

**Upper Delaware Council**  
**OPERATIONS COMMITTEE MEETING MINUTES**  
**December 15, 2020**

Committee Members Present: Larry Richardson, Aaron Robinson, Al Henry, Fred Peckham, Jeff Dexter, Jim Greier, David Dean.

Committee Members Absent: None.

Staff : Laurie Ramie, Shannon Cilento, Ashley Hall-Bagdonas

NPS Partner: Cody Hendrix, Don Hamilton, Keith Winslow

Guests: Andy Boyar- Town of Highland Alternate, Evan Padua- Town of Tusten Alternate (7:21 p.m.), Ginny Dudko- Town of Deerpark Alternate (7:23 p.m.), Buck Moorhead, Remy Moorhead.

The UDC's Operations Committee held its monthly meeting via Zoom on Tuesday, December 15, 2020. Chairperson Richardson called the meeting to order at 7:07 p.m.

**Approval of November 24 Meeting Minutes:** A motion by Henry seconded Peckham to approve the November 24, 2020 Meeting Minutes was carried.

**Executive Director's Report and Monthly Calendar:**

***Financial Status:***

**FY 2021 Federal Funding:** Ramie said that President Trump signed a one-week stopgap spending bill on 12/11 to avert a federal government shutdown. U.S. lawmakers aim to complete a full-year \$1.4 trillion spending bill combined with COVID-19 relief legislation by the new 12/18 deadline. Ramie withdrew \$17,735.96 on 12/14 to cover UDC's December expenditures to date, leaving an account balance of \$12,556.21 from the original \$75,000 for the FY 21 1<sup>st</sup> Quarter. Ramie resubmitted a Financial Support Officer application for GrantSolutions account access for UDC Bookkeeper Mike Poska on 12/14. Next steps are to prepare a SF-424 Application for Federal Assistance package for the TBD available amount of funding to submit through GrantSolutions, and to prepare the UDC's Federal Financial and Performance Progress Reports for the periods of Oct. 1-Mar. 31 (due by 4/30/21) and Apr. 1-Sept. 30 (due by 10/30/21).

***Administration:***

**Financial Review:** Ramie received a call from Diana Davis on 12/8 confirming that the \$18,130 charged in the Fiscal Year 2020 Financial Review to the Project Review Workbook inaccurate. It turns out they put all of our consultant expenses under that one category and they were for completely different projects such as Shepstone Management Co. and JHA Companies. The corrected allocation will be \$3,475 and they will create a new expense category for Special Projects/Consulting Services in the final report. They will also add a line for the Strategic Plan Projects/Consulting Services in the final report. They will also add a line for the Strategic Plan consulting fee. Ramie's corrections to the 990 form checkboxes for Trustees and Officers will be made. The final report will be provided as a PDF, in addition to the bound print copies, to comply with a request by the NPS Administrative Officer. She will await receipt of the final IRS 990 form and FY 20 Financial Review, and obtain officer signatures to file them appropriately. Members will vote on a resolution at the 1/7 UDC meeting to engage Eckersley & Davis LLP for the FY 2021 Financial Review.

Robinson asked if Eckersley & Davis provided any insight on the idea of starting a UDC GoFundMe campaign? Ramie said that she asked about that in her December comment letter. Davis wanted to look into it further but her initial advice was that if we were to do that, we would have to register as a charity in the Commonwealth of PA. Currently, we are only registered in NY State where we have to file a Charities Bureau 500 Form yearly. That may be something to consider because any time you file with a new agency, it brings some extra scrutiny on your finances to make sure you are operating properly. While that wouldn't be a problem, it does create extra paperwork

that may not be worthwhile. Davis said that she has asked Dick Eckersley to do some research and get back to us with his opinion on that.

**Office Management and Services:** The UDC purchased a subscription to Zoom Standard Pro for \$119.92 (20% discount) on 12/3 for one year rather than the \$150/month rental space for the Narrowsburg Union with Ramie cancelled via a 11/30 letter, and to a Vimeo Plus account on 12/11 for \$89.04 to facilitate the large file transfers of the UDC Project Review Workbook orientation videos. National Parks Conservation Association (NPCA) paid for the Vimeo subscription as a contribution to the project. A new modem for the UDC office was installed by Frontier Communications on 12/10 in response to our complaints about lagging internet speed and frequent connectivity disruptions. Service has improved since then. An estimate was requested from Chorba Consulting for options to sync the files on each staff member's desktop and laptop computers which currently must be done manually. Ramie said if the UDC finds ourselves with surplus funds that would be one way she would recommend spending it. The cost as of 12/11 for Remote Desktop Sharing which would include the purchase of a new router (\$725), Virtual Private Network licenses (\$215 for a bundle of five); and labor for set-up is estimated at \$1,200. These would be one-time purchases.

