Minutes of the Watershed Agricultural Council
October 26, 2021

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

Directors Present, via video conference call:
Dwight Bruno          Marilyn Wyman
Dave Cammer           Karl Gockel
Wayland Gladstone     Steve Reed
Fred Huneke           John Riedl
Tom Hutson            James Darling
John Verhoeven        Jennifer Grossman
Jeff Graff, NYC DEP

Directors Absent:
Richard Giles
Eleanor Blakeslee-Drain

Others Present, via Zoom:
Ryan Naatz            Amy Faulkner
Gibson Durnford       Kristan Morley
Larry Hulle           Brian LaTourette
Heather Magnan        Tom Pavlesich
Pete Steenland        Josh Gorman
John Jackson          Tyler VanFleet
Nate Townsend         Cindy McCarthy
Alex Raterack, Counsel, HH&K
Morgan Tarbell, NYS DOH
Katie Lynch, EPA

II. Approval of Minutes
Minutes to approve September 8 and September 28, 2021 minutes as presented.
Motion: Tom Hutson
Second: Fred Huneke
Carried

III. Executive Director Report
A. Program Report:
   a. Program Managers Present: Program managers were present to provide updates
      on their programs from the previous quarters and program dashboards were
      provided in the monthly packets. Heather reported that the Taste of the Catskills
      was cancelled late in the year. Larry Hulle noted that the Agricultural program is
still awaiting Dairy One contract approval from DEP, which is delaying the completion of numerous nutrient management plans. The procurement process has taken months, however approval from BWS has been received, but WAC awaits approval from ACCO on the final approval. Jeff added that from ACCO it takes approximately three weeks for approval. Jeff will provide more information on the ACCOs approval process on subcontracts to Ryan. Josh Gorman reported that Delaware County is putting forward a resolution to put a moratorium on DEP acquisition and easements until a comprehensive review of the program as well as a sustainability review can be conducted. Ryan and Josh reached out to the County to confirm they do not intend this to affect WAC as they see the benefit of WAC’s farm and forest easement program, as of this time they are not intended this moratorium to affect WAC and the continuation of the easement program. Josh asked that board members in attendance of the county meeting tomorrow please ensure that it is on the record prior to the vote that the moratorium will not affect WAC. Fred added it is a testament to the Easement Committee and to Bud that we have developed a better relationship with the County and that they realize the value of the agricultural and forestry easements and the economic benefits of the program. Josh added that his recent conversation with Nick Carbone will help to open that relationship, it is important to ensure that there is a partnership for land conservation. Ryan acknowledged and thanked the Easement Program for stepping up and assisting whenever it is necessary, along with all staff. Tom Pavlesich gave an update on the deliverables the Forestry Program will likely not meet, the bus tour and green connection deliverables will be attainable as DEP has confirmed that virtual tours will suffice. The forestry staff have been successful in transferring those programs to a virtual platform.

B. Operations Report:
   a. 44 West Street Lease Update: This will be done in Executive Session

   b. Staffing Updates: Current open positions were detailed in the Administration/Human Resources Dashboard. Currently the positions of Executive Director, Finance Director, Staff Accountant and Payroll, Fringe Benefits and DP Administrator applications are being reviewed.

III. Chair’s Report – Bud Gladstone
   A. Update on Executive Director Position
      • External applications have been reviewed and ranked and the Committee will be interviewing the top three candidates within the next week to ten days.

V. Finance Committee – Karl Gockel
   A. Financials
      • No financials this month as YPTC continues to work with finance staff to perfect the monthly close-out procedures. All financials will be forwarded to the finance Committee at the beginning of next week.

