

MINUTES
ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS
September 16, 2019

The **MEETING** was **CALLED TO ORDER** by the Chairman at 10:07 AM. Directors P. DeBlock, G. Keeton and J. Wright were present, along with K. Sumner, T. Ferry and C. DeGroot (OCSWCD) and A. Armlin-Sorgen (NRCS).

2019-9-1 DeBlock made the Motion, Keeton seconded, to approve August's Board Meeting Minutes as written. All in favor.

ACTIONS TAKEN BETWEEN MEETINGS – None.

CORRESPONDENCE

- Bank account statements and Collateral Agreements from M&T Bank were available for review.
- Miscellaneous newsletters were available for review.
- Directors received a "Thank You" card from the Sumner Family.
- In response to a follow-up letter the District sent to the Town of Newburgh, the District received a letter from Gil Piaquadio, Town of Newburgh Supervisor, regarding the rain gardens that were constructed in the Police Department parking lot in Newburgh. The Town would like to make this rain garden functional again by purchasing and replacing the lost vegetation, to open the weep holes to the catch basin and by installing a fence around the perimeter of the rain gardens. They requested the list of plant species that were previously installed in the rain gardens.
- A New York Association of Conservation Districts memo was received and had updates including the 2019 Annual Meeting.
- The District received a letter from Jennifer Clifford, Climate Resilient Farming Program Manager, regarding the CRF Round 1 contract. It acknowledges receipt of the Final Report and claim for payment the District submitted.
- Barclay Damon sent the District a letter regarding the application of Danskammer Energy, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 for Approval to Repower its Danskammer Generating Station Site located in the Town of Newburgh.

FINANCIAL REPORTS

2019-9-2 Wright made the Motion, Keeton seconded, to file August's 2019 Financial Report for audit review. All in favor.

2019-9-3 DeBlock made the Motion, Keeton seconded, to accept the Bills to be Paid. All in favor.

Ag Grant Update Report – A copy of the report was e-mailed to Directors prior to the meeting. There is nothing new to report.

STAFF REPORTS

- **C. DeGroot**
 - The District's new rewards business card has to-date accumulated \$294 in cash awards.
 - We have still not heard back from Paula Preston, NYS Retirement Supervisor, regarding the District joining the NYS Retirement.
 - DeGroot participated in a webinar on "Claims Audits" that can be used towards the Performance Measures.
 - Ferry and DeGroot visited the Warwick High School rain garden that the District installed in 2013 to access its condition. It appeared to be functioning well. A letter was mailed to the Warwick Valley Central School District Board with some suggestions on how to improve the rain garden.
 - The District sent a letter to the City of Newburgh Waste Water Treatment Plant regarding the three rain gardens the District installed several years ago. Included were copies of the original planting plan as

requested by Newburgh staff because they said they would like to replant the gardens since most vegetation had been accidentally removed.

- DeGroot has been working on the Tire Removal Project paperwork.
- Ben Luskin from the NYS SWCC offered to do a District Law Training for Directors on November 18.
- DeGroot has been doing research on SEP plans and employer contribution rates.

- **T. Ferry**

- Ferry has been doing tree vegetation monitoring at the Wallkill bench project.
- Ferry wrote a letter to G's Westgate Inn, Inc. regarding the West Main Street riparian tree planting and Japanese knotweed removal. The District wanted to give them an update on this ongoing project and wanted to let them know we have set a date of Friday, October 18th to plant additional plants along the streambank.
- Ferry has been spending a few days each week at the Wallkill River with Vellenga Excavating while he works on the spring inspection report tree removal. The fall inspection will be at the end of October.
- Ferry has been reviewing wetland delineations to prepare for the upcoming Conservation Skills Workshop.
- The seeders are out in use. There was an issue with someone who rented one of the seeders to plant 24.9 acres. The machine was not calibrated correctly so he had to go over the acreage more than once, and then he adjusted his own bill down to 20 acres without discussing this with the District. Discussion followed. The Board directed the District to send a letter to the producer and give him the opportunity to pay the entire bill and if he does not, then he may be added to the list of people who can not rent the District's machines. There was additional discussion on a few producers who did not pay their interest owed on their bills.

