Minutes of the WAC Easement Committee Meeting
June 2, 2021 via Zoom

Members Present via Zoom
Tom Hutson, Committee Chair
Dave Cammer, Committee Vice-Chair
Bud Gladstone
Fred Huneke
Jeff Graff, NYC DEP

Members Absent: John Verhoeven
John Riedl

Others Present via Zoom:
Rob Birdsall, Easement Program Stewardship Coordinator
Josh Gorman, Easement Program Acquisition Coordinator
Suzie Seymour, Easement Program Executive Assistant
Mike Morales, Land Conservation Stewardship Specialist
Serena Orleski, Land Conservation Acquisition Specialist
Troy Bookhout, Easement Program Conservation Planner
Duncan Schmitt, NYC DEP
Dave Tobias, NYC DEP

Public Attendees:
Morgan Tarbell, NYS DOH
Paul Kaczmarczyk, NYS DOH

I. CALL TO ORDER
   Meeting Called to Order at 10:04 am.

II. APPROVAL OF MINUTES
    ♦ Motion to approve the Minutes of the May 5, 2021 public meeting of the Easement Committee.
Jeff asked for clarification regarding V. 1. Town of Middletown Eminent Domain proceedings update to understand the steps correctly. He said DEP’s understanding is that WAC will engage legal counsel first to understand how to approach the issue of proceeds entitled to WAC before an appraisal is done. Rob said that process is correct – we will engage HH&K to assess and advise on the next proper steps.

Motion: Bud Gladstone
Second: Fred Huneke
**Motion Carried**

III. ADDITIONS/DELETIONS TO PUBLIC AGENDA
None

IV. CHAIR’S REPORT / PROGRAM MOTIONS
Tom H. gave credit to Committee, staff and the Board for dealing with all of the changes over the past 15 months.

1. FY22 Easement Program Annual Work Plan

Motion to approve FY22 Easement Program Annual Work Plan for the time period of 7/1/21 – 12/31/21. Work Plan shall be forwarded to the full Council for their consideration / approval at the June, 2021 Council meeting.

Motion: Fred Huneke
Second: Dave Cammer

Discussion: Rob advised that the Work Plan is for the first six months of FY22 due to the term and duration of the CAT 403 contract. Jeff said it would be helpful to see some indication of what guidelines are in the works for stewardship over the next six months. Fred stated the Work Plan doesn’t really have to be all that specific; it is just a roadmap. He questioned if the specifics of what guidelines are being worked on really have to be in the Work Plan. Jeff suggested that Guideline Development be included as a Stewardship task in the Work Plan. Rob replied that he is asking DEP for approval as written and that in speaking with Ryan briefly, Ryan indicated that he’s not amenable to any Work Plan modifications at this point. Jeff pointed out that the Acquisition boxes are all 0s except for the one potential closing and it’s a matter of accounting for staff time. He said it would be helpful to have an outline of current projects/work along with the assignment of Acquisition staff to Stewardship tasks including guideline revision and/or development or research or whatever that may be. That was the thing that stood out to him/us (DEP) – nothing going on, on the acquisition side, yet still staff are on board. Josh said he and Rob have worked diligently to outline the plans for this year and there’s plenty of work. It is a fluid document with six months left - this is the standard we have had for the Work Plan for years and we are working with what we have. Rob added that Josh and Serena are working on many additional tasks that are not codified in the Work Plan. Ryan is aware of this. Jeff requested
Rob provide some highlights of projects that are being worked on, specifically for the meeting minutes. Serena stated she is happy to share some of the things she’s working on during Executive Session, as it is more appropriate to discuss there.

**Motion Carried**

V. DISCUSSION ITEMS

1. Town of Middletown Eminent Domain proceedings update

Rob provided a brief update on the eminent domain proceedings. He has had multiple discussions with Mike Moriarty over the last month and shared with him the latest version of the design parameters of the waste water facility that is to be located on the property that he still owns and that is encumbered by a conservation easement; he had not seen those before. Rob asked Mike if he’s agreeable to working with WAC for routine activity requests that may arise as part of the construction; Mike said he’s more than happy to work with WAC on anything that needs approval on the property that he still owns. CWC is also agreeable to working with WAC on anything that needs to be approved. Rob added that he has a call with HH&K this Friday at 10:00 and will keep Committee apprised.

VI. STEWARDSHIP MOTIONS

None

VII. STEWARDSHIP UPDATES

1. Emerald Isle, LLC (PID #6156) – New Utility Easement / Right of Way Request

Rob: When this proposed large-scale utility project was presented last month Committee passed a motion to forward it to legal counsel for review. He has informed both NYSEG and the landowner of that determination and hasn’t heard back from any parties on that matter. LGT will be our legal representation for this project; we’re still working to onboard them so this project is not in their hands at this time. He added that DEP has some procedural recommendations that will be discussed in Executive Session for projects that require legal review for Stewardship matters.

VIII. EXECUTIVE SESSION

❖ Motion to go into Executive Session at 10:24 am to discuss Project Acquisition Motions, Acquisition Updates, Violations/Pending Litigation, and Other Business.

Motion: Bud Gladstone
Second: Dave Cammer

**Motion Carried**
Motion at 11:26 am to go out of Executive Session
Motion:  Dave Cammer
Second:  Bud Gladstone
**Motion Carried**

IX. VIOLATIONS / LEGAL UPDATES

X. ACQUISITION PROGRAM MOTIONS
   Ag Conservation Easements
   None

   FCE
   None

XII. Meeting adjourned at 11:27 am
     Next meeting date:  Wednesday, July 7, 2021