Minutes of the WAC Easement Committee Meeting
February 2, 2022

Members Present via Zoom
   Tom Hutson, Committee Chair
   Dave Cammer, Committee Vice-Chair
   Fred Huneke
   John Riedl
   Bud Gladstone
   John Verhoeven
   John Vickers, NYC DEP

Members Absent: N/A

Others Present via Zoom:
   Josh Gorman, Easement Program Acquisition Coordinator
   Dennis Heinz, Land Conservation Stewardship Specialist
   Mike Morales, Land Conservation Stewardship Specialist
   Troy Bookhout, Easement Program Conservation Planner
   Ryan Naatz, Executive Director
   Jeff Graff, NYC DEP
   Duncan Schmitt, NYC DEP
   Michael Vander Werff, NYC DEP
   Tom Ganz, NYC DEP
   Tal Ron, DOI
   Cynthia Irizarry, DOI
   Kristan Morley, EV Program Manager
   Dave Tobias, NYC DEP
   Jessica Nowlin, DOI

Public Attendees:
Richard Giles, WAC Board Member

mjm 2/2/2022
EC mtg
I. CALL TO ORDER
Meeting Called to Order at 10:01 am.

II. APPROVAL OF MINUTES
❖ Motion to approve the Minutes of the January 5, 2022 public meeting of the Easement Committee.
   Motion: Fred Huneke
   Second: Bud Gladstone
   **Motion Carried**

III. ADDITIONS/DELETIONS TO PUBLIC AGENDA
Josh Gorman added a stewardship update on the final approval for the John Houshmand subdivision and FADA.

IV. CHAIR’S REPORT / PROGRAM MOTIONS
   Tom did not have a chairs report or program motions.

V. DISCUSSION ITEMS
   None

VI. STEWARDSHIP MOTIONS
   None

VII. STEWARDSHIP UPDATES
Troy Bookhout updated the committee on the John Houshmand final subdivision and FADA siting request. Troy stated he has received the title search from Mr. Houshmand’s attorney. According to the FADA guidelines, WAC’s attorney is required to review the title search and relevant documents. Troy voiced his concern over the fact that we currently do not have legal representation to review such documents. Ryan Naatz added that he and John Vickers from DEP are working on how to maintain legal counsel representation during the current one-year extension of CAT 403. Ryan stated that the previous extension expired on 12/31/21, along with WAC’s legal services, which have previously been retained through an ‘engagement letter’ with DEP. Ryan added that further discussion will be had with DEP to decide which legal mechanism is most appropriate to retain legal counsel moving forward. Ryan stated that John Vickers and his team at DEP are meeting with the ACCO this week to discuss this issue and hopefully come to a resolution. Ryan added that any routine stewardship actions that require legal counsel may need to be delayed for the time being, until we obtain the necessary documentation to move forward with retaining legal counsel. John Riedl asked if this potential delay in legal representation will be problematic for Mr. Houshmand’s timeline. Troy replied that the plan is to convey the property, and that Mr. Houshmand would like to bring final materials forward at the March meeting, however at this point we will need to evaluate how to move forward if we cannot get legal review before that meeting. John Riedl also asked if the Houshmand right of way issue that was brought up at the January meeting was resolved. Troy replied that the right of way issue was not addressed during the January meeting. Troy stated that the plan is to convey the property, and that Mr. Riedl would like to bring final materials forward at the March meeting, however at this point we will need to evaluate how to move forward if we cannot get legal review before that meeting.
The committee agreed that there is no need to go into Executive session.

John Riedl asked for any updates on the Merritt NYSEG transmission easement. Dennis updated that he received a response to the red line edit that we had initially sent to NYSEG. This will be presented for discussion at the March EC meeting. Dennis updated committee that the annual TerraFirma supplication was renewed. Both Ryan and Dennis gave background on the importance of submitting this application to ensure WAC is covered for any potential litigation that may occur on our Easement Properties. Fred asked details on the cost of this coverage, and if the cost is built into our budget. Ryan replied that TerraFirma costs about $12,000 per year and is built into routine budgets. Ryan reiterated the importance of the TerraFirma application to WAC as a land trust, and the fact that it was renewed even while we were in austerity measures.

Fred asked if the Moriarty/eminent domain proceedings were completed. Ryan replied that the stream work (on the Moriarty side) associated with the New Kingston Waste Water Treatment Facility was approved at the October EC meeting. As far as we know the associated scope of work on the Moriarty portion of the project is complete. We have received the necessary DEC stream permits from CWC/Town of Middletown. Ryan added that he and DEP have deemed it most appropriate to add the funds WAC received from the eminent domain proceedings to CAT 403.

VIII. EXECUTIVE SESSION

None
IX. VIOLATIONS / LEGAL UPDATES
None

X. ACQUISITION PROGRAM MOTIONS

ACE Project Motions
None

FCE Project Motions
None

 Updates
None

XI. DISCUSSION / OTHER BUSINESS
None

XII. Meeting adjourned at 10:25 am

Next meeting date: Wednesday, March 2, 2022 @ 10:00am (Location TBD)