- **K. Sumner**

- Update on the newer planter – Instead of going out to O'Dells, the Hudson River Tractor (HRT) wanted the District to bring the planter to them. Sumner wrote a letter to HRT explaining we want the set back kits installed and the reply he got back does not seem like they will do it. Sumner suggested that the District buy the parts and have Ron O'Dell do the work. The Kits cost \$175 each and we need four of them, plus the cost of Ron's labor. Wright suggested we do the work and send a copy of the bill to John Deere.
- Sumner sent a permit modification request to the NYS DEC regarding the Wallkill bench project. We are going through a lot of effort to build the benches but we are leaving the river bank below the bench elevation as-is. Avoiding disturbance of the lower banks helped to minimize impacts resulting from the bench construction, but leaves these areas in an erosion-prone condition in many cases. Some of these areas could potentially start eroding into the bench if we do not stabilize them. The benching reduces the erosion rate and risk by reducing the height of the banks, but it would not take a lot of extra effort or expense to grade those lower banks. So the modification requests permission to grade the lower bank above the water level and do a more aggressive planting than what the current plans are calling for. We want to try some live stake willows, back off on live stake dogwoods and use containerized plants on the bank and do a broadcast seeding after the plants go in. Work should be done sometime between October 1st and November 15th for the planting and grading.
- Today is the Ag Issue meeting at Cornell Cooperative Extension. Sumner asked organizers who was on the invitation list as he is supposed to a speaker there but he could not get a copy of the mailing list. Senator Metzger will be attending and she is going to mention the SAM grant.
- There has been some activity at Winslow Farm on their Ag NPS RD 22 work. Sumner does not want to extend the grant deadline and neither does the contractor. We want to help them but the farm is understaffed and maintenance of the paddocks is lacking. The previous project the District implemented out there a few years ago was recently reviewed in the field and determined to be in need of repair and maintenance.
- We are continuing to visit non-ag projects the District implemented to assess functioning and maintenance needs. Sumner emailed and wrote to the County about the Seward Avenue project and did not get a reply. Karen from the Orange County Law Department saw this in our Minutes and asked about it. She said she will ask people at the Department of Public Works about it.

- At last month's meeting a discussion took place regarding the possibility of the County DPW constructing some of the planned Wallkill flood control projects. Rob Schreiber from the County Executive's office indicates he has taken the Commissioner of Department of Public Works, Eric Denega, to the site and according to Rob he seemed intrigued by the project. Sumner has prepared materials to familiarize DPW with the project. DPW wants to get one of their field crew chiefs out to look at the project but he has been unavailable.
- Ferry and Sumner are discussing a demonstration project in the black dirt in conjunction with other bench planting projects regarding re-establishing stands of Atlantic White Cedar. Discussion followed.

INTERAGENCY REPORTS

- **A. Armlin-Sorgen (USDA NRCS)** - NRCS has been working on AMA High Tunnel contracts.
- NRCS has been going out with the engineer to look at projects.
- Armlin-Sorgen has been attending various trainings and learning how to survey.

OLD BUSINESS

Sumner has been working on setting up a meeting with Army Corp and staffers from Congressman Maloney's office for September 30th. Maloney's office wants the County of Orange as a primary partner. It is not firmed up yet but it is supposed to be held at the District office at 1 PM. There is another meeting from 10 AM-12 PM here at the District office the same day with Green Farmland representatives and the County Law Department with a translator, regarding the benching projects on Green Farmland property. As mentioned at last month's board meeting, this will help to ensure that Green Farmland owners fully understand the nature of the Phase 2 Conservation Easement and the Phase 3 project and what is being requested of them.