Hall-Bagdonas sent out 2021 UDC Representative and Alternate appointment forms to every UDC municipality on 12/9 for consideration during town/ship reorganizational meetings. We also have many new year tasks we will be taking care of including the election of officers on 1/7; any changes to the board membership with incoming and outgoing letters; updates of membership, elected officials, and media directories; plotting of 2021 meeting dates, distribution of Annual Conflict of Interest Disclosure forms; and establishment of sexual harassment prevention training options.

Henry asked for Hall-Bagdonas to resend him a copy of the Operations meeting packet since he did not receive it. Ramie said she was experiencing emails bouncing back from Gmail accounts whether there are attachments or not.

#### **Public Relations:**

**"The Upper Delaware":** Following Ramie's submission of the Fall-Winter 2020 newsletter file by Dropbox to Courier Printing on 11/24, we received the blueline proof on 11/25 which was approved. The issue was delivered early on 12/4 for the contract date of 12/7. It was publicized and distributed. The Spring 2021 issue is due 3/24 for a 4/5 release.

#### **Grants/Fundraising:**

**UDC PA Grant:** There haven't been any additional requests for payment from our Townships or any additional projects. Ramie said currently, our balance out of the original \$100,000 is \$63,988.90. The contract expires on 12/31/2021. Ramie said Lackawaxen seemed to be close to submitting its final project.

Ramie said some non-UDC meeting are listed on page three of her report and our January calendar is provided for review.

#### **Old Business**

**UDC Draft Five-Year Plan Final Comments:** Buck Moorhead said he appreciates sitting-in on the Project Review and Operations meetings. He and Remy Moorhead wanted to make themselves available for comments or feedback of the Draft Five-Year Plan. The goal is to finalize the draft as a Final Plan for adoption on 1/7. Moorhead said the Steering Committee was very helpful in this process along with Ramie and UDC staff.

Greier said he mentioned at the 12/3 meeting the issue of Substantial Conformance vs. 100% Conformance. He said nowhere in the River Management Plan (RMP) does it state anything about 100% conformance. Greier said there have been times where it's an issue enough to get Substantial Conformance with the Town/ships. Greier feels we should leave the mention of 100% out of the Five-Year Plan. Robinson said the issue of 100% becomes very subjective. He said when Shohola Township went through the review process with the previous NPS Land Use Planner Jennifer Claster, her sights were on 100%. Robinson said it became a subjective discussion of what is 100%. He doesn't feel quantifying substantial conformance numerically is the right approach. He said Shohola Township worked through it but he can see this issue as being problematic. Greier said substantial conformance gives the Town/ships a little leeway and sometimes that's needed to get things passed. Richardson said the reason it was

included was because of previous NPS Superintendent Kris Heister's interpretation that it had to be 100% and we disagreed with that. He feels with the new Superintendent coming in, we need to come to a meeting of the minds. Henry said he agrees with Greier to not put anything about 100% or total conformance into the Five-Year Plan. He spoke with two attorneys in the past week about the legal definition of "substantial" and it doesn't mean total or 100%. Henry said regardless of what Heister said the RMP was written for substantial conformance and in our Five-Year Plan we need to stick with what the RMP and the originators of the RMP developed. Moorhead said he appreciates Greier's point. Moorhead said that issue was raised at the 10/3 workshop. He said there's an enormous difference and they will keep that point front-and-center within the document. Moorhead agreed with Richardson that it's very necessary that the UDC and the NPS work together and the interpretation of substantial is a very important part of this. Greier said the RMP has worked for 32 years. Why infuse this issue into it now? Robinson said if we use the definition of substantial being total; reciprocally, the NPS hasn't substantially conformed to any of their obligations. He feels there is some negotiation that can take place.

Ramie said when we identify this as an issue in the Five-Year Plan it means that it came up at the workshop more than once as being something that we need to work on with the NPS. It's identified as a priority to straighten out. Ramie said when Greier proposes taking it out of the Five-Year Plan, it seems like the issue is being brushed under the rug rather than addressing, debating, and coming to a determination on it in FY 21. Ramie said its mention in the Five-Year Plan is not an endorsement of that concept. Robinson said that's a good goal.

