around a Flood Projects budget status/considerations document and discussion followed. As the original \$2 million NYS award is spent down and we attempt to identify other funds to continue with flood mitigation projects, planning has gotten more complex. Sumner indicated that his goal was to try to complete the three priority projects identified in 2013 and currently covered by existing permits over the next two years. We knew these projects would require funding beyond the \$2M. We are now juggling funds from various sources with various constraints. Sumner wanted the Board to understand, to the best of our current knowledge, what work is remaining, how much funding we have in hand or expect to receive through next year, and how much additional needs to be identified to complete the priority projects. The CRF Round 3 RFP is expected to be released soon, and we have been successful with this offering in rounds 1 and 2 to support continuation of the floodplain benching work. For round 3, the Board decided that they wanted to apply for funding to support the Celery Avenue project. Since the awarded CRF grants from rounds 1 and 2 are specific to benching projects further upstream in the Valley, we believe focusing round 3 on the Celery project offers the best opportunity to maximize flood control funding and work. It was noted in the discussion that most of the District's 'discretionary' funding – such as Part "B" and "C" funding from the NYSSWCC – has been earmarked for Black Dirt flood control work for the last several years. One of our challenges is to follow through with flood mitigation needs while not neglecting other natural resource protection needs in the County.
- Previously, the Board has discussed more aggressive tree cutting downstream of Celery Avenue as an issue identified by growers as an additional flood mitigation priority. In response to this concern, the Soil and Water Board asked the Ag & Farmland Board to write to NYSDEC asking them to work with the County on this concern. That letter went out in June and no response was received. After discussion at the last Ag Board meeting, it was agreed that they will write another letter to DEC since they never heard back.

## **NEW BUSINESS**

- Insurance – After Trident's rapid and, in our opinion, poorly considered denial of coverage in relation to the CFI Notice of Claim, Sumner asked our agent about switching companies. The agent, Sidle, recommended waiting until our policy came up for renewal. Since our policies renew in January, our agent recently sent us several insurance questionnaires to fill out as he looks for other carriers. Sumner found many of the questions challenging to answer, and thought that ideally we would seek professional assistance to complete them. Contacting John Sanford, a local insurance broker who has assisted the District in the past with risk management planning, was suggested. Sumner indicated he would try to do so, but in the interest of time he would return the questionnaires filled out to the best of his ability, with a qualifying cover memo discussing the concerns noted in these minutes.
- District Law Training – J. Clifford offered to come to December's Board Meeting and present the training to Directors.
- Performance Measures Part B signed by the Chairman.

( M. Ulrich left the Meeting at 11:34 AM)

**2017-11-5 Ruszkiewicz made the Motion, seconded by Keeton, to go into Executive Session at 10:37 AM to discuss employee appraisals. All in favor.**

**2017-11-6 the Board came out of Executive Session at 12:05 PM on a Motion by Ruszkiewicz, seconded by Wright. All in favor.** It is noted that Performance Appraisals for DeGroot and Ferry were reviewed and concurred by the Board, and signed by the Chairman. The Board filled out a Performance Appraisal for Sumner. The Appraisals, also signed by Sumner and the employees, will be placed in the employees' Personnel File.

**2017-11-7 Based on their discussion of Sumner's Performance Appraisal, Wright made a Motion to award Sumner with a Performance Bonus. The Motion was seconded by Keeton, and approved by the board by a unanimous vote.**

The next **MEETING** is scheduled for **Monday, December 18, 2017 at 9:00 AM.**

**2017-11-8 The Meeting adjourns at 12:10 PM on a Motion by Wright , seconded by Ruszkiewicz . All in favor.**

Respectfully submitted,

Christine DeGroot, Secretary to the Board