

Upper Delaware Council
OPERATIONS COMMITTEE MEETING MINUTES
October 25, 2011

Committee Present: Larry Richardson, Scott Rando, Harold Roeder, Jr., Jack Niflot, Nadia Rajsz, Fred Peckham
Committee Absent: None
NPS Partner: Sean McGuinness
Staff: Bill Douglass, Laurie Ramie, Dave Soete, Cindy Odell
Guests: None

The UDC's Operations Committee held its monthly meeting on Tuesday, October 25, 2011 at the Council office in Narrowsburg, NY. Chairperson Larry H. Richardson called the meeting to order at 6:33 p.m.

Approval of August 23 Meeting Minutes: A motion by Rando seconded by Niflot to approve the September 27 meeting minutes was carried. There was no public comment on the agenda.

Public Relations/Fundraising Specialist's Report: Ramie reported that bookkeeper Mike Poska had asked her if there had been any salary adjustments made as they would have been effective October 1 since that was the beginning of the new fiscal year. Ramie said that she told him that she had no recollection of any votes concerning salary adjustment. After a brief discussion, Peckham stated that there had not been any adjustments made.

Ramie reviewed highlights of her written report. She noted that the Town of Hancock had completed its grant project under state contract #TM09050. They improved the town-owned golf course with their \$3,125. They are the fourth town out of the eight New York towns to complete its work. Ramie said as a result of the speed of the electronic funds transfers, she had submitted for reimbursement on October 4th, the money was in the account by October 19th, and the town was paid on October 20th. The contract period runs until August 15, 2012.

Ramie said that she looked into a grant source called the Norcross Wildlife Foundation based on Soete's suggestion that they support grants for technology. She noted that it is a very simple process according to what she had read and that it appears that they give grants for exactly what the office is looking for, which is five desk-top computers and a router. Computers are currently our biggest need and we have all been having daily computer issues. We literally don't know from day to day if the e-mail will be working or if we will be on or off the internet. Richardson questioned if our issues were with the server. Soete told him that it appears to be an issue with our router. Ramie noted that we have called Time Warner Cable on numerous occasions about it and they have suggested that the problem is on our end. Ramie said that we have asked our IT consultant, Ernie Matern from Damascus, to submit a proposal to us on the cost for new computers. Once she has the figures, she can apply for this grant. Peckham asked about the wait time once the grant is submitted and Ramie advised him that you can submit the application at any time and then they give you the quarterly time frame at which their board will meet to discuss it. Soete said that Council received a grant from Norcross years ago and he believes that the table and some chairs in the conference room were bought with the money. Ramie suggested that it looks promising and that we are exactly the type of organization that they like to fund.

Ramie said the Fall/Winter newsletter arrived on October 3rd as promised by the printer and the next one is not due until March 16, 2012 for release on April 12, 2012. Three news releases were issued since last month.

Ramie pointed out the special activities listed in her report for the UDC and the Scenic Byway. She noted two upcoming projects that are going to be quite time-consuming which are the FY 2011 Annual Report and the updating of the Visitor Information Map & Guide for a Spring 2012 release. The Annual Report will be posted on-line and no longer requires waiting for completion of the audit under its new format.

Executive Director's Report: Douglass advised the committee that the Park Service funding carrying us through November 18th came through. McGuinness added that due to the current budget situation, it had been held up for a short time. Peckham questioned when the current Continuing Resolution will expire. McGuinness said that the date is November 17th.

Douglass noted that Dick Eckersley and his staff will be coming in next month on the 9th and the 10th to conduct the UDC audit.

