

MINUTES
ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS
October 28th, 2024

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:07 AM. Directors P. DeBlock, J. Wright, P. Ruskiewicz, B. Cheney, and G. Constable were present along with K. Sumner (SWCD), E. King (SWCD), M. Held (SWCD), O. Velez-Juarbe (NRCS), and E. Schellenberg (CCE).

2024-10-1 DeBlock made the Motion, Ruskiewicz seconded, to approve September's Board Meeting Minutes as written. All in favor.

ACTIONS TAKEN BETWEEN MEETINGS – Some bills were paid and are listed on the Bills for Board Approval. Sumner reminded the Board that the District issued a partial payment to the Winslow Therapeutic Stream Crossing Project following Board approval. Apart from that, Sumner had no further actions to report.

CORRESPONDENCE

- Bank Statements
- Collateral Agreements
- Region 5 Monthly SWCC Report from Ben Luskin
- Stormwater Solutions: September/October 2024
- National Association of Conservation Districts 2025 Membership Contribution
 - The Board decided to revisit donating to the NACD at a later date.
- Agenda for the Physical Services Committee Meeting on 10/28/24
 - Sumner will be attending the District's budget meeting today with the County at 2:00PM. Cheney advised that Sumner explain the budget's decrease from 2024 to 2025 to the Committee. Sumner noted that this is due in part to the one-time funding that the District received from the County in 2024.
- Mohonk Consultations 2024 Edition
- Civil Service Exam Announcement: Department of Human Resources
 - Sumner noted that the civil service test for the District Technician & District Field Technician is scheduled on 12/7. Sumner received an overview of the District Field Technician test and felt that it did not accurately represent O'Dell's position. Sumner spoke with the County's Department of Human Resources who contacted the State Civil Service and shared Sumner's opinion. Following this discussion, the State cancelled the test. Sumner informed the Board that the State will reclassify the District Field Technician position to be more mechanical than analytical. The test may be rescheduled for May 2025.

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- Letter from NYS Ag & Markets RE: CRF Rnd 8 Application
 - Sumner informed the Board that the State did not select the District's proposal for the Bedded Pack Barn for Simpson for the CRF Round 8 funding. The District is anticipating to apply for funding through Round 30 of Ag NPS. Sumner noted that this will be a separate proposal since Simpson is in a different watershed. The additional application would concern projects in the Walkkill River watershed.

FINANCIAL REPORTS- DeBlock asked Held about the remaining No-Till receivables on September's Receipts. King explained to the Board that the receivables reflect the most recent invoices and that there are no outstanding current invoices. King noted that she routinely checks the invoices, applies interest when needed, and contacts the farmers. DeBlock recommended that the District not issue cover crop payments to farmers, until they pay the remaining balance on their accounts. Wright asked Sumner about whether it was okay for his family to use the equipment for municipality purposes. Sumner stated that if the equipment is covered under the renter's insurance, then he does not see why its use would be an issue.

2024-10-2 DeBlock made the Motion, Ruskiewicz seconded, to file September's Financial Reports for audit review. All in favor.

Sumner indicated to the Board that the District's disbursements are currently lower compared to the 2024 budget. However, the District will get closer to it once more bills come in from the Bench project. Sumner feels that the District will be significantly under budget by the end of the year. Sumner noted that once the District receives the 4th Quarter County Appropriation, then the District will be closer to the projected receipts budget. Sumner discussed that the District was supposed to receive the funds from resolution #168 by now. Sumner reminded the Board that resolution#168, was passed by the County Legislature in July and awarded the District a supplemental appropriation in the amount of \$150,000. King has contacted Kerry Gallagher, the Orange County Commissioner of Finance, but has not heard back from her as to when the District will receive it or what the District needs to do. Cheney informed Sumner that Gallagher will be at the budget meeting later today and he can discuss this with her then.

BILLS FOR BOARD APPROVAL

2024-10-3 Ruskiewicz made the Motion, Cheney seconded, to pay the bills as presented. All in favor.

GRANT REPORT UPDATE- Sumner presented the Board with September's grant report and noted that any updates from August's report are written in red ink. Sumner noted that most of the landowners in Ag NPS Round 27 have not made any progress completing their projects which is a bit disconcerting since their contracts end March 1st, 2025. Sumner believes that the Board should discuss requesting a time extension request either now or later. Wright asked Sumner if he wants to wait a month to discuss the time extension, which Sumner agreed to. Sumner clarified that the Ag NPS's policy does not allow the District to switch funds to a different farm. This means that any unused funds go back to the State. Sumner expressed frustration towards the landowners who wanted to do the project, but then are not making any progress.

Sumner informed the Board that he will add a section to the grants report that will track the total cover crop funding that the Board has approved. Additionally, it will detail how much has been allocated. Sumner believes this is even more important since there are several ongoing cover crop projects. The funding for these projects could be affected by the sign off authority decision.

INTERAGENCY REPORTS

CCE: Schellenberg reported that CCE had its first planning session for the next stormwater training session in February 2025. Schellenberg noted that the future of the program is uncertain since the current coordinator wants to

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retire and CCE does not have a replacement lined up. CCE noted a sharp increase in the number of attendees statewide in the past year. CCE informed the Board and the District that they are all invited to CCE's 109th awards dinner on 12/9. Regarding the Conservation Innovation Grant, CIG, CCE does not have a final version of the contract ready yet. CCE met for the first time with the new awardees in the County last week. Schellenberg noted that there was confusion within the contract regarding the equipment and sub awardees, but that it is resolved now. Schellenberg told Held that he will contact her regarding contact information for the various participating farmers.

