Minutes of the Watershed Agricultural Council  
November 23, 2021

I. Meeting called to order at 1:05 pm via Zoom call.

Directors Present, via video conference call:
- Dwight Bruno
- Eleanor Blakeslee-Drain
- Wayland Gladstone
- Fred Huneke
- Tom Hutson
- John Verhoeven
- Richard Giles

Marilyn Wyman
Karl Gockel
Steve Reed
John Riedl
James Darling
Jennifer Grossman
Jeff Graff, NYC DEP

Directors Absent:
- Larry Burgin
- Dave Cammer

Others Present, via Zoom:
- Ryan Naatz
- Gibson Durnford
- Brian LaTourette
- Heather Magnan
- Josh Gorman
- Cindy McCarthy
- Tal Ron, NYC DOI
- John Vickers, NYC DEP
- Paul Ceresaletti, CCE DC
- Morgan Tarbell, NYS DOH
- Katie Lynch, EPA

- Amy Faulkner
- Kristan Morley
- Elaine Poulin
- Tom Pavlesich
- Nate Townsend
- Dudley Harris, NYC DOI
- Tom Ganz, NYC DEP
- Bruce Dolph
- Paul Kaczmarczyk, NYS DOH
- Patrick Palmer, NYS DOH

Ryan proposed a few modifications to the agenda; his Executive Director report will focus on NMC approvals. There will be Executive Session to discuss an Agricultural Program Participant issue. Ryan also mentioned that John Vickers, Tom Ganz and Michael Vander Werff from DEP are present. John introduced himself, John is the DEP Director of Source Water Operations in the Bureau of Water Supply. He will be taking a more formal lead and be the Commissioner’s Representative at WAC as of January 1, 2022. John provided background on his role at DEP and the transition plan for himself and his staff to take over as lead, in place of Jeff Graff. DEP’s intent is to allow for a more direct level of communication between WAC and the DEP Commissioner. Paul Rush has asked John to serve as the Commissioner’s representation and to coordinate efforts with the monitoring agreement. The Downsville regional manager, Michael Vander Werff and Downsville Regional Engineer, Tom Ganz will be working with John to serve as the liaison’s with WAC. Michael will be the lead project manager for CAT 403 and CAT 450,
Tom Ganz will be the lead for CAT 487. Together the three will organize the workload and meeting attendance accordingly. Initially Jeff will continue to serve as the primary and after Tom, John and Michael gain a solid knowledge base they will take the lead. Eventually Jeff’s assistance will diminish. John stated that it is his intent to work side by side to ensure the continued success and future of the ground-breaking Council. Tom Ganz was introduced and he provided his professional background. The Executive Committee and staff introduced themselves. Ryan introduced Tal Ron and Lee Harris from NYC Department of Investigations. Lee Harris added that he has been with DOI for about 4 years now, prior to that he worked as a federal law enforcement agent. He is looking forward to working with WAC and he recognizes that there is a lot of work to do and WAC is short-handed and DOI will try not to slow things down. Tal Ron added that he has been with DOI for almost three years, prior to that worked abroad in accounting and auditing. Very excited to meet everyone. The Council and Staff introduced themselves.

II. Approval of Minutes
Motion to approve the October 26, 2021 minutes as presented.
Motion: Fred Huneke
Second: Marilyn Wyman
Carried

III. Executive Director Report
A. Program Report:
   a. Nutrient Management Credit Program and Awards: Paul Cerosaletti and Cindy McCarthy gave a brief presentation on the NMC Program, specifically the Peer Review Committee and Award process. This year, in order to improve the process and address concerns that have been expressed including conflict of interest, approval authority and process integrity there have been some significant changes to the NMC award process. Those include: Manure Records Verification Form and farmer signature; Engaged Nutrient Management Sub-Committee (NMSC) as Peer Review Committee; Requested identification of any potential conflict of interest between Peer Review committee and other NMC program participants; Sorted manure spreading records to ensure no reviewer was asked to review records that were a potential conflict of interests for them; Assigned review of spreading records of Peer Review Cmt. (NMSC) to DEP representative on Peer Review Cmt; Any “Discussion Farms” that are NMSC members were asked to leave room during discussion of their farm; Having WAC Full council approve the award recommendations coming out of Peer Review Committee; Entertain separate award approval motions for NMC participants who are WAC Council members present at the meeting;
   b. Council members present are recused from voting on their approval. Ryan added that the initial need for improvements were recognized last year by Jennifer’s work with the Strategic Visioning Team and were further highlighted in the findings of the audit. Cindy added that the Peer Review Committee is recommending these motions to the Council; all motions that are being presented have been vetted by the Nutrient Management Subcommittee. Perhaps a more streamlined process will be available for next year but this is the best way at this time to address any concerns.