Douglass advised the Committee that on October 27th he, Soete and McGuinness will be traveling to Pottsville to meet with the Pennsylvania DEP Pottsville District Mining Office. Soete said that the purpose of the trip is to let them know who we are and what our concerns are with mining in the river corridor. The meeting was set up by the UDC's attorney Jeff Zimmerman, who had asked the UDC and National Park Service to join him. The DEP's attorney will also be present. Zimmerman wants to get clarification from the DEP about their mining permit process. Soete added that he found out that Holbert Brothers Bluestone Co. in Lackawaxen, PA has applied for a major mining permit. He noted that they will be talking with the person who issues the mining permits about our concerns. The Holbert mine and possibly other issues will be discussed at this meeting. Richardson stated that it is his hope that something good comes out of this meeting.

New Business

FY 2011 Funding Status and UDC Office Building Report: Odell said that Douglass had already covered the funding status in his report. She reported that the Park Service Maintenance Dept. was here on September 29th to fix the gutter problem that led to flooding during the last Operations Committee meeting. Odell said that she had placed calls to several different electricians to come into the Council office and give us quotes on our lighting needs. Mike from American Electric was in as well as Vinny from Symanski Electric. She said they were asked to work up quotes for both fixing and replacing the current lighting and to please have the quotes back to us for tonight's meeting. She reported that she had not received any quotes. Rajszyk suggested contacting Dick Riseling from Sullivan County to have an energy audit done. She said that the Town of Lumberland just had it done and that there is no cost for the audit and that there is a list of available contractors to complete any suggested work. Richardson noted that when we do get someone in to do the work, we need to make provisions for emergency lighting.

Support Letter for Upper Delaware River Corridor Local Waterfront Revitalization Program

Phase 2: Ramie said that the reason for presenting the letter at this committee meeting is that there is a grant application due by the end of this month, therefore it doesn't give the Sullivan County Planning Office time to wait for our November 3rd council meeting. Ramie noted that we supported Phase 1 and that we are active participants on the steering committee for the Local Waterfront Revitalization Program. She explained that in this Phase 2 they are to pursue two projects involving public river accesses and signage. They are meeting with local municipalities along the river in three counties to address what their needs are in both of those areas and then it will ultimately be up to those communities to say what needs to be done and where. Peckham questioned if the signs along the river are limited to five square feet. Ramie noted that they did look up the Land and Water Use Guidelines from the River Management Plan and referenced them in the letter. Richardson said that we have supported this from the beginning and it is to enhance the towns along the river and he thinks it is a good project. A motion by Rando, seconded by Rajszyk to sign the letter of support was carried.

UDC Legal Services in PA and NY: Ramie reported that she had placed ads for legal services in The Wayne Independent, The River Reporter and Sullivan County Democrat on five different dates. The ad read, "Upper Delaware Council, Inc. issues a request for proposals for legal services covering both New York State and Pennsylvania on a per-project basis. Expertise in environmental, non-profit, governmental law and contract reviews preferred. Submit qualifications, terms and hourly rates to...." the ad then states our address, fax number and e-mail address "by 5:00 p.m. October 24, 2011". We did not receive any responses. She advised the committee that the cost for those ads was \$131.75. She questioned how the committee would like to proceed. Richardson stated that it may be that there are not many attorneys that practice law in both states and we do have Mr. Keating who practices in New York State so the real void right now is Pennsylvania. Peckham suggested calling the Bar Association and asking them to suggest individual attorneys or firms that specialize in our specific needs. Ramie said that she was surprised by the lack of response. After a brief discussion, Richardson suggested contacting Mr. Keating and confirming that he is still prepared to represent us on the New York side and then focus on finding representation of the Pennsylvania side.