Ramie said another Plan issue that came up subsequently was the draft mission statement. Prior to the meeting Robinson sent Ramie a revision. He feels the current draft is a little too wordy. Robinson said he's participated in developing some mission statements in the insurance field. He said generally the goal is to have a very short, concise statement of what your purpose is and the details follow in whatever document the mission statement is in. He felt it was too long and there are other places in the plan that state our objectives. Moorhead said Robinson's email was forwarded to him. He looked at it quickly and will look at it in more detail. He said one of the things they recognize with the current Five-Year Plan is that it does not include a specific mission statement. The goal is to include a mission statement within the Executive Summary. The Executive Summary is a four-page document that has the essence of everything that came out of the workshop and the survey, with agreement on the focus and action items. He said some people may only read the Executive Summary and not the entire Five-Year Plan or reference the RMP. The mission statement was discussed at the committee level and for a significant portion of the workshop as well. Robinson asked if it was the mission statement of the Five-Year Plan or of the organization. Moorhead said the organization. Ramie said she would send the draft mission statement as well as Robinson's recommended changes out to the group to be discussed via email.

Dean asked Boyar's legal thoughts on total conformance. Boyar said that begs the question if they want that to be the standard for compliance. He feels NPS wants to see it as complete as possible; however, Boyar doesn't see much traction in the council in the various Town/ships for this change. Boyar said as Greier so well stated it's a definition that served well for 32 years. He said the Town of Highland understands if you comply with the intent that you've done the best. Boyar said Peckham has also expressed this. Boyar said you need the votes in order to pass a change like that. Boyar said if there's not much traction he suggested having Ramie do a poll of the UDC in who is interested in making a change. He doesn't think there's much traction in changing a document that's worked for all these years. Richardson said he doesn't think anyone on the UDC is looking to change it to 100% conformance but we were butting heads in the past over this definition. He feels going forward we need to get it resolved. In Richardson's opinion it's included in the Draft Five-Year Plan to get an agreement with the new Superintendent on what substantial means. He said then it almost becomes codified as a subject that has come up for the UDC over and over again and this is our definition. Richardson said the last time this discussion came up with the NPS we did not agree so we need to get it resolved. Boyar said isn't it the function of the Town/ships to speak up for home rule and to say how they feel about it? Robinson said another issue is you will end up with a double standard or multiple standards of zoning compliance. Robinson said Shohola's Substantial Conformance Review was protracted. It started with UDC Resource Specialist Golod and ended with NPS Land Use Specialist Claster. He said it was drawn out and much of the time was spent deliberating over 100% conformance. He said you will have Town/ships that won't touch their zoning because they don't want to go under a new review. Henry said the RMP uses the word substantial. For the NPS to unilaterally change that to mean total would require them to use a Minor Amendment or a plan revision. He said you need to add it to the list of ways the NPS has deviated from the RMP.

A Motion by Greier was seconded by Henry to remove the section about deliberation of substantial conformance between UDC and NPS in the draft Five-Year Plan. Robinson said he prefers to bring it up with the NPS and maybe by clearly stating UDC's position it will resolve the issue. Cilento said as the staff member responsible for Substantial Conformance Reviews she thinks it's really helpful to have it in there because it literally defines one of her major job responsibilities. She knows this issue has come up a lot and agrees that it's not 100%, it's substantial, and they are two very different things. She would like to solidify this issue with the NPS so she has authority and backing behind her when she makes a determination of substantial conformance. Richardson said he agrees with Cilento and Robinson. Boyar said when you're talking about the RMP and the negotiations and discussions that took place when it was adopted the concern was if we entered a plan for the river with the involvement of the NPS; once they got their foot in the door control would increase? He feels that's why substantial conformance was put in there in the beginning of the RMP. Henry said he thinks Greier is saying the issue can be debated with the NPS but it doesn't need to be in the Five-Year Plan. He said our Five-Year Plan is based on the RMP which uses the word substantial. Remy Moorhead said a suggestion for both sides of the discussion would be for her and Buck Moorhead to take another stab at the phrasing in the Five-Year Plan and draft it in such a way that it's inarguably in support of substantial conformance as the only metric UDC would be using in Project Review, while under that qualifying statement also noting this is something UDC wants to get absolute clarity and confirmation of with the NPS. Henry withdrew his second of the Motion to see what Buck and Remy can wordsmith. He feels it may meet his satisfaction and possibly Greier's. Ramie offered to do a write-up of this issue so she can outline how it has changed historically and what the UDC is seeking. She feels if we have something to react to on paper it would be easier to discuss it at Project Review. A Motion by Greier seconded by Peckham to remove the section about deliberation of substantial conformance between UDC and NPS in the draft Five-Year Plan failed to carry.

