



MINUTES OF THE EASEMENT COMMITTEE MEETING

May 1, 2024

MEMBERS PRESENT:

Tom Hutson, *Committee Chair*
Paul Gallay, *via Teams*
Wayland 'Bud' Gladstone, *via Teams*
Karl Gockel, *via Teams*
Fred Huneke
John Verhoeven, *via Teams*
John Vickers, *NYC DEP, via Teams*

MEMBERS ABSENT:

None

OTHERS PRESENT:

Ryan Naatz, *Executive Director, via Teams*
Serena Orleski, *Easement Program Manager*
Bill Martin, *Easement Program Acquisition Coordinator, via Teams*
Mike Morales, *Easement Program Stewardship Coordinator*
Dennis Heinz, *Senior Land Stewardship Specialist*
Troy Bookhout, *Easement Program Conservation Planner*
Kayla Atanasoff, *Easement Program Executive Assistant*
Michael Vander Werff, *NYC DEP, via Teams*
Lee Harris, *NYC DOI, via Teams*
Anastasia Plakas, *NYC DOI, via Teams*
Paul Kacmarczyk, *NYS DOH, via Teams*
Morgan Tarbell, *NYS DOH, via Teams*

PUBLIC ATTENDEES:

Sean Leddy, *Delaware County Planning, via Teams*
Nick Carbone, *Delaware County Watershed Affairs, via Teams*

I. CALL TO ORDER

The meeting was called to order at 3:02 p.m.

II. APPROVAL OF MINUTES

Motion to approve the Minutes of the April 3, 2024 public meeting of the Easement Committee.

Motion: Fred Huneke

Second: John Vickers

Motion Carried

III. ADDITIONS/DELETIONS TO AGENDA

- A. Murphy Foundation, Inc. (PID# 6027): Right-of-Way Request (*added to Stewardship Motions*)

IV. CHAIR'S REPORT/PROGRAM MOTIONS

A. Chair's Report

Tom noted that he would be leaving for part of the meeting due to the River Haven Farm Legacy, LLC motion and his relationship to that property.

B. Agricultural CE Applicant Selection Working Group

Motion to form the Agricultural CE Applicant Selection Working Group for scoring and ranking of new ACE applicants.

Motion: Karl Gockel

Second: Paul Gallay

Abstained: Tom Hutson

Motion Carried

C. Forest CE Applicant Selection Working Group

Motion to form the Agricultural CE Applicant Selection Working Group for scoring and ranking of new ACE applicants.

Motion: Bud Gladstone

Second: Karl Gockel

Abstained: Tom Hutson

Motion Carried

V. DISCUSSION ITEMS

None

VI. STEWARDSHIP MOTIONS

A. Murphy Foundation, Inc. (PID# 6027): Right-of-Way Request

Dennis presented this motion.

This Right-of-Way (RoW) request involves the third-party Oorah, Inc. (Oorah), neighbors to the Murphy Foundation, Inc. property. Oorah is working with New York State Electric and Gas (NYSEG) to relocate a power line from an existing electrical pole to service new generators on the Oorah property. Dennis mentioned that approximately 50 linear feet of the new electrical line will be buried on the easement property. Additionally, the proposed RoW includes "covenants to restore the premises of the Grantor to its original condition upon the completion of the installation." Dennis explained that Oorah is a summer camp and the request was added on because they were trying to make the upgrades before guests arrived in June to minimize disruptions to programming.

Motion to approve the Right-of-Way request dated April 19, 2024. This request is further described in the Right of Way Easement Staff memo dated April 29, 2024, with associated legal documents and maps submitted by Oorah, Inc.

Motion: John Vickers

Second: Karl Gockel

Abstained: Tom Hutson

Motion Carried

B. River Haven Farm Legacy, LLC (PID# 6009): Right-of-Way Request

Mike and Troy presented this motion.

This Right-of-Way Request (RoW) involves a third party that would like to construct an access road through River Haven Farm Legacy, LLC to a proposed cell phone tower. Mike explained that all components of the actual cell tower will remain within an OUT parcel on the River Haven Farm LLC Property. The access road would be gravel and would be for the construction and future maintenance of the cell phone tower. Mike stated that this request is unique in that the River Haven Farm Legacy LLC has an older Deed, that does not have a 'Right of Way' section in it. Due to the large-scale nature of this request, and other relevant clauses within the Deed of CE, Easement staff proceeded with the motion. Mike stated that the lease agreement in was attached in the packet. Mike and Troy worked with American Farmland Trust and the third party to ensure agricultural and forestry activities could continue to occur on the access road. Troy said that the RoW would follow an existing access road to a point and could be used as an access for agricultural activities in the future. He also stated that once the access road enters the woods, there will need to be trees removed for the road construction. Mike and Troy discussed the other 10' RoW that is also included in the packet that will be needed for power to the cell phone tower. Subsequent discussion ensued about the permits needed and the process of events for construction.

Motion to approve the Right-of-Way request dated April 15, 2024. This request is further described in the Right of Way Easement Staff memo dated April 16, 2024, with associated legal documents and maps submitted by River Haven Farm Legacy LLC (PID #6009).

Motion: Bud Gladstone

Second: Paul Gallay

Abstained: Tom Hutson

Motion Carried

VII. STEWARDSHIP UPDATES

None

VIII. EXECUTIVE SESSION (IX-XI)

Motion at 3:23 p.m. to go into Executive Session to discuss Violations/Legal Updates, Acquisition Project Motions/Updates, and Other Business.

Motion: John Vickers

Second: Paul Gallay

Motion Carried

Motion at 3:43 p.m. to come out of Executive Session.

Motion: John Vickers

Second: Bud Gladstone

Motion Carried

IX. VIOLATIONS/LEGAL UPDATES

None

X. ACQUISITION PROJECT MOTIONS/UPDATES (MOTIONS IN PUBLIC MEETING)

ACE Project Motions

- A. (PID# 6319): Land Plan Approval & Appraisal Authorization

Motion to approve the Land Plan for PID# 6319 as shown on the Land Planning Maps dated March 5, 2024, as presented, and authorize appraisal of an easement under the following scenario:

Two (2) ADAs consisting of ~6.35 acres, one (1) RPA consisting of ~25.62 acres, four (4) FAs consisting of ~49.53 acres, and zero (0) additional tax parcels.

<u>Existing</u>		<u>Land Plan</u>		<u>Total</u>
Tax parcels: 1	+	Subdivision: 0	=	Tax parcels: 1
Residences: 1		Residences: 0	=	Residences: 1
		ADAs: 2	=	ADAs: 2

Motion: Fred Huneke

Second: Karl Gockel

Motion Carried

- B. (PID# 6243): Final Documents Approval

Motion to approve final easement, BDR, title insurance, survey, and ESA for PID#6243 conservation easement project, contingent upon receipt of COFA.

Motion: John Vickers

Second: Bud Gladstone

Motion Carried

FCE Project Motions

- A. (PID# 6285): Appraisal Approval, Offer Authorization and Purchase & Sale Contract Execution

Motion to approve appraisal, authorize offer, and execute contract for the purchase and sale of a Forest Easement for PID #6285, encompassing +/- 139.56 acres, at the full easement value of \$1,500 per acre.

Motion: Paul Gallay

Second: Fred Huneke

Motion Carried

Updates

None

XI. DISCUSSION/OTHER BUSINESS

None

XII. ADJOURNMENT

The meeting was adjourned at 3:53 p.m. by common consent.

The next meeting will be held on **Wednesday, June 5, 2024 at 10:00 a.m., via Teams**