Sumner reminded the Board that if the District wants planters for the Spring, then we will need to order them at the start of the year. Sumner advised that the Board not approve this action until the grant is solidified and there is a guarantee that the District will receive funding by the Spring. Schellenberg asked whether the quotes the District received on the equipment are still accurate. Sumner was unsure, but stated that it should not have changed too much since earlier this year. Schellenberg reported that he does not know for certain if the District's equipment can be stored at CCE's 4-H park. DeBlock asked whether the equipment will be stored in a building secured from possible theft or vandalism. Schellenberg could not say for certain, since there are sheds that are outside the fence on the park grounds. DeBlock added that she does not like the idea of storing the equipment there since the park is unoccupied more often than not. Schellenberg reaffirmed that the District would not have to pay rent. Sumner informed the Board that he has asked farmers whether they have rental space for the District's future equipment. Ruskiewicz told Sumner that he may have some space available for rent. Sumner felt that it is in the District's best interest to have multiple options for storage. Sumner advised that the District issue a request for proposal for the rental space, especially if the District rented space from Ruskiewicz. Between the award from Senator Skoufis and the CIG grant, the District will need a lot of equipment storage space.

FSA: DeBlock had no updates to report from FSA.

NRCS: Velez-Juarbe reported that NRCS has twenty-three applications for this fiscal year for Orange County alone. The agency is accepting applications up until 11/1, which will then be evaluated for this fiscal year. Applicants can apply to all the applications that NYS offers. This includes the Environmental Quality Incentives Program, Agricultural Management Assistance, and Conservation Stewardship Program. Velez-Juarbe instructed anyone who may know of an interested party or who might have questions, to let him know. Velez-Juarbe emailed Sumner about this on 10/16.

There were no representatives from NYSS or WCC present at the meeting.

STAFF REPORTS

*Sumner, King, and Held emailed their written staff reports to the Board prior to the meeting for review.

E. King (SWCD)- Apart from her questions regarding Resolution #168, which were already addressed, King had no further additions to her written staff report.

M. Held (SWCD)- Held reported that she will be enrolling in the Certified Crop Advisor, CCA, training ,which begins in November, to prepare herself for the exam in February 2025. Held updated the Board that she has spoken with a few people from NRCS and Climate Action Hudson Valley, CAHV, about her pollinator project. Held attended a talk about pollinator habitats that was given by a member of CAHV.

Equipment Purchase

Held reminded the Board that initially Senator Skoufis' office outlined that the District would purchase one seeder and two corn planters with the funds awarded. Upon further reflection, the District would rather purchase two seeders and a corn planter with these funds. The District is proposing purchasing a seven-foot seeder with a native grasses box and another Esch seeder. Held found that the twelve foot Esch seeder is the most popular amongst farmers and has the highest acreage numbers, compared to the other two. DeBlock raised the issue that the District needs a person to move equipment, especially with the new additions to the fleet. Schellenberg asked whether the

District would allow farmers to move the equipment themselves. Held noted that the acreage meter needs to be recorded and there could be conflicted claims over whether the seeder was clean when it was picked up & vice versa. Sumner believes that sorting the insurance could be an issue. DeBlock specified that the District could hire a farmer who is interested in transporting the equipment. The District is proposing to sell the 2006 seeder, which is the oldest, and purchase a new seven-foot seeder with a native grass box. Additionally, the District would suggest to the Board that we sell the oldest corn planter, which would leave three corn planters available. Sumner felt that given the amount of remaining farms in the County, having three corn planters available is plenty. Sumner does not think that Senator Skoufis' office will have an issue with their order change, but he will speak with them before placing the order. The District received an email from the office manager with Senator Skoufis' office who told the District that they can purchase the equipment. However, Sumner and the Board agree that no purchase will be made until the District receives official paperwork. Sumner noted that the money will be sourced through NYS Ag & Markets who control the next step.

Boom Mower

Held updated the Board that the boom mower is available to rent, but the conversation with the two previously interested parties has not gone anywhere. Wright commented that the boom mower was used in the past when the District had the ditch bank mowing program. Sumner clarified that the District could use cost sharing money to fund that type of program. Sumner sees potential use for the mowers to maintain the land the District owns along the Walkkill River and possibly for the Federal Flood Control Project maintenance. Sumner is unsure how the District would implement the maintenance since he does not know how the District would adjust contractor payments since the District would provide the mowing implement.

Roller Crimper

Held informed the Board that the farmers interested in the District's roller crimper project, have started planting their cover crop. The District would like to request approval from the Board to purchase the roller crimper from I&J manufacturing. The roller crimper in question is a 10.5' with a swing hitch and is quoted at \$16,000. This roller crimper would be purchased with funds from the CRF Round 6 grant. Cheney asked Held if she can provide the three comparable bids she previously referred to. Cheney noted that it is important to provide reasoning for the chosen bid, especially given the procurement policy. Held provided the previous quotes from Organic Roots Way for the 10.5' roller crimper w/ out swing hitch: \$11,160 & the 10.5' roller crimper w/ swing hitch: \$17,890. The quotes from Organic Way did not include the delivery fee. Sumner noted that the District wants to buy the 10.5' since it will be compatible with the four-row planter. Sumner does not know of anyone with a planter wider than four rows that is involved in the project. Sumner instructed Held to prepare a document comparing the bids the District received and indicate that the bid which was presented was the lowest bid.

