

Upper Delaware Council
OPERATIONS COMMITTEE MEETING MINUTES
December 18, 2019

Committee Members Present: Aaron Robinson, Larry Richardson, Fred Peckham, Jeff Dexter,
Jim Greier, Harold Roeder Jr., David Dean

Committee Members Absent: Al Henry

Staff : Laurie Ramie, Pete Golod, Ashley Hall-Bagdonas

NPS Partner: Jennifer Cluster

Guests: Sue Sullivan- Town of Tusten, Roger Saumure- Shohola alternate,
Cheryl Korotky

The UDC's Operations Committee held its monthly meeting on Wednesday, December 18, 2019 at the Council office in Narrowsburg, NY. Chairperson Roeder called the meeting to order at 7:42 p.m. A motion by Robinson, seconded by Greier, to approve the November 26th meeting minutes carried. There was no public comment on the agenda.

Executive Director's Report and Monthly Calendar:

Financial Status:

FY 2020 Federal Funding: The House approved a \$1.4 trillion federal spending plan on 12/17 which is expected to obtain the president's signature before the Continuing Resolution #2 in place for 11/22-12/20/19 will expire on Friday. Ramie said this translates to UDC's ability to apply for the balance of our FY2020 funding through 9/30. UDC applied for one small share of 12.5% under the first Continuing Resolution. We let the second one of 29 days pass by because it was essentially too much work to justify our preparation that goes into it. NPS Chief Financial Officer Alexa Molnar confirmed the 12/16 release of the final FY 20 appropriations bills which "are expected to be enacted by the end of the week.". The UDC is currently owed \$25,548.76 in federal reimbursement, representing \$23,881.98 for December expenses and the \$1,666.78 deficit from the 11/26 drawdown to cover November bills. Ramie will prepare and submit an Application for Federal Assistance package for the balance of FY20 funding through 9/30/20. This includes an itemized budget, budget narrative report explaining each expenditure, an updated work plan, and SF-424 financial forms and attachments to execute Modification 14 to the Cooperative Agreement and enable the deposit of funds.

Bank Balance: The UDC had \$126,326.97 in its Jeff Bank accounts as of 12/16, minus \$5,305 encumbered for the Project Review Workbook design work which must be addressed due to changes in scope for this project since the 2016 bid approval.

FY 2019 Federal Funding: The ASAP FY19 encumbered account has a balance of \$6,700 after the 12/9 withdrawal of \$14,550 to cover the Records Management Phase I revised cost. The \$6,700 balance includes the \$5,000 payment waiting for the Shohola TAG 2019-02 revised zoning substantial conformance review finalization and the \$1,600 savings in the invoice from K Sickler-Murphy based on the elimination of two tasks.

NYS Funding: The UDC voted on 11/7 in favor of signing on to a letter to Governor Cuomo by the Alliance for the Upper Delaware River Watershed to seek \$500,000 in the 2020 State Executive budget for the Upper Delaware watershed region through the Environmental Protection Fund. A copy of that final 11/19 letter was distributed at the UDC's 12/5 meeting.

Administration:

Holiday Schedule: Ramie brought up the holiday schedule for the office for Christmas and New Year's. Federal employees were granted Christmas Eve Day off and she asked the committee to entertain the notion of an early release for UDC employees. A motion by Robinson, seconded by Peckham to allow staff to have administrative paid leave as of noon on Tuesday December 24, 2019 and Tuesday December 31, 2019 carried.

Personnel Costs: In response to the question raised at the 12/5 Cooperative Agreement workshop regarding what percentage of the \$300,000 annual UDC budget is currently allocated for Personnel, the answer is that salaries for the three full-time staff account for 43.785% while Salaries + Benefits = 61.288%. She said if you recall Superintendent Heister said NPS Personnel costs were near 80%.

Board Changes: Hall-Bagdonas sent Representative & Alternate Appointment Update Forms to each UDC member to return following their town/ship 2020 reorganizational meetings. Staff will send welcome letters and orientation packets to incoming delegates, and appreciation letters to outgoing delegates such as PA Alternate Rhonda Manning, as well as outgoing Supervisors Ed Sykes from the Town of Delaware and Carol Ropke Wingert from the Town of Tusten. Greier suggested George Conklin from the Town of Fremont, who has been elected to the Sullivan County Legislature. Staff will issue Conflict of Interest Disclosure Forms at the 1/2 UDC Annual Meeting. Staff will continue to update the directories of UDC members and officers.