   Motion to approve the 2020/2021 NM Credit award for Karl Gockel, as reviewed and recommended by the NM Peer Review Committee on November 12, 2021.
*Karl Gockel recused himself at this time and left the meeting until the discussion and vote were complete.

Motion: Bud Gladstone
Second: John Verhoeven
Carried

Motion to approve the 2020/2021 NM Credit award for the JIFarber Farm (John Verhoeven), as reviewed and recommended by the NM Peer Review Committee on November 12, 2021.

*John Verhoeven recused himself at this time and left the meeting until the discussion and vote were complete.

Motion: John Riedl
Second: Tom Hutson
Carried

Motion to approve the 2020/2021 NM Credit award for Tom Hutson, as reviewed and recommended by the NM Peer Review Committee on November 12, 2021.

*Tom Hutson recused himself at this time and left the meeting until the discussion and vote were complete.

Motion: Fred Huneke
Second: Bud Gladstone
Carried

Motion to approve the 2020/2021 NM Credit award for Steve Reed, as reviewed and recommended by the NM Peer Review Committee on November 12, 2021.

*Steve Reed recused himself at this time and left the meeting until the discussion and vote were complete.

Motion: Tom Hutson
Second: Karl Gockel
Carried

Motion to approve the 2020/2021 NM Credit award Wayland Gladstone, as reviewed and recommended by the NM Peer Review Committee on November 12, 2021.

*Wayland Gladstone recused himself at this time and left the meeting until the discussion and vote were complete.

Motion: Jennifer Grossman
Second: John Verhoeven
Carried

Motion to approve the 2020/2021 NM Credit award for Larry Burgin, as reviewed and recommended by the NM Peer Review Committee on November 12, 2021.
*Tom Hutson recused himself at this time and left the meeting until the discussion and vote were complete.

**Motion:** Bud Gladstone  
**Second:** John Riedl

**Motion to approve the 2020/2021 NM Credit award for John Janiszewski, as reviewed, conditioned and recommended by the NM Peer Review Committee on November 12, 2021.**

**Motion:** Karl Gockel  
**Second:** Tom Hutson

Ryan added that this approval was conditioned on the fact that monies are not available until stored manure is spread for next year’s crop. Jeff Graff asked why it is a condition as opposed to waiting until the manure is spread. Cindy explained this is the only farm with conditional approval. Common practice in the past to have these conditional approvals so that the money is available as soon as the condition is followed through on. Jeff also asked who confirms that, this would be verification by the nutrient management planner.

**Carried**

**Motion to approve the 2020/2021 NM Credit award for the additional 114 NM Credit participants, consistent with the review and recommended by the NM Peer Review Committee on November 12, 2021.**

**Motion:** John Riedl  
**Second:** John Verhoeven

**Carried**

**B. Operations Report:**

a. **Monitor Agreement:** Ryan reported that the agreement was effectuated on November 10th. The kickoff meeting was held on November 13th with representatives from DOI, Lee, Tal and Cynthia, as well as WAC and DEP staff. This was to review the agreement to ensure the commitment and obligations are understood. The discussion then moved on to address specific findings of the Padilla Audit. This has been a long outstanding discussion, the group discussed material findings and significant deficiencies and further detailed what WAC has done since we became aware of the issues and how we plan to implement DOI suggestions hereafter. There were a few homework assignments including setting up further education on key programs. The next meeting is scheduled for December 2nd. The Agricultural Program staff are working on a program presentation focusing on BMP implementation, including procurement. This will also allow an opportunity for John Vickers and his team to be further educated on WACs programs. Fred wondered if at some point in either January or February of next year after a few initial meetings, a special council meeting could be devoted entirely to the monitoring agreement so every single board member can be up to speed on the process, etc. Ryan said short answer yes, but there are certain provisions and steps they need to do to seek out any concerns otherwise. Ryan will follow-up with Cynthia to see if there is an opportunity in that regard. Fred asked if DOI would be wanting to have one on one meetings with each Director. Ryan said that DOI is allowed to sit in on all committee and council meetings. There will be plenty of time for everyone to get to know one another.