Sumner mentioned that Tom Berry, the County Surveyor, is helping us with survey work associated with the Phase 2 South Conservation Easement, and he has been great to work with. His draft final map was passed out to Directors for review.

Senator Metzger asked Sumner if a Wallkill River/Black Dirt Region Flood Mitigation Steering Committee meeting could be scheduled soon. She would like to get feedback from Black Dirt farmers about the flood control projects that have been installed already, and discuss the SAM grant she proposes to make available for more flood control work. She said she would also like to discuss the Carbon Farming Project.

Celery Avenue Update – Sumner told the Board he thought we should try to develop a funding plan for the Celery Avenue project in the event that the County DPW does not complete it. He feels keeping the project as a priority for 2020 installation should be our goal. He recommends keeping it on the Agenda for next month. Using the new 2-year AEM funding could be considered to help complete a funding plan. We would need two farmers to sponsor if we wanted to use the whole \$100,00 of AEM implementation funding.

Sumner mentioned that Ferry has been working on monitoring the wetland mitigation areas that are a condition of the permitting for the bench project.

Phase 3 clearing update – Sumner is trying to move Phase 3 along. Sumner got it in writing from the NYS Soil and Water State committee that we are not subject to prevailing wage for projects that would otherwise be eligible for AgNPS or CRF. The key is whether the project's primary benefits are public or private. Sumner requested proposals from two contractors so far and gave them until September 27th to get them back to us. The goal is to complete the clearing before March 31, to comply with bat habitat protection requirements.

Tire Project Update – Direct expenses for the tire project through today are \$114,900.00. It will cost approximately \$4,000 more to finish the people on the original list. Orange County said they will pay for half of the total project cost which can include staff time. Sumner asked the Board if they want to start removing tires for few people who requested

assistance after development of the original the list. There was discussion regarding one farm that has a tremendous amount of tires to remove. The District will make the offer of paying for half of the tire removal on that farm. **2019-9-3 Wright made the Motion, Keeton seconded, to start on removing the tires for people on the other list. All in favor.**

NEW BUSINESS

\$400,000.00 has been proposed by Senator Metzger through the New York State and Municipal Facilities Capital Program (SAM) to complete Phase 2 plantings and to implement Phase 3 of the Floodplain Bench Project.

The District's Vision and Dental reimbursement plan for employees is several years old and outdated. Discussion followed. **2019-9-4 DeBlock made the Motion, Keeton seconded, to increase the Dental reimbursement portion of the plan to \$190.00 so it matches the Vision reimbursement portion. All in favor.**

2020 Performance Measures Part B – we need to submit Part B proposal (\$6,000) by November. This needs to be approved at the October Board Meeting.

Year 16 AEM is due in November. Discussion took place on using the new AEM implementation opportunity for continuing Black Dirt flood control projects or possibly to implement the higher priority projects from the Round 25 Moodna proposal. The timing is challenging, since we will probably not know which Round 25 proposals get funded before the October Board meeting.

2019-9-5 Keeton made the Motion, DeBlock seconded, to enter into a contract with Gurda Landscaping for the tree planting portion of the Bench P2 South Project. All in favor.

Chairman Wright signed Farm Tire Removal Agreements with various farms.

(A. Armlin-Sorgen left the Meeting at 11:32 AM)

2019-9-6 Wright made the Motion, seconded by DeBlock, to go into Executive Session at 11:35 AM to discuss employment history of one or more employees. All in favor.

2019-9-7 On a motion by Wright, seconded by Keeton, the Board came out of Executive Session at 11:50 AM. All in favor.

The next **MEETING** is scheduled for **Monday, October 21, 2019 at 9:00 AM.**

2019-9-8 The Meeting adjourns at 11:55 AM on a Motion by DeBlock, seconded by Keeton. All in favor.

Minutes Prepared By:

Christine DeGroodt, Secretary to the Board