Legal Funding Assistance Request to NPS: Richardson questioned if we have made any sort of formal request. After it was determined that we had not, McGuinness said to write a letter of request and quote the parts of the River Management Plan that make reference to this matter. Ramie questioned if the letter should be addressed to McGuinness as Superintendent. McGuinness said to send it to him and that way it will be on record that we have started the process. He said he is meeting with the Regional office on November 4th. Soete questioned if there should be a draft letter ready for the November 3rd Council meeting. Richardson answered yes. Rajsasz asked if the Park Service provides funds or legal services. McGuinness answered that they can't provide legal services as we are not a federal agency. Ramie questioned if there should be a dollar amount put in the letter or leave it open-ended. McGuinness suggested leaving it open-ended. Peckham suggested making a motion or something to cut off funds at a certain amount for the Holbert appeal as he is concerned that it could turn into a lot of money. Richardson said he would entertain a motion to have staff draft a letter that would request funding from the National Park Service in support of this legal action that we've been taking and the letter would be available to full Council for discussion and approval or not. A motion by Rajsasz, seconded by Rando to draw up the letter of request was carried.

Town of Deerpark UDC appointments: Ramie informed the committee that we have a new representative and a new alternate for the Town of Deerpark. David Dean, the new UDC Deerpark Representative, is a councilman on the Deerpark Town Board and Virginia Dudko, the alternate, is Lew Schmalzle's (former Town of Highland Representative) daughter. Committee members expressed that they are happy with the appointments. Ramie noted that she had sent out orientation packets and stressed that we would welcome their participation on any of the three standing committees. Ramie said that the town's notice indicates that these appointments are for the remainder of 2011.

Summary of Pending Bills 10-25-11: McGuinness questioned what the monthly members' fee is. Richardson explained that each town gets \$100, some of the towns pass that money on to its delegate and it is his understanding that some towns don't. The member expenses are for mileage reimbursement. Ramie noted that Westfall Township gets its member fees quarterly and that is why they are not on the October list. They are still receiving that fee even though they do not have a representative or alternate appointed. It was noted that the Town of Deerpark receives its fee annually. Rajsasz asked if there was any movement on the appointment of a Westfall representative. Ramie answered not to her knowledge. She mentioned that Douglass talked about going down to one of their meetings to try and motivate them and see if they're working on it. Richardson feels it is important to keep this issue in front of them as many boards, in December, are lining up their appointments for January. Peckham questioned if the UDC's utility accounts are listed as commercial accounts. Ramie answered that she would assume that they are. Rajsasz questioned if we are, unintentionally, paying taxes to any of the vendors. She suggested taking a look at the bills and seeing if there are any taxes being paid. It was suggested to look into finding another phone carrier like MCI that offers unlimited long distance. Peckham said that it doesn't hurt every once in a while to review these things. Richardson questioned if there were problems with the boiler or if it had been serviced. Ramie told him it was the annual pre-winter service. Richardson questioned the reimbursement to Douglass for website costs. Soete explained to him that Douglass offered his credit card as the UDC does not have one to cover the annual website hosting service. Odell mentioned that the cleaning company that is currently cleaning the office is not doing a great job for the money they are getting paid. Rajsasz noted that the papers and boxes in the conference room and around the office need to be contained and put away somewhere. Ramie said it is going to be our winter project and that a lot of it was boxed up from the office manager's area and put back there so Odell could start with a less cluttered office. Rajsasz suggested tackling it one box at a time weekly maybe. Richardson noted that a lot of money was spent to make storage available in the attic. A motion to approve the bills as listed was made by Rajsasz, seconded by Rando and carried. Niflot questioned if a motion had been made to look into the current cleaning situation. He was told that a motion had not been made, but staff was asked to look into it. Roeder suggested calling the current company and expressing our dissatisfaction. Ramie told him that has been done in the past and they are more attentive to detail for a while, but that it does not last long. She added that they have been given their second chances; we wouldn't be bringing it up otherwise. Richardson noted that one of the requirements when looking into a possible replacement is that they have to be insured. When looking over the financial statement forms, Peckham questioned the difference in the member fees between September 2010 and

September 2011. Richardson answered that this might reflect what had been discussed earlier in the meeting, that some of the towns don't get paid monthly. Ramie said that we could ask our bookkeeper.

