

Watershed Agricultural Council

Agriculture ♦ Forestry ♦ Conservation Easements ♦ Economic Viability

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Executive Committee Meeting July 19, 2022

I. Call to Order

Meeting called to order at 10:09 a.m. by Wayland “Bud” Gladstone.

Members Present:

Dave Cammer	Richard Giles
Bud Gladstone	Fred Huneke
Tom Hutson	Karl Gockel
John Vickers, NYC DEP, via Zoom	

Others Present:

Ryan Naatz, portion	Steve Reed
Lee Harris, DOI, via Zoom	Jessica Nowlin, NYC DOI, via Zoom
Amy Faulkner	

II. Approval of Minutes

Motion to approve the minutes of the June 21, 2022 meeting as presented.

Motion: Fred Huneke

Second: Dave Cammer

Approved

III. Discussion

A. EOH Committee Charge Update

The draft East of Hudson Committee charge was shared and discussed in May, Fred will follow-up with the Committee via email on the status of that. The format was shared with the Board Structure Working Group as they are working on reviewing all charges as well. Regarding the Board Structure Working Group, Ryan stated that the CAT 403 Extension letter from John Vickers confirmed that DEP is likely to require that a third-party entity, like NYCON, be secured to conduct a review and provide recommendations on the structure of the Boards and Committees, by-laws etc. The intent is to bring a group on during the CAT 403 extension. John Vickers added that the CAT 403 extension approval letter includes this completion of a third party technical assistance to advise on WAC’s cost-share apportionment, governance, etc. Jessica added that DOI and DEP are working on the structure and scope of work on how that will happen.

B. DCSWCD/CCEDC Subcontract Updates

Both Delaware County Soil and Water Conservation District and the Cornell Cooperative Extension of Delaware County subcontracts to support the WAC Agricultural Program have been executed with a start date of July 1, 2022, through the remainder of the CAT 487 contract. John Vickers stated that he felt that Ryan and his staff did a great job in enforcing the new standard subcontract template as well as requiring of both entities all additional documentation necessary. WAC took a defined

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position to not allow for the continued reimbursement of the Assistant to the Executive Director at DCSWCD. Richard Giles recognized Amy and Ryan for negotiating the contract in a professional and successful manner.

C. 44 West Street Sublease

Ryan reported that Delaware County Soil and Water Conservation District holds the parent lease with Bob Vitti for the office space at 44 West Street and subleases a portion of that space to WAC. The current lease expires September 30, 2022. WAC needs to consider whether to do a short-term extension, long-term extension, or neither. There are and have been long-time, serious issues with the conditions of the building/office space. Ryan shared a letter from WAC (Amy Faulkner) to DC SWCD, sent last week formally requesting repair of the issues identified. These issues include leaking roof, potential air quality issues (mold? due to the consistent leaking ceiling,) bathroom drainage issues (downstairs especially), ventilation concerns due to downstairs renters & airflow in general in the building, adjacent mixed used commercial uses have been an ongoing concern, AC/Heating issues, fire safety, number of escapes and pest control (mice, rats, ants, bats). Employees have expressed concerns with their health and safety with regards to falling ceiling tiles and potential for mold. During annual budget development DC SWCD informed WAC that at October 1st the lease rates for the space will increase approximately 10%. The Committee members expressed serious concerns with the idea that there may be increases in the rates since DCSWCD parent lease rate is not increasing and the status of the repairs needed. Amy and Ryan will request information on the increase from DC SWCD once they respond to the repair request. Amy reported that she spoke to Larry Underwood and he mentioned that he is hopeful that many of the issues can be resolved prior to September 30, 2022. The letter sent to DC SWCD requested a written response by the end of this month. John Vickers stated that perhaps language should be added to the sublease that states if the repairs are not made in an acceptable time frame, WAC can terminate the lease. Ryan and Amy will continue to work with getting the repairs done and safety concerns mitigated.

Part two of that is the discussion is long term office space for WAC, Ryan would like to reengage DEP in discussions regarding building a WAC building. Is a WAC only building still on the table? Ryan stated that WAC essentially walked away from the offer of a new building based on the ultimatum it presented that all partnering staff had to be included in the building as well. WAC leadership at the time stood firm on the position that all partners needed to be in the same building. There was collective consensus of the Committee to pursue reengaging DEP on this topic as a WAC staff only building, or only that staff funded by NYC DEP. John Vickers responded that DEP could still be open to the building however that cannot be reengaged until the current issues have been settled satisfactorily, including the DTDF. Until ACCO can make a favorable determination of responsibility, DEP will not entertain discussion of money towards a new building. There are three components to the responsibility determination; 1) comingled funds financial accounting; 2) continued compliance with the monitor agreement; and 3) third-party technical assistance with an entity such as NYCON. Those are the hurdles that need to be accomplished before long-term expenses can be engaged upon again. John personally thinks it makes sense – every employee deserves a safe working space to work from, and DEP is fully supportive of that. If WAC is able to find a better space at a lesser cost, that would likely be approved by DEP. John will confirm but from his perspective DEP won't tell WAC where to house their employees but obviously needs to be within budget. John added that a more favorable cost was renegotiated with DCSWCD last year but if that comes at the safety of WAC staff, which affects the program and DCSWCD also wants to increase the rates, then WAC has a great argument to move somewhere else.

Karl asked Ryan what the time frame is for the three contingencies. Ryan responded, and Jessica Nowlin and John Vickers confirmed, that WAC is doing well in regards to the monitoring agreement. The comingled funds Ryan feels we are making fairly good headway, with a goal to have that cleaned up by late summer. The third party technical assistance would probably not be procured and completed until next summer. Karl requested DEP consider including funding to get the current buildings demolished in the CAT 403 extension, while the other two contingencies are worked on. The current stage of the houses is a liability for WAC. John asked if there was an environmental site

assessment on the buildings, Ryan responded that yes there was. John Vickers will check within DEP to see if there is a mechanism for demolition funds to be built in to the CAT403 amendment. Ryan responded that would be great, and big picture he feels strongly about pursuing the building of a WAC building. The property is being 'posted' this week.

D. CAT-403 Extension Request

The current contract extension goes through December 31, 2022 and the next extension will begin at January 1, 2023.

Motion to go in to Executive Session to discuss the Executive Director Evaluation.

Motion: Tom Hutson

Second: John Vickers

Approved

Ryan Naatz left the meeting at this time.

Motion to come out of executive session

Motion: Dave Cammer

Second: Tom Hutson

Approved

Motion to approve the 5% salary increase for Ryan Naatz retroactive to July 1, 2022.

Motion: Dave Cammer

Second: Fred Huneke

Approved

The Committee expressed their collective appreciation of Ryan's work.

IV. Adjournment

Motion to adjourn the meeting at 11:30am.

Motion: Dave Cammer

Second: Fred Huneke

Approved