2024-10-4 Constable made the Motion, Ruszkiewicz seconded, to purchase the 10.5' roller crimper with a swing hitch from I&J Manufacturing. All in favor.

Cover Crop Program

Additionally, Held reported that Gary Glowaczewski of R&G & Troy Vellenga requested approval for payment for the cover crop program. These funds would be sourced from the local cost share program, LCSP. Held provided the Board with a table that indicated what the District projected, allocated, and the actual acres seeded by the farmers involved. Sumner noted that the District's expected payout for the cover crop program is still lower than the amount that the Board approved already. Held continued that three farms with confirmed planting of cover crop include Russell Smiley, Alex Kocot, and Bob Stap. The District intends to pay these farmers with funds from CRF Round 6. Held noted that if the District does not receive approval for these three, then the funding will need to come out of the local fund. Sumner noted that there are still plantings from 2022 & 2023 that need to be accounted for. Held informed the Board that Matt Martire with NRCS said that he may be able to sign off on the cover crops. However, there is the question of whether he is signing off based on NRCS or State Soil & Water Committee procedures. Held noted that this process is not as simple as the District's previous approach. Held reported that the cover crop

planning tool wants to run a soil loss index and RUSLE. Held still needs to learn the new programs and download them. Given the lengthy process, Sumner feels that the District should have its own policy for cover crop that is funded from a local cost share program. Sumner reported that Held would have to run this test on every field and collect nitrogen leaching index for every single cover crop. Sumner does not think it is necessary to run RUSLE on every single field for the cover crop payment. Sumner noted that Held will download the software, work on it, and report back in November's meeting.

Held reported that she is waiting on Greystone Stables, Ag NPS Rnd 29, to provide an updated invoice for a previous payment. Held is communicating with a farmer who is interested in planting a live wind break on his property in the black dirt as a project for Ag NPS Rnd 30. Sumner advised that the Held determine that the prevailing winds agree with the ditch and field direction.

Jessy Raap's CNMP

Held reported that the Jessy Raap's Comprehensive Nutrient Management Plan, CNMP, needs to be done before the District can request funding for his bedded pack barn. The District has a meeting with the Agricultural Consulting Services on 11/7 at 11:00AM which will kickstart the project. Held noted that Raap's project should be completed by Autumn of 2025. Held reminded the Board that, the District can get a refund of \$51 an hour through AEM. ACS estimates that their total work hours will be 40 hours which totals \$2,040. The District agreed to assist funding for the remaining balance up to \$2,000 and a 50/50 participant & Soil & Water match. Held reported that Raap agreed and signed a contract with those terms. The District has been working on their share of technical assistance and collecting soil samples and identifying risks in the field. Sumner noted that with everything needed for the project, the District will not be able to apply for funding through Ag NPS Rnd 30 and will have to wait for the next round.

Potential Grazing Plan

Held reported that a farmer requested technical assistance from the District to develop a grazing plan. Held is currently working on his risk assessment. Per Held, this is one of the deliverables that can be provided during the AEM round closeout.

K. Sumner (SWCD)- Review "Old and New Business" for further information.

OLD & NEW BUSINESS

Floodplain Bench Easements

Sumner does not have any updates to report on the easements being pursued for the work done on the 2023 bench project at the Pine Island Turf Nursery, PITN. The District is still working out issues with our attorney, Richard Hoyt, and the landowner.

Sumner remarked that the contractor is making great progress on the current phase of the river project. Sumner reported that as of 10/28, they will have completed three of the four areas. The remaining section is on the upstream end. The contractor is waiting for the farmer to harvest the corn since that portion of the bench will extend into the field. Per Sumner, it is looking like the project will be completed this year.

Celery Avenue

Rob Schreibies contacted Sumner to let him know that he has all the signed landowner letters that were prepared by Sumner. These letters were written to provide support for the Ledge project. Sumner feels that having these signed letters provides the backup to aggressively pursue the funding. Sumner emailed the NYS DEC since the District is still waiting on the work permit. Sumner was informed that the DEC was supposed to to make a decision by 10/7. Sumner assumes that the Board wants to move forward with identifying the funding sources rather than wait for the permit to be issued. Sumner noted that the planned approach is not a drastic one and should make the lives of farmers

better. The Board and the District are well aware that this work will be watched by many people and most likely reported as well.

2024-10-5 Ruskiewicz made the Motion, Cheney seconded, for the Board to aggressively pursue funding for the Celery Avenue Ledge Lowering Project, even without having the DEC permit. All in favor.

AFPB Funds

Sumner mentioned to the Board that he received an email from Marie Ulrich from the Ag Board meeting regarding the remaining funds that need to be obligated by the end of the year. Ulrich told Sumner that the Agricultural Farmland Protection Board, AFPB, wants to allocate \$1,500 to the District to help pay for costs associated with tree planting on the Bench project. Sumner was asked to submit an invoice and justification to the AFPB via the County Planning department. King prepared the invoice and sent it to the Planning Department on Sumner's behalf.

Walkkill Maintenance Agreement

Sumner reported that he is waiting for direction from the County on the next steps for amending the Walkkill Maintenance agreement. Sumner reminded the Board that the agreement allows any remaining funds will carry into the following year. Cheney informed Sumner that the draft is currently in Mr. Mahoney's inbox and that he is waiting on a response from him sometime in November. Cheney said it would be ideal for this plan to be in place come the new year, but he cannot make any promises.