   B. Payment Requests
      • Staff continue to work with DEP to get the payment requests processed.

VI. NYC DEP Report – Jeff Graff
   • Jeff added that 10e is slated to be released today, and should be in WAC’s bank account
within the next five business days. Payment request #26 is with audits and currently under review. Ryan added that unless he receives confirmation from DEP that we can use due to/due from in the capacity to borrow from funds dedicated for the PPP and CAT 450 repayment, he will be holding payments that are scheduled to be released this week. He added that WAC can certainly float the commitments using due to due from with PPP money, delay an easement closing and/or continue to use the CAT 450 funds. These funds were earmarked and encumbered specifically for those actions. Ryan reached out to Dave Warne but has not heard back. Bud expressed that he feels WAC should be reaching out further to the mayor or others with the continued issues of not receiving timely payments and adequate cash to continue to run as an organization. Dwight added that he supports Bud’s point. Fred stated that WAC should reach out to the Commissioner, the Mayor and City Council because there has to be a consistent way for funds to be available at all times for WAC to run as an organization. He added that WAC has not heard from the Commissioner of DEP in over a year and that is disturbing. John added that he feels we need to reach out as well, he is worried that WAC will be ‘punished’ for not being able to deliver our programs when it has been the lack of secure funding that has resulted in this. Jeff asked Ryan and Bud if these concerns are discussed with the ACCO and OEA in the biweekly meetings, he stated the ACCO is as close as WAC can get with direct communications with the agency. He asked if WAC felt those meetings were productive and if WAC is making progress on direct communication with the Agency. Karl responded that WAC has made progress with those people but the further we go along the more that BWS removes themselves from the conversation or process. It appears from WAC’s perspective that the ACCO and BWS aren’t consistently communicating. Jeff stated that he shares in that frustration regarding communication. He added that he believes it to be his role is to work with WAC staff to process payments and submit them, but once it gets passed to audits and in some cases audits reaches out directly to WAC and he is left out. He suggested WAC reach out to Paul Rush directly to express the concerns as he is very confident Paul will convey WACs concerns to the Commissioner, if he hasn’t already. Jeff added, bottom line the imperfections in communication is affecting WAC’s cash flow. Fred stated that he isn’t completely dissatisfied with the communication, WAC has the ability to call Dave, Paul, ACCO, etc but he feels that those involved don’t fully understand the ramifications of the lack of secure funding and what will happen if WAC did not exist. Bud added that at the moment WAC appears to the mayor and commissioner as an irresponsible contractor, sure there have been mistakes in the past but what we have done in the past year to correct things, staff more than Council. Fred takes exception to WAC being classified as an irresponsible contractor because every action WAC has taken has been done with the inclusion and approval of the Commissioner, or his designee, from day one. John added that many of the things considered as mistakes of WAC were driven by the lack of secure funding. Ryan added that although he feels all of the same frustrations, in the interest of time there is equal fault on both sides as to why we haven’t been able to come to a resolution in a more timely manner. The disparity between decision making and the chasm of misinformation at the various levels of DEP and the City is due largely to the lack of communication between Agency and BWS staff. Ryan stated that the Council should reach out to Paul Rush and ask for a meeting, there are complete differences of opinions and positions being articulated to WAC between the Agency and BWS staff, it is an impossible situation when people at the highest levels have different understandings of the desired outcome. Ryan will reach out to Paul and ask that he meet with the Executive Committee; Dwight expressed his frustration of hearing these conversations second hand when meetings occur only with the Executive Committee and suggested that Council members be allowed to submit questions in advance of that meeting. It is critical that Council members are fully informed on a real time basis and at
the very least be able to present some questions ahead of time.

VII. Executive Session
Motion to go into Executive Session to discuss the WAC/DCSWCD sublease.
Motion: Steve Reed
Second: Dwight Bruno
Carried

Motion to come out of Executive Session.
Motion: Dave Cammer
Second: Steve Reed
Carried

Motion to approve the sublease with DCSWCD for the rate of $10.10/sq ft with the addition of a mutual extension clause.
Motion: Dave Cammer
Second: John Riedl
Carried

Motion to go into executive session to discuss contract negotiations.
Motion: Seve Reed
Second: Fred Huneke
Carried

Jeff Graff left the meeting at this time

Motion to come out of executive session.
Motion: Dave Cammer
Second: Steve Reed
Carried

VIII. Adjournment
Motion to adjourn the meeting at 3:38 pm.
Motion: Fred Huneke
Second: Tom Hutson
Carried