

Watershed Agricultural Council

Agriculture ♦ Forestry ♦ Conservation Easements ♦ Economic Viability

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Minutes of the Watershed Agricultural Council May 24, 2022

I. Meeting called to order at 10:00 am via Zoom call.

Roll Call:

Directors Present, via zoom:

Dwight Bruno

Dave Cammer

Wayland "Bud" Gladstone

Fred Huneke

Tom Hutson

Eleanor Blakeslee-Drain

Marilyn Wyman

Karl Gockel

Steve Reed

John Riedl

Jennifer Grossman

John Vickers, NYC DEP

Directors Absent:

Richard Giles

John Verhoeven

James Darling

Others Present, via Zoom:

Ryan Naatz

Carol Bishop

Larry Hulle

Kristan Morley

John Jackson

Jessica Nowlin, NYC DOI

Paul Kaczmarczyk, NYS DOH

Patrick Palmer, NYS DOH

Amy Faulkner

Tom Pavlesich

Gibson Durnford

Serena Orleski

Dudley Harris, NYC DOI

Michael Vander Werff, NYC DEP

Morgan Zyzik-Tarbell, NYS DOH

Bruce Dolph, DC SWCD Board

Bud asked if there were any additions to the agenda, Ryan mentioned that he wanted to add CSC Grant update to item #4; Item #9 add the Forest Service Grant Proposal consideration; Item #14 add FAD Comment update and that much of Executive Director updates will be in Executive Session.

II. Approval of Minutes

Motion to approve the April 26, 2022, as amended.

Motion: Dave Cammer

Second: Fred Huneke

Approved

Motion to approve the May 4, 2022, as amended.

Motion Dave Cammer

Second Tom Hutson

Approved

III. Executive Director Report

A. Programmatic and Operational Updates: Much of the Programmatic and Operational Reports will be done in Executive Session.

1. WIT Update – John Jackson

John Jackson presented an update on the status of FAME and WIT, WAC's data management tools.

III. Chair's Report – Bud Gladstone

Bud reported that with July 1 being the start-up of the new fiscal year he is hoping to begin some BMP Implementation.

A. Conflict of Interest Policy Revisions

Motion to approve the Conflict of Interest Policy modifications, as presented.

Motion: Steve Reed

Second: Fred Huneke

Approved

B. Code of Conduct Policy Revisions

Motion to approve the Conflict of Interest Policy modifications, as presented.

Motion: Marilyn Wyman

Second: Dave Cammer

Approved

C. Open Meetings Law

Ryan explained that although WAC is not required to adhere to Open Meetings Law, it has committed to following portions of the law via the Transparency Policy. Serena Orleski prepared a brief memo on behalf of Ryan which was distributed to the Council, via email. John Vickers asked to include Climate Change as an extraordinary circumstance; Ryan responded that there is great latitude as to what we include as extraordinary circumstances.

Motion to authorize the continued option of remote attendance for Council, Easement Committee, and Executive Committee meetings in the event an extraordinary circumstance precludes a member's physical attendance. Extraordinary circumstances include disability, illness, caregiving responsibilities, health concerns related to the ongoing Covid-19 pandemic, climate change, rising transportation costs, and its associated financial burden, and any other significant or unexpected factor precluding physical attendance. This motion shall have the same binding effect as an adopted resolution of the Council of Directors.

Motion: Jennifer Grossman

Second: Steve Reed

Approved

D. Climate Smart Commodities Grant Working Group:

Jennifer reported that the resource development working group was reconstituted, everyone is invited to join the meetings. The current goal of the group is to meet every other week, on Wednesdays. The group currently consists of Bud Gladstone, Dave Cammer, Marilyn Wyman, Jim Darling, Fred Huneke and Steve Reed. The groups two immediate goals are, 1 – submit a request for approval to DEP that will outline the components of what this would entail for current staff and future programming; and 2 –

begin to develop a program work plan, what would a climate program look like at WAC? Columbia University, partner, will be the lead for the monitoring, they are offering a workshop on how they accomplish their monitoring later today. On June 1st at 8:30am Columbia University and Hudson Carbon are both willing to do a presentation to the working group on how they intend to work with WAC on this project, if awarded. Everyone is invited to hear directly from the partners. Jennifer will send out a zoom link.

V. Finance Committee – Karl Gockel and Carol Bishop

A. Financials

Motion to accept the March financials as presented.

Motion: Bud Gladstone

Second: Fred Huneke

Approved

Karl reported that the Staff Accountant – General Ledger will be starting on May 31st.

V. Agricultural Committee – Steve Reed

A. Agricultural Committee Approvals

1. Agricultural Committee Approvals

Upon the recommendation of the Agricultural Committee, motion to approve the following:

Whole Farm Plan Revisions:

Robert LaTourette – DEC-069 – Revision 15 – 2022 Design Workload Revision

Motion: Fred Huneke

Second: John Riedl

Approved

Adam & Lindsay Atkinson – DEC-233 – Revision 3 – Priority Equipment Replacement

Motion: Jennifer Grossman

Second: Marilyn Wyman

Approved

PFM Pilot Lime Extensions:

James Elliott – DEP-328 – Revision 4 – BMP 39 - \$4,160

Motion: Tom Hutson

Second: Bud Gladstone

Approved

Robert Wickham – DEC-085 – Revision 12 – BMP 18 - \$4,160

Motion: John Riedl

Second: Fred Huneke

Approved

John Trovato – DEC-SF134 – Revision 5 – BMP 21 - \$4,160

Motion: Bud Gladstone

Second: Karl Gockel

Approved

Dickie Perry – DEP-SF216 – Revision 5 – BMP 40 - \$4,160

Motion: John Riedl

Second: Fred Huneke
Approved

Wayland Gladstone – DEP-120 – Revision 13 – BMP 50 - \$4,160
Motion: John Riedl
Second: Fred Huneke
Approved
Bud Gladstone abstained