O'Dell PDR Project

Sumner informed the Board that the O'Dell's had a meeting with the Orange County Land Trust. The O'Dell's, ~~that~~ Leonard DeBuck & Alan Sorensen were in attendance. The O'Dell's were not pleased with the meeting outcome. DeBuck did not give Sumner a clear answer on where the Land Trust stood. Per O'Dell, he asked Sorensen if he could apply for money from the County and Sorensen told him that they are only using money for the 20% match on the State PDR program. The O'Dell's noted that the Land Trust told them to contact Richard Hoyt. Sumner relayed this information to Hoyt who was confused about this. Hoyt spoke with Jim Delaune who reported that the Land Trust suggested that the O'Dell's hire Rich Hoyt for this application. If this were to happen, then Hoyt would be working for the landowner, not the Land Trust in this case. Sumner is confused as to why the Land Trust advised the O'Dell's to contact Hoyt so early on in their application. Sumner noted that Mike Moraczewski, who received funding in the last round, was not advised to contact Hoyt until after his application was reviewed and he was awarded funding. Sumner feels that if the O'Dell's were to hire Hoyt now, they might incur legal fees that aren't necessary at this point. The O'Dell's initial application in 2023 faltered due to a subdividing issue with the O'Dell's property. The O'Dell's agreed that they would subdivide the house off & relinquish ownership in order to adhere to State requirements. Sumner stated that now when they have finally adhered to the terms, they are being told that their application is at the bottom of the list.

Sumner suggested to Wright and Ruskiewicz, both voting members of the AFPB, that it might be advisable for PDR inquires to go first to the AFPB who could then maintain the list and forward it to OCLT. Given that OCLT has criteria that may be different than the AFPB, it would be useful to know who had expressed interest. If there are projects that are strong by AFPB priorities but not by OCLT priorities, the AFPB would have an opportunity to consider alternate funding strategies. For example, being an operating dairy farm (there are only twenty-some left in the County) with a young operator and composed of land with a lot of road frontage (easily sub-dividable), Sumner believes the O'Dell application should be given some priority.

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Per Cheney, the County has rejuvenated the Open Space plan and there is \$4 million in the fund for 2025. In 2024, there was a round of applications due in September. One was determined not to qualify and the other qualified for open space funding. Cheney cannot recall what the property was that was approved for funding. In 2025, there will be two rounds, one in the spring and the other in the fall, to apply for the \$4 million. Cheney continued that the County went through a process to restructure the criteria, with agriculture being a desired factor. Cheney will get the information to Sumner about the new rules for the program and perhaps the O'Dell's will go in that direction. Sumner would like a discussion to begin regarding the possibility of the three towns that the O'Dell's properties fall under contributing a modest amount to the O'Dell's application. This could be matched with the County money and allow the project to be funded without having to adhere to Albany's requirements. Cheney assured Sumner that the Board will revisit this matter. Cheney informed Sumner that he is trying to schedule a meeting with Sorensen to discuss the potential 'farmland block' in southwest O.C. that Sumner has attempted to promote. Sumner has been trying to follow up with those farmers to gauge their current interest.

Covered Barnyard Project in Warwick

Sumner informed the Board that the District does not have specific language in our model contract to recoup the money for the O&M lifespan. It does say that the participant is out of compliance with the contract if they don't maintain it for the lifespan. Sumner asked the Board whether they want to add a clause to the contract template that states the District reserves the right to pursue legal means to recover our investment, if the project is not maintained. Sumner asked the Board whether they want to add a clause to our model contract to reserve the right to. The Board was in agreement of such action.

2025 Annual Plan of Work

Sumner reminded the Board that they need to approve the District's Annual Plan of Work for 2025 to satisfy the terms of funding applications from the State Committee. Sumner noted that the Annual Plan of Work proves to be useful guidance for the office. King distributed the 2025 Annual Plan of Work to the Board of Directors on 10/18.

2024-10-6 DeBlock made the Motion, Constable seconded, for the Board to approve the 2025 Annual Plan of Work. All in favor.

Part B Project

Sumner told the Board that the Part B project, which awards \$6,000, needs to be submitted to State Committee by 11/1. Sumner informed the Board that he decided to apply for funding to support the monitoring program of the Floodplain Bench areas. Sumner noted that there are permit conditions that instruct the District to monitor tree survival, the wetlands, and invasive species. Sumner acknowledges that the District should improve their monitoring habits. Sumner noted that nobody from the Army CORP of Engineers or NYS DEC is asking to view our results on collected data. However, this does not mean that they won't request that in the future. Sumner feels that given the amount of money and time invested in this project, it is important to monitor it more closely. Sumner envisions using the \$6,000 to hire a contractor to dig monitoring wells or help with replanting trees. Sumner clarified that staff time can be charged to the AEM contract, instead of the Part B money. Sumner confirmed with Ben Luskin, from the State Committee, that this project is acceptable for this funding.

2024-10-7 Constable made the Motion, Cheney seconded, to approve the District' Part B project application as described by Sumner. All in favor.