b. **Staffing Updates:** Amy reported that the Executive Director position will be
addressed under the Chair’s report; she has been working with Karl Gockel, Ryan and Bill from YPTC to interview candidates for the positions of Staff Accountant, Payroll and Fringe Benefits Administrator and Finance Director. The group is working through the second round of interviews and selecting top candidates. In accordance with the Monitor Agreement and in addition to WACs process, the selected candidate will need to be submitted to DOI for approval. While that approval is being considered, references will be checked and background check conducted by WAC, via third party. John Riedl asked for estimated time frames and Amy stated that she is hopeful that offers can be made for the positions of Staff Accountant and Payroll and Fringe Benefits Administrator by the end of December.

c. CAT 403/503: Ryan continues to work with DEP on next steps, DEP requested that WAC consider an extension to the CAT 403 contract for one year in order to provide time to address some items in the CAT 503 contract. WAC will develop a request letter to the current 403 agreement and a budget for that term. There should be approximately $3.6 million available for that one year term. Ryan will submit the letter today and the budget will be to John Vickers by the first week in December. It is assumed that CAT 503 is moving along on an accelerated timeline to hopefully be ready by summer. Jennifer asked if 403 and 503 can operate concurrently. John Vickers responded that you can’t have two contracts with the same scope of work operating at the same time. John explained DEP has already started the ball rolling on their end to get CAT 403 extension registered. John is also working on the extension of time to repay 450 in order for WAC to have those funds available to cover any gaps while the extension is registered.

III. Chair’s Report – Bud Gladstone
A. Update on Executive Director Position
   • The selection Committee has completed their search. As per the DOI agreement, they have to review key appointments. Bud added that this past year we have witnessed Ryan’s ability to be a true leader. There will be an opportunity for further discussion in Executive Session, after which he intends to present a motion to appoint Ryan as permanent Executive Director of WAC. John Riedl added that this is wonderful news.

V. Finance Committee – Karl Gockel
A. Financials
   • July, August and September financials were included in the packet.
   Motion to accept the July, August and September financials as presented.  
   Motion: John Riedl  
   Second: Tom Hutson  
   Carried

B. Payment Requests
   • Karl reported that staff continue to work with DEP to get the payment requests processed. 11E and 27 have been released by OEA and are in the portal, which means WAC usually sees funds in two or three days. Karl stated that WAC has come a long way and thanked all of the staff, Jeff Graff and other members of DEP, OEA and the ACCO for moving this process along. Karl added it is exciting to be working to fill the finance department positions to continue to move forward.

VI. Easement Committee – Tom Hutson
• Tom reported program staff will be happy to get back on track with program activities. The program just closed on the Truesdell easement which is a great accomplishment.

VII. Agricultural Committee – Bud Gladstone
• Bud reported that Agricultural program staff continue to work on deliverables, the design workload was reviewed at the recent Ag committee meeting. Looking forward to increasing implementation. Steve Reed added that Cindy, Kim and Paul did an excellent job on the nutrient management credit award process, it went very smoothly and they gave an excellent presentation at the recent meetings.

VIII. East of Hudson Committee – Fred Huneke
• Fred stated that the program staff continue to work the best that they can and are also looking forward to funding being available to do implementation. Fred added that the program staff EoH are very innovative and it is extremely impressive what they can do on farms with limited space. Gibson added that a new whole farm plan was approved at the recent meeting and will be presented to Council in December.

IX. Economic Viability Committee – Richard Giles
• Richard reported that the EV Committee approved the blueprint for grants for farms in transition and staff are on track to release the next round of mini-grants.

X. NYC DEP Report – Jeff Graff
• Jeff added that as Karl indicated payments are caught up through 12/31 and Jeff is working on 12E hoping to get it submitted sometime after Thanksgiving. He also continues to work with staff on capital payments that are lagging behind a bit.

XI. Executive Session
Motion to go into Executive Session to discuss an Agricultural Program participant and personnel issues.
Motion: Fred Huneke
Second: Tom Hutson
Carried

All staff left the meeting at this time except for Heather Magnan, Brian LaTourette, Amy Faulkner and Ryan Naatz who remained for the discussion regarding a participant issue. At the conclusion of that discussion Heather, Brian and Ryan left, Amy Faulkner remained in the meeting.

Motion to come out of executive session.
Motion: John Riedl
Second: Steve Reed
Carried

XII. Adjournment
Motion to adjourn the meeting at 3:00 pm.
Motion: Fred Huneke
Second: Tom Hutson
Carried

The next meeting will be held December 21, 2021 at 1:00pm