Steve Reed – DEP-SF015 – Revision 8 – BMP 16 - \$4,160
Motion: Fred Huneke
Second: Tom Hutson
Approved
Steve Reed abstained

Pete Marsiglio – DEC-SF125 – Revision 7 – BMP 24 - \$4,160
Motion: Dave Cammer
Second: Karl Gockel
Approved

Joe Eisele – DEP-278 – Revision 10 – BMP 29 - \$4,160
Motion: Tom Hutson
Second: Bud Gladstone
Approved

Ronald/Gideon Frisbee – DEC-SF043 – Revision 12 – BMP 23 - \$4,160
Motion: Bud Gladstone
Second: Marilyn
Approved

Molly Brannen – DEC-111.1 – Revision 7 – BMP 48 - \$4,160
Motion: Fred Huneke
Second: Dave Cammer
Approved

James Jurjens – DEC-147 – Revision 13 – BMP 25 - \$4,160
Motion: Bud Gladstone
Second: Fred Huneke
Approved

Carolyn Scobie – DEC-SF116 – Revision 5 – BMP 16 - \$4,160
Motion: Tom Hutson
Second: Dwight Bruno
Approved

Design Projects Cost Increases – chart attached

Motion to approve the BMP approved funds up to the 2022 current engineers design estimates for projects in phase 1, as per the chart presented.

Motion: Jennifer Grossman
Second: Marilyn Wyman
Approved

Karl Gockel recused himself.
Bud Gladstone recused himself.

VII. Governance Committee

SVT Working Group Updates: Working groups continue to meet with the intent of having updates to share at a July Directors Only Meeting.

VIII. Easement Committee – Tom Hutson

June meeting postponed to June 15th. Serene provided additional updates from the Easement Program. Easement Program Executive Assistant Kayla Atanasoff joined WAC this month, internal interviews are scheduled for this week for the Stewardship Coordinator position and the Acquisition Coordinator position will be advertised externally. Ryan added that due to the condensed time frame to get CAT 503 registered by the end of 2022, WAC and DEP are currently considering a further extension of the CAT 403 contract, which would allow for resuming acquisition of both agriculture and forestry. Ryan added that it will be necessary to conduct an analysis of the current surplus funds, however monies that would be tied to CAT 503 would be made available for a budget and scope of work for the extension of CAT 403. Also there is interest on the part of DEP that WAC engage an entity such as NYCON for some consultant work as a contingency of the extension. John Vickers added that DEP is considering an extension to CAT 403, preliminary two year with additional program funds that can be easily slid over to an amended CAT 403 from CAT 503, to work towards the \$19 million required per the FAD. DEP would look to move money for both Ag and Forestry based upon an estimate from WAC. John added that the ACCO, in order to find WAC as a responsible contractor needs some assurances before she is ready to sign off on a new contract, CAT 503. ACCO has mentioned compliance with the DOI monitoring agreement, resolving the accounting of the comingled funds and having an independent consultant like NYCON review to offer recommendations. DEP had a preliminary discussion with DOH and the extension seemed to be received in a positive manner. Assuming that 503 is on pause, Ryan will work with Serena on a proposal for an extension of CAT 403. He has asked for all comments from Council members to him as soon as possible.

IX. Forestry Committee – Dave Cammer and Tom Pavlesich

Forestry Committee meeting was last week, Rene Germain did a presentation on forest carbon programs and how those programs try to measure carbon.

A. US Forest Service Grant Proposal

Tom Pavlesich did a short presentation on the 2022 Forest Service Grant Proposal. A summary of the grant narrative was shared with the Council via email. This grant requires a match so this will require DEP approval.

Motion to direct staff to submit the Forest Service Grant proposal by June 15th, 2022 and seek DEP approval of matching funds per the CAT 487 contract requirement. The Council authorizes the WAC Executive Director to accept the grant when the commitment paperwork is received from the Forest Service contingent upon matching funds approval from DEP.

Motion: Dave Cammer

Second: Fred Huneke

Approved

X. Economic Viability Committee – Kristan Morley

Kristan provided a brief update on current program activities.

XI. East of Hudson Committee – Fred Huneke and Gibson Durnford

Fred provided a brief update on EoH Committee activity which included discussions on cost guidelines. Cost guideline increase will be presented for consideration to the Council at the June meeting.

XII. Human Resources Committee – John Riedl and Amy Faulkner

The committee will be meeting on June 15th.

XIII. NYC DEP Report – John Vickers

John reported that CAT 403 payment requests are paid to date, #30 was processed and forwarded for audit review. CAT 487 Expense payment requests are also up to date and #14E was processed and forwarded for audit review. DEP approved funding personnel service costs under CAT 487 capital, on paper WAC has run a deficit on personnel services, this payment will include funds to cover personnel services for FY23 first quarter which will in turn provide a substantial amount to be available for BMP construction. The FY 23 CAT 487 budget submission was approved.

XIV. Department of Health Report – Pat Palmer

Pat Palmer reiterated that in response to a CWT request the FAD comment period was extended to Friday, July 1st. which results in being a bit behind schedule but for the greater good. Comments received so far have been limited.

XV. Executive Session

Motion to enter Executive Session to discuss contract negotiations

Motion: Marilyn Wyman

Second: Steve Reed

Approved

Motion to come out of Executive Session

Motion: Marilyn Wyman

Second: Dave Cammer

Approved

XVI. Adjournment

Motion to adjourn the meeting at 12:05 pm.

Motion: John Vickers

Second: Tom Hutson

Approved

The next regular scheduled meeting will be held June 28, 2022 at 10:00am