Policy Reviewal: Part C Funding

Sumner mentioned that the Part C/Performance Measure totals over \$200,000. The Performance Measure report is divided into four sections. If the requirements are not fully satisfied in the four sections, then the applicant loses that

portion of the funding. One of the sections indicates a list of policies that the State wants the Districts to provide. If the District fails to provide these policies, then we lose out on 25% of the Part C money. The State has three new policies that they want Districts to implement. These include a Code of Ethics, Workplace Violence, and Data Breach Response policies. Sumner requested a copy of the County's breach policy, but was not able to secure it. Sumner commented that if the County does provide a policy to the District that they can review it at the January reorganizational meeting. In the meantime, Sumner suggests that the Board adopt the three policies that he and King worked on from samples they found online. These policies were distributed to the Board on 10/25, but Sumner told the Board that the policy approval can be revisited in November or December if they need more time to review. Cheney had a few comments regarding the three policies.

Workplace Violence policy

Firstly, in the "Responsibilities & Obligations" section of the Workplace Violence policy the Board needs to draft a violence assessment. Cheney noted that the District will need to develop an assessment, such as installing a security camera that allows the office to control admittance through the door. Additionally, Cheney questioned whether the "Human Resources Department" of the County should be listed as a resource instead of the "NYS Division of Human Rights Commission." Cheney feels that it should be clarified as to which is the preferred resource since HR is listed later in the policy. Cheney felt that it should be clearly indicated that the terms of this policy extend beyond the physical bounds of the office. This is important since District staff work outside the office quite often. Cheney feels that it is currently inferred in the policy, but that the District could benefit from it being clearly stated. Cheney continued that under the "No Reprisal" section of the policy, the wording is confusing. Cheney read that *"Workplace violence and this policy are serious matters. This policy prohibits reprisals against employees who have made good faith complaints."* Cheney questioned what constitutes a good faith complaint. Cheney recommends that the District omit "good faith" from the policy and replace it with "made complaints."

Data Breach Response

Cheney asked Sumner how the District engages the County's IT department in the District's Data Breach Response policy. Sumner explained that he contacted a County IT department employee via email & telephone, but was unable to get an answer back. Cheney understood and agreed that the current template provides a satisfactory response. Cheney noted that the last line of the policy appears to be an incomplete sentence that should be deleted.

Code of Ethics

Cheney recommended that under section 18 on the Code of Ethics policy, the District be more specific as to who are the members of the Board of Ethics. Cheney suggested that the policy state that the Board of Ethics will consist of three Board members who will be appointed annually. Cheney confirmed that the \$75 limit on receiving gifts is standard. This means that District employees and the Board of Directors cannot accept or receive a gift of anything more than \$75 over a twelve-month period from anyone that is doing business with us. Cheney told Sumner that the Board can make a motion to approve these policies based on the edits made today, rather than review them again at November's meeting.

2024-10-8 Cheney made the Motion, Ruskiewicz seconded, to approve the Code of Ethics, Workplace Violence, and Data Breach Response policies based on the discussion of changes made today. All in favor.

Sexual Harassment Prevention Training

Sumner asked the Board to postpone the group discussion regarding the sexual harassment prevention training until November's meeting. Sumner noted that not all of the District staff were able to watch the training prior to today's meeting. Sumner informed Cheney & Ruskiewicz that the training they take for the County Legislature covers their requirement for the Board. Sumner reported that the District is updating their District brochure & newsletter to

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satisfy the public outreach portion of the Performance Measure report. Sumner reported that he was asked to join a source water protection grant in Montgomery as a consultant. Cheney asked Sumner if he would like to be added to the Village of Warwick Source Water Protection Program. Cheney stated that the group meets once a month. Sumner requested to be added.

2024 Administrative Conference

Sumner asked the Board to discuss allowing King to attend the 2024 Administrative Conference in Saratoga, NY from 11/18-11/19.

2024-10-9 Ruskiewicz made the Motion, DeBlock seconded, to allow King to attend the 2024 Administrative Conference in Saratoga, NY from 11/18-11/19. All in favor.

Next meeting date: November 18th

2024-10-10 DeBlock made the motion, Cheney seconded, to enter Executive Session to discuss Employee Performance Appraisals. All in favor.

2024-10-11 On a Motion made by DeBlock, seconded by Wright, the Board came out of Executive Session. All in favor.

All staff had satisfactory or better Performance Appraisals.

ADJOURNMENT

2024-10-12 DeBlock made the Motion, seconded by Cheney, to adjourn the meeting at 11:20 AM. All in favor.

Minutes Prepared By:

Emily King, Secretary to the Board

Report to Board KMS

October, 2024

Wallkill Flood Projects –

No updates on the title work for Phase 4 Bench easements from last month

Floodplain Bench Phase 4 North

Bench excavation and seeding of three of four areas has been completed. Significant time and effort was committed over the last month developing and implementing a fill/grading plan for an 11 acre field next to the bench excavation. We estimate that 15,000 cubic yards out of the total 50,000 cubic yards of planned excavation will be used on the field. I believe this is the best use of the soil excavated to create the bench. But this use is dependent on the agreement of the landowner where the soil would be spread. We believe this will result in a significant improvement to the field which currently lacks positive drainage and has some ponded areas.

The goal is still to complete all four sub-areas of P4N this year, but I do not anticipate any significant negatives if the project runs into 2025. The last area cannot be started until the corn on the adjacent field is harvested since the bench will extend into the field.

Purchase of Culvert Pipes from Sunrise Tile Sales – The local contractor who is installing the Winslow stream crossing project was making a trip to an upstate NY pipe contractor and offered to pick up pipe for us. We had him pick up 120 feet of culvert pipe for P4N. We saved at least \$400 compared to local prices. He did not charge us for delivery since he was going anyway.