**UDC Social Media Analytics:** Cilento said we had another good month of social media engagement which is really exciting. In the past month, we've gained over 100 followers on Instagram. We now have almost 300 followers. We've reached over 700 accounts, had over 4,400 impressions (post views). We had 332 profile visits and three website clicks in profile. On Facebook we gained 50 followers and now have close to 200 followers. We have reached over 2,000 with our posts. We have 67 followers on LinkedIn. Cilento created YouTube, Vimeo, and Zoom accounts as well. Richardson said he thinks it was a great suggestion by staff.

**Draft Resolution 2021-07: Contract with Eckersley and Davis, LLP for Fiscal Year 2021 Financial Review:** A Motion by Robinson seconded by Henry to approve forwarding the resolution for the FY 2021 Financial Review to the full Council on 1/7/21 carried.

**Other:** None.

### **New Business**

**Alliance for the Upper Delaware River Watershed Petition:** Ramie said this went out with the Operations meeting packet in advance. UDC has been asked to participate in this petition drive that is a follow-up to online meetings that took place with New York State legislators recently. The Alliance for the Upper Delaware River Watershed is striving to get a commitment of NYS funds in the 2021 budget through the Environmental Protection Fund or elsewhere. Ramie said the core of the petition says, "I support the need for NYS to recognize the value of the Upper Delaware River region below the NYC reservoirs by investing in its long-term protection and restoration beginning in 2021." Ramie said it's a question of whether the UDC would like to sign-on to this as one of the members that would circulate the petition. The responses would go to NYS legislators and the Governor. If approved she would send it out to the UDC membership and it would be your prerogative whether you would want to sign the petition. Richardson said we have supported this concept of trying to raise this awareness. Ramie said if this was a request for federal funding we would steer clear of it as we are not allowed to lobby as a federal funding recipient but as we receive 0% from NYS it's kind of open season for a request like this. Her only concern when reading the petition instructions was that it said by signing the petition you are agreeing to receive emails potentially from the partner organizations that are involved. A Motion by Robinson seconded by Dean to support the Alliance for the Upper Delaware River Watershed Petition carried.

**Plowing Service Proposal:** A quote was provided in the meeting packet for snow plowing. Ramie said the impetus for this is that we are dissatisfied with our current service, offering an explanation of why. The quote is the same price we are paying now. A Motion by Henry seconded by Robinson to accept a proposal of \$40 to plow and \$20 to sand by Floyd Campfield of Narrowsburg, NY carried.

**UDC T-Shirt Sales Update:** Hall-Bagdonas said a press release touting the t-shirts as a good holiday gift idea was issued on 11/16. On 12/4 an order was placed with Platform Industries to replenish our supply and picked up this afternoon. She thanks Chris and the Platform team for fulfilling the order under the original time given. \$430 for t-shirt purchases has been donated to UDC since the press release and social media postings. We also had a handful of donations because of Cilento's #GivingTuesday social media posts. Hall-Bagdonas said people have expressed interest in paperless pay by using PayPal. Ramie said our only means of accepting payment now are cash and check. This could benefit t-shirt sales and tickets for the annual raft trip and our Awards Banquet. A Motion by Robinson was seconded by Henry to approve Hall-Bagdonas creating a UDC PayPal account carried.

**Summary of Pending Bills 12-14-2020:** A Motion by Henry seconded by Dean to approve bills was carried.

**Financial Statement 12-31-2020:** Richardson said the financial statement is offered for individual review.

**Other:** Hall-Bagdonas said she has something to bring forward to the Operations Committee relating to the Upper Delaware River Sweep. Dan Nelson is an artist at American House Tattoo Shop in Hawley, PA. Both Nelson and his shop partner, Dan Santoro, are well known in the litter cleanup community in the Upper Delaware. Nelson and Santoro have made custom artwork for flyers for Pig Farm Ink River Clean-Ups for the past few years; a few of which were provided in the meeting packet and shared at WU/RM committee meetings. These clean-ups bring many repeat dedicated volunteers and this is truly a community that loves this river. Nelson has offered to make custom UDC artwork that will be used for a flyer and social media for the UDC River Sweep for \$300. Cilento and Hall-Bagdonas suggest we do the flyer in a band poster format so we may alter the bottom of the flyer in future years. If we continue to do these events we could change the date, partners, and sponsors. Nelson also expressed his interest in helping out and Hall-Bagdonas believes we could find Litter Leaders with this connection. She feels this would be a great way to continue to form partners in the river corridor through events like these. She thanked the committee for considering the offer by Dan Nelson. Henry suggested getting a written proposal from American House with the cost for a branded logo and preliminary design ideas. Hall-Bagdonas said she would provide that for the next meeting.

**Public Comment:** None.

**Adjournment:** A motion by Robinson seconded by Greier to adjourn the meeting at 8:15 p.m. was carried.