External Meetings and/or Travel Requests: Ramie referred to the Upcoming Meetings list that had been handed out in the member's packets. Rajsiz noted that the Lumberland Public Hearing on the town's zoning re-write was not on the list and said that it will be held on November 30th at 7:00 p.m. in the Lumberland Town Hall. She added that the Rio Dam Hydroelectric Project public hearings are scheduled for November 4th. McGuinness questioned if she saw any issues pertaining to the Rio Dam project. Rajsiz said that they are making some amendments and that the file is available in the town office. It is her understanding that they are minor amendments, but any amendments to the FERC license has to have a public hearing. Soete said they want to harness the 100 cfs coming out of the Rio that supplements the Mongaup River between the dam and the lower penstock. Peckham commented that a problem with hydrogeneration is that it warms up the water. The meetings that staff requested to attend were: **Oct. 26th** – D & H Transportation Heritage Council quarterly meeting, High Falls, NY 11:00 a.m.; **Oct. 27th** – Meeting with Pennsylvania DEP Pottsville District Mining Office, Pottsville, PA 10:00 a.m.; **Oct. 28th** – “Water Water, Everywhere – Future of the Upper Delaware River”, West Branch Angler Resort, Hancock, NY, 9:30 a.m. – 5:00 p.m.; **Nov. 4th** – Rio Dam Hydroelectric Project public hearing 7:00 – 9:00 p.m. – public meeting at Lumberland Town Hall; Upper Delaware Scenic Byway Visitor Center meeting, Sullivan County Gov't Center, Monticello, NY, 1:00 p.m.; **Nov. 17th** – Common Waters Partnership meeting, 9:00 a.m. – 12:30 p.m., N.J. location TDB; **Nov. 29th** – Revised Draft Supplemental Generic Environmental Impact Statement (SGEIS) public hearing, Sullivan County Community College, Seelig Theatre, Loch Sheldrake, NY, 1:00 p.m. – 4:00 p.m. or 6:00 p.m. – 9:00 p.m.; and **Nov. 30th** – Lumberland Public Hearing on zoning re-write, Lumberland Town Hall, 7:00 p.m. A motion to approve travel requests was made by Rando, seconded by Rajsiz and carried. It was decided that it was not necessary to send anyone from the UDC staff to the November 21st DRBC special meeting in Trenton, NJ as there was not going to be any public comment.

Other: Roeder expressed that he has a minor concern about how our reports are coming out at the monthly meeting. He said that we have three basic committees and he feels that some subjects may be being discussed in the wrong committee and are being repeated within the committees. He also feels that the reporting of the committee meetings needs to be condensed at the monthly meeting. Richardson said it has been discussed that the Chairperson from each committee should try and touch on the important issues and as Peckham has suggested, if people want more detail, they can read the minutes on-line. Roeder reiterated that it is just a suggestion to not discuss the same subject in more than one committee. Roeder questioned if we need to get a committee to meet for the UDC officer elections. Ramie noted that usually in November the Nominating Committee is appointed. They make their report in December and the vote is in January.

Old Business

Report on 10/19 Delaware River Celebration, Shawnee, PA: Ramie referenced her written report provided on this event that she, Douglass and Soete attended on October 19th. She pointed out that all the presentations made the day of the event will eventually be available on the DRBC website as well as the River of the Year website so they can be read in their entirety. She said there were many familiar faces there from all of the partner groups that we deal with. Ramie noted that since the event, she has received three different inquiries about information that she did get that day including the Port Jervis Whitewater Park that she was able to share with the UDSB, contact information for the water trail project for their sign plan that Sullivan County Planning is using in its LWRP application, and Bill Rudge was looking for economic studies on the impact of recreation on the river which was the subject of two reports at the forum.

Report on 6-23/24 Wild and Scenic Rivers Act Training Workshop: Soete said he had not had time to provide the written summary requested yet.

Other: None

Public Comment: None

Adjournment: A motion by Roeder, seconded by Rajsiz to adjourn the meeting at 7:58 p.m. was carried unanimously.