Other Flood Control Items

Celery Avenue ledge lowering project – I prepared draft support letters for six farmers thought to be advocates for this project, and supplied them to Rob Schreibeis. Rob reports that he got all the letters signed, but I have not collected them yet.

AFPB Funding for Bench Project – I have been asked to submit an invoice to AFPB for \$1,5000 to assist with floodplain bench tree planting costs, along with a explanation of how the funds would be used. We have submitted the requested documents to OCPD.

Carbon Farming Project – Still waiting on final payment of \$4,268.32 on Southway project (same status as last month). A ‘close out’ event for this project was held in Dutchess County on 10/17. We did not attend.

AEM Round 18 –Ewanciw project was mostly complete by 9/30. Some bills have been presented. Expect final close out before end of year.

CRF Round 7 – Work Plan materials for all three projects have been submitted to NYSSWCC – awaiting contracts (same status as last month). The contract start date for these projects is 11/2023.

‘Sign Offs’ on Soil Health Practices –We are still working on determining if it will be workable to have NYSSWCC staff sign off on our projects.

Revision of Walkkill Maintenance Agreement – Awaiting direction from County on next steps.

Climate Resilient Farming Round 8 Proposal – Simpson Compost Bedded Pack Barn proposal was not funded.

Roller Crimper Project Update -We would like to get Director authorization to order 10 foot swing narrow transport model from I&J manufacturing. Quote is \$16,000 FOB. We anticipate having Ron O’Dell pick it up, which will be a modest additional cost.

The AgNPS Round 29 – Advance payment from NYS received 10/9.

The **AgNPS Round 27** Stream Crossing project at Winslow Therapeutic is mostly complete, with just the railing left to be constructed. There are other practices in the Winslow rd 27 contract, which we will be attempting to complete before the contract end date (currently 3/1/2025). Board approved by email partial payment of \$10,000 to Winslow for the crossing project.

There are several other projects in rd 27 that have not been completed. We will have to decide if requesting a time extension is warranted.

Other Items for Discussion

Gas Purchase From Wawayanda – No updates from last month.

The O’Dell’s have been in contact with OCLT. A meeting was held at Land Trust offices with O’Dells, Leonard DeBuck and Alan Sorensen also attended. The O’Dells were disappointed with the outcome. They were told to meet with attorney Rich Hoyt. I have spoken with DeBuck and Hoyt and will report further at the meeting.

Covered Barnyard project in Warwick that has been discussed before for non-compliance (used for hay and equipment storage) – I have reviewed our standard BMP Installation contract for language related to recouping expenses on projects that are out of compliance before their lifespan is over. We do not have specific language stating that we will pursue recovery of funding if practice is out of compliance. Based on Section I No. 6, the participant would be considered out of compliance with the contract if the practice is not operated according to the O&M Plan. There are several places in the standard contract, highlighted in yellow in the Board documents, where a recovery of funds clause could be logically added.

Approval of APW

Approval of ‘Part B’ project proposal

Civil Service Tests Report – District technician test December 7, Mary needs to take it. District Field Tech (Ron) cancelled, will be re-classified based on my comments indicating the test was not appropriate for the job responsibilities.

Skoufis Equipment Funding – no formal agreement in place yet. We are told it will be coming through NYSA&M. I was provided with a draft press release from Skoufis office.

Policies – There are three policies that NYSSWCC is saying SWCD’s need to have which we do not currently have – Workplace Violence, Code of Ethics, and Data Breach. Not having these policies would put

us out of compliance with the Performance Measures Report which would have significant loss of funding consequences. We have prepared the three required policies using publicly available templates for Director review. We suggest adoption of these three policies at October meeting. During our normal annual policy review at January Reorganizational meeting, revision of these policies or consideration of other versions can be considered if deemed necessary or beneficial

Our budget hearing with County Legislature/Physical Services Committee is the same day as our meeting – Monday, 10/28 at 2PM.

Emily King

Secretary to the Board Update

10/28/24

Since September's meeting, I updated the District's website with the newly revised No-Till Equipment rental agreement. Additionally, I uploaded a document that Sumner prepared with the District's recent project highlights. I want to make it a priority to update the District's website and to showcase its success. I also want the website to be more engaging to visitors.

I contacted Luskin from State Committee to determine if the District is already prequalified in the Statewide Financial System. Luskin confirmed that the District is already set up in SFS with a vendor ID # and is receiving state funds. Luskin confirmed with the admin specialist who confirmed that nothing else should be needed for the District to receive funds in SFS from other sources. The District needs to be registered in order to receive funding from Senator Skoufis to purchase new farming equipment.

I worked on the District's 2025 County Budget book which outlines the District's function, budget impacts, initiatives, goals, workload measures, and mission statement. This was submitted to Dina Sena with the County's Budget Department on 9/20.

Held and I attended the Conservation Skills Workshop 2024 in Auburn, NY. During the four day conference, I took a "Conservation Skills and Nutrient Management," "Soils Workshop", "AEM Tier 3 Workshop," and "Construction Materials" course. While at the conference, I spoke with Chastity Miller who works for the AEM Base Program and provides technical support. Miller shared baseline AEM materials with me and offered to come to the office to provide guidance with future AEM plans I work on.

