

Watershed Agricultural Council

Agriculture ♦ Forestry ♦ Conservation Easements ♦ Economic Viability

33195 State Highway 10, Walton, New York 13856

phone: 607-865-7790

fax: 607-865-4932

nycwatershed.org



Executive Committee Meeting February 16, 2016

Meeting called to order at 1:05 p.m. by Sally Fairbairn.

Members Present: Dave Cammer Richard Giles
Fred Huneke Sally Fairbairn
Tom Hutson John Schwartz, via phone

Members Absent: John Riedl

Others: Bud Gladstone Craig Cashman
Amy Faulkner Thomas Artale
Ryan Naatz Michael Chamberlain

Sally asked if there were any additions to the agenda, she noted that the Stewardship Endowment Contract would be discussed. Michael Chamberlain is joining the meeting as a spectator as part of his work on the strategic planning and Ag program business process evaluation.

I. Approval of Minutes

Motion to approve the minutes of the January 19, 2016, as presented.

Motion: Dave Cammer

Second: Fred Huneke

Approved

II. Executive Director Report – Craig Cashman

A. Operations Report

- **Funding Requests:** Craig and Thomas updated the Committee on the status of the Easement Contract payment requests submitted to DEP. Craig, along with Thomas and Leslie, are in constant contact with DEP attempting to get the necessary paperwork submitted so the payment requests can be processed. Currently Leslie is working with Easement Program subcontractors to gather insurance documentation that the City of New York is now requiring to be submitted before the payment can be processed. This is becoming increasingly difficult as the forms and requirements of the City are quite onerous, change frequently and take time for subcontractors to return in an acceptable format. Craig has spoken numerous times with Jeff Graff, DEP, to explain the difficult situation that this puts WAC in; Jeff has assured WAC that DEP is doing its best to get the payments made as quickly as possible.

This issue of insurance is not an issue exclusive to WAC; other organizations that work with DEP are experiencing the same problems.

Staff at DEP have been working with the City contracting office in an attempt to get a waiver of these requirements for subcontracts such as WAC, CWC and the Soil and Water Stream Program, but it is unclear as to when or if that waiver will be issued.

The payment requests for the Agriculture and Forestry Contract with DEP have yet to be affected by these requirements so it is expected that the most recent payment request for that contract will be accepted and processed without issue. It is a concern that in the near future that contract will also be scrutinized to the detail currently being experienced. Craig stated that he is confident that WAC and DEP will find a solution moving forward but in the meantime with the funding not coming in it is likely that WAC will have to activate its line of credit within the next four to six weeks to cover operating costs. Therefore it is important that for the immediate future the Council and staff are aware of the issue when making any financial commitments or purchases.

Motion to recommend that the Council instruct the Easement Committee to cease making additional acquisition commitments effective 3/03/16 until the Easement contract payment requests for the terms of 10/01/15 through 3/31/16 have been received.

Motion: Fred Huneke

Second: Richard Giles

Motion Carried

John S. abstained

B. Program Report

- **Forestry Program – potential 480a changes:** Craig reported that Tom Snow of NYS DEC recently contacted him to discuss WAC's position on the proposed 480(a) changes. Both Craig and Tom Pavlesich had a lengthy discussion regarding the proposed changes and the fact that WAC does not take a position on the matter. To date WAC has consolidated all information received from a variety of constituents in order to provide valuable input on the process and proposed changes. WAC is often in the position to be the best avenue to gather input from a group of constituents on a variety of topics, i.e. WOTUS, CREP, 590 standard, etc and elevate that feedback through the proper channels, but does not take a position in favor or opposition on those matters.

III. Chair's Report – Sally Fairbairn

A. Policy Modification – Director Attendance (At-large Directors)

- The proposed policy modification was distributed to the Committee in the meeting packet. The Governance committee is suggesting the modifications to define attendance requirements for at-large directors. There were no questions about the modification; the proposed policy will be distributed to the Council at the February meeting for vote at the March meeting.

B. Policy Discussion – Data Release

- It has been determined that WAC needs a policy to address organizational data release. Sally will be working over the next two months to select Council Directors to form a working group to draft a policy to address this. It is expected the group will meet approximately twice over the next few months to get a policy drafted for review by the Executive Committee.

C. WAC 10 Contract Letter Amendment

- The draft letter amendment scope of work and budget were emailed out to the Committee last week. Craig reviewed the scope of work in detail for the group. All program managers were involved in the negotiations for the applicable sections and have reviewed the scope of work and budget and are satisfied. This letter amendment will hopefully lay the ground work for the next five-year contract, the scope of work and budget provide for enhancements to all major program areas and also includes funding dedicated for the purchase of land for future building of a new WAC facility. These documents were distributed to the Council in the monthly packets, and it is anticipated that the Council will review and approve and accept the amendment at the February or March Council meeting. John Schwartz would prefer that the contract be accepted by the end of March in order for it to be submitted to the procurement department of DEP to be processed well in advance of the July 1, 2017 start date.

D. Stewardship Endowment Contract

- This week WAC received the final edits from DEP's legal department on the Stewardship Endowment contract. Those edits were distributed to the group via email last week as well. These were also included in the monthly packet to the Council.

IV. Executive Session

Motion to go into Executive Session to discuss contract negotiations.

Motion: Fred Huneke

Second: Tom Hutson

Approved

Motion to come out of Executive Session.

Motion: Fred Huneke

Second: Tom Hutson

Approved

V. Adjournment

Meeting adjourned at 3:10 p.m.