I finally received the digital copy of our 2023 Auditor's Report and shared it with Kerry Gallagher, the Orange County Commissioner of Finance. Additionally, I asked Gallagher when the District can expect to receive the \$150,000 from Resolution NO. 168. As a reminder, this resolution was passed by the Orange County Legislature passed in July 2024. Also, I asked her whether the District needs to do anything to help her with the process.

I contacted the Civil Service of Orange County to confirm that the test posting on December 7th is in fact for Held's position. The County Department of Human Resources confirmed that the exams for the Conservation District Technician, Held, and Conservation District Field Technician, O'Dell, are both on 12/7. I was also informed that the employees need to apply and will receive an application in the mail.

I updated the payroll sheets for Held and I based on our Step increase following our one-year employment anniversary. Sumner reviewed and approved the updates I presented.

I spoke with Sumner regarding the 2024 Administrative Conference, which is offered for office managers, clerks, etc, and expressed an interest in attending. The conference is held in Saratoga Springs from 11/18-11/19. Sumner gave approval for me to attend and register for the following courses; “Logging & Tracking Grants,” “Conscious Leadership,” “Clerk’s Forum,” and “Records Management 101.” I am looking forward to these courses and learning more to help the productivity and organization of the District.

Periodically, I updated the No-Till invoices, receivables, and recorded/processed payments. I spoke to Mary regarding invoices that accrued interest and mailed the updated ones.

Sumner provided me with policy templates for “Workplace Violence Prevention Policy,” “Code of Ethics for Local Governments,” and “Data Breach Response.” Sumner instructed me to adapt them for the District’s use to satisfy the condition of the Performance Measure Report’s and application for Part C funding. I reviewed the policies and made the appropriate changes to them. I conferred with related policies that I found online to ensure I was using the correct language. Worked on Annual Plan of Work with Kevin’s edits for the Annual Plan of Work. The Annual Plan of Work is due for submission by November 1st, 2024.

I began working on creating a brochure for the District. Sumner explained that apart from benefiting the District in a PR sense, it will help the District with our Performance Measure report. I contacted fellow office managers to gain an understanding of their District’s brochures and the information they include. I have compiled the first draft of content and need to put it in a brochure template.

Finally, I updated the various grant ledgers, as well as the receipts, disbursements, and payroll Excel spreadsheet. I updated the online bank accounts to reflect the total listed on September’s dedicated fund summary. Given that there are now funds available in the Ag NPS Rnd 29 grant, I renamed the former CRF Round 5 online bank account to now be Ag NPS Rnd 29. I worked on the 3rd Quarterly taxes and discussed questions I had with Sumner regarding certain sections. Once the issue was resolved, I filed the quarterly taxes ahead of the deadline.

Thank you,

Emily

OCSWCD Technician Update

Mary C. Held

10/24/2024

Happy October!

I am enrolling in the CCA training coming up in November and hope to take the exam in February of 2025.

Pollinator Project:

I have been researching and considering potential partners such as landscapers and/or master gardeners who may be able to help with site prep and seed plan details. Potential budgets are being considered based on NRCS and Pollinate Hudson Valley projects. Pollinate Hudson Valley is a specific group within Climate Action Hudson Valley that promotes pollinator conservation and has curated an action guide for the creation of pollinator gardens specifically in the Hudson Valley. I have been in contact with Lacey Smith from NRCS and Avalon Bunge with Climate Action Hudson Valley who have been very helpful in sharing their knowledge, experiences, and resources. This has been useful in my creation a pollinator project for OCSWCD.

Equipment:

New Equipment:

The idea of new equipment has been up in the air since we got this CIG grant from Cornell and this extra money from Skoufis' office. We've made a few suggestions on how to spend it that we'd like to present to the board.

The Skoufis money allocated for two new corn planters and a seeder. However, since we also have the CIG grant with Cornell, we'd like to present the idea of purchasing two new seeders and one corn planter. We like the idea of getting one new 7' seeder with a native grasses box in addition to a new 12' Esch seeder. As for a new corn planter, we would like to purchase another 4-row.

With the CIG grant money, we'd like to purchase a new 4-row corn planter.

This would leave us with four corn planters. We're considering selling one (probably the oldest one) and selling the oldest seeder.

With the new equipment begs the question of where we're going to put it. Ron O'Dell is uninterested in putting up another building to store our equipment. Kevin has poked Lucy Joyce of Cornell about the potential to keep equipment there. It would be helpful if we could ask one of our board members also bring up the question with Cornell.

Rentals this season so far: 16 rentals

Total acres per seeder

ESCH: 238.2ac

2022 Great Plains: 3.5

2006 Great Plains: 29.9

Mower: Mower is ready to go, conversation with potential renters has fallen flat.

Roller Crimper Project:

Cover crop is being planted in preparation for spring crimping.

Rowe, Chuck: Some cover crop planted, rye and oats. No crimper fields ID'd.

Ronne, Alex:

Crimper Acres:

Farm 1433, Tract 791 Fields 15 (half = 9.2 ac) and 3 (5.63 ac)

Conklin, Sue: No cover crop planted yet

Touw, Jason: Some cover crop planted, fields not confirmed for crimping

Johnson, Phil: Has not planted cover crop yet. No fields ID'd for crimping yet

O'Dell, Mike:

Crimper acres:

Kurpick Rd, Fields 1 (4.93ac) and 2 (5.27ac)

Farm 2512 Tract 8633 Fields 2 (3.05) and 3 (3.88)

Farm 1821 Tract 277 Fields 2 (2.12), 14 (3.64), 15 (5.54), 16 (2.85), and 17 (0.75)

We're going to pull the trigger on ordering a roller crimper. We're planning to order from I&J Manufacturing as it's the closest location for the best price.

I&J Manufacturing

10.5' roller crimper w/ swing hitch: \$16,000** This is the purchase we will make with CRF6 grant money

15.5' roller crimper w/ swing hitch: \$18,000

15.5' roller crimper w/ folding arms: \$33,000

Wallkill River Phase 4 North:

I checked on the bench project while Kevin was away and the crew continued to make significant progress. Please see Kevin's report for more details.

Local Cost Share Program:

A number of farmers have been planting cover crop this season. Below, I have listed the acreage seeded by their respective farmers. These are the cover crop reimbursements pending approval in the bills to be paid. PLEASE NOTE the additions of Gary Glowaszewski of R&G Produce and Troy Vellenga of Crestline Dairy who we would like to request approval for inclusion in the Local Cost Share Program.

Tom Owens (Hillcrest Farm) – 175 acres

Mark Hoyt (Hoyt Farms) – 16 acres

Mike O'Dell (O'Dell Family Dairy) – 73.79 acres

Chuck Rowe (Rowe & Sons) – 29.28 acres

Alex Ronne (Possible Farms LLC) – 71.56 acres

John King (Royal Acres) – 3.63 acres

Gary Glowaszewski (R&G Produce) – 174.66 acres

Troy Vellenga (Crestline Dairy) – 17.7 acres

single species	<i>projected</i>	<i>Allocated</i>	<i>actual</i>	<i>note</i>
Tom Owens	300	175	175	to be paid
Mark Hoyt	200	175	16	to be paid
Mike O'Dell	150	150	73.79	to be paid
Chuck Rowe	200	175	29.28	to be paid, may have more later
Brad Meres	30	30	0	not planted
Jessy Raap	15	15	0	not planted
Sue Conklin	15	15	0	late planting
Troy Vellenga	0	0	17.7	to be paid
R&G Produce	0	0	174.66	to be paid
Total:	910	735	486.43	
Reimbursement rate	x \$70.00	x \$70.00	x \$70.00	
Total	\$ 63,700.00	\$ 51,450.00	\$ 34,050.10	

Multi species	<i>projected</i>	<i>allocated</i>	<i>actual</i>
John King	3	5	3.63
Alex Ronne	35	35	71.56
Total:	38	40	75.19
	x \$85.00	x \$85.00	
	\$ 3,400.00	\$ 6,391.15	

**** John King may have ~2 acres more**

A number of these farmers have confirmation of planting through using our equipment in the rental program. Those who don't use our planters have been spot-checked for seeding credibility.

CRF Update:

Round 6:

Cover Crop

Russell Smiley:

11.61 single species

10.51 multispecies

22.12 acres total

Total: \$1,706.05

Alex Kocot:

96.01 single species

43.77 multispecies

139.78 acres total

Total: \$10,441.15

Bob Stap:

16.47 single species

Total: \$1,152.90

Phil Johnson: Has not planted yet

Jason Touw: Has not completed full planting yet nor indicated which fields were planted

Total CRF6 reimbursements this month: \$13,300.10

As mentioned before in the no-till equipment section, we would like to inform the board that we are going to go ahead and order the 10.5' swing hitch roller crimper from I&J for the quoted \$16,000.

Round 7: No updates.

Round 8: No updates.

AGNPS Update:

Round 27: Contract End Date: March 2025

- Troy Vellenga: reached out to ask if he was planning on carrying out his projects. Still waiting to hear from him.
 - o Access Control System:
 - State: \$15,166

- SWCD: \$3500
- LO: \$4,667
- Total: \$23,333
- Silage Leachate Control and Treatment System:
 - State: \$26,541
 - SWCD: \$6,125
 - LO: \$8,167
 - Total: \$40,833

Round 29:

- Greystone Stables: Waiting on some information from Dani / Randy about getting proof of corrected so we can have all of their closeout materials. We have a final payment available for them for the gates they purchased. See bills to be paid.

Round 30:

- Mike Morsaczewski: Has indicated a request for a wind break on his black dirt area. There's about 400 yards or 1,200 feet of his property on Little York Road in Warwick that experiences considerable damage due to wind. He loses profit when the winds are strong, as it is a hayfield and, when cut and dry, the wind will pick up his hay and put it in the trees at the other edge of the field.

AEM Update:

Round 18: Pete Ewanciw almost completed project, still working on collecting receipts.

CNMP Update for Jessy Raap:

The first meeting scheduled with Jessy Raap and Ag Consulting Services if Nov 7th at 11am. This is to start the process of his Comprehensive Nutrient Management Plan.

Jessy agreed to pay a portion of the CNMP costs. We agreed to fund an hourly reimbursement of \$51/hr, which was going to be a roughly estimated total of \$2,040. We then agreed to assist in funding the remaining balance up to an additional \$2,000 at a 50-50 Participant/OCSWCD match through our local fund.

Since the agreement, we've been working on our share of technical assistance in collecting soil samples and getting them tested to hopefully speed up the CNMP process.

Deliverables update:

Another farmer, Marc Suffern, has requested technical assistance in coming up with a grazing plan for his beef herd set to arrive in the spring. I have been working with him on his Tier 2 assessments so I can start the process of curating a grazing plan for him.