Public Relations:

Publicity: Issued two news releases: “The Upper Delaware Fall-Winter 2019 Newsletter Available On-line and by mail”, 12/9; and “Upper Delaware River T-shirts Make Great Gifts Benefit UDC” (with photo), 12/13.

“The Upper Delaware”: The Fall/Winter issue was delivered on 12/4. The Spring 2020 issue is due 3/25 to the printer. Ramie gave permission for newsletter article and/or photo reprints with UDC attribution to the National Canoe Safety Patrol from the 40th Anniversary Dinner and the UDC’s Friends of the Upper Delaware River (FUDR) coverage of their Water, Water, Everywhere conference, as well as the photos she took of Congressman Delgado and Paul Rush. FUDR asked if they can use as part of their outreach to membership with attribution to UDC.

FY 2019 Annual Report: Ramie will compose the UDC’s Fiscal Year 2019 Annual Report for on-line posting and availability of hard copies upon request.

Calendar: Ramie noted that the rest of the Executive Director’s Report and Monthly Calendar could be read at one’s leisure.

Old Business

UDC-NPS Cooperative Agreement: Ramie sent the “Comparison of Current and Proposed UDC-NPS Cooperative Agreement Clauses” handout to members in advance on 12/13. Ramie went through what UDC currently has in the Cooperative Agreement and what has been proposed by the NPS in a template that was given to UDC by Superintendent Heister. She tried to do a point-by-point comparison so members could see what the proposed changes are. She mentioned we might opt to have another special meeting as we are looking at a 2/1 requested deadline. Superintendent Heister wants to give it six months for review as it must be submitted to the Department of Interior and she is unsure how that process will work. Ramie said this Cooperative Agreement will have to be accompanied by a Five-Year Budget which has never been asked of UDC before. The UDC’s Five-Year Work Plan has a deadline of 7/1. All of these documents aren’t in effect until 10/1/2020. Richardson admitted he had trouble following the complex document. Greier said in order for this Cooperative Agreement to work and for the NPS to work as a partner with us, UDC should be entitled to the same percentage of increase each year as the NPS budget. UDC has let it go by for 32 years. Saumure agrees with Greier since the UDC is a line item in Superintendent Heister’s budget. Robinson said Cost of Living Assistance (COLA) adjustments are part and parcel in any negotiation. Ramie observed that hasn’t been true of UDC employee salaries though. Robinson said we are a function of what the Federal Government is giving us so UDC hasn’t been able to transpose any increases in our budget onto a salary line. Sullivan said everyone has made a good effort requesting a supplement from the States but the UDC will not receive help for operating expenses. She feels like we will get money from NYS but it will be for projects or hard items like computers. Robinson thinks the burden is on the Federal Government because there was a Congressional Act that created this assistance. He said his concern is looking at the River Management Plan (RMP) and the responsibilities set forth in the UDC, \$300,000 is deficient to adequately fund this. We haven’t had a Five-Year or Twenty-Year review of the RMP or the funds to do that. Robinson said according to Heister the system is UDC goes to NPS with a proposal and that’s not how this was set up. It was set up that the UDC was autonomous and UDC shouldn’t be an arm of the NPS. UDC is obligated to do these reviews and we need to have the funds to do them. He doesn’t believe that’s how this whole arrangement was meant to be. He said that’s where you start to

lose credibility with our municipalities. If you tell a Supervisor UDC has to clear it with the NPS that's telling the membership that UDC is beholden to the Federal Government for all UDC does. Robinson feels we have to break that mold. He said he is in favor of going with the numbers that UDC feels comfortable with this year. At least UDC is honestly proposing something that will fulfill our responsibilities and the burden is on the Federal Government to say why they are rejecting it if we have sound justification for a project. This agreement is supposed to fund the UDC for all of its responsibilities. He believes if that system was proposed 32 years ago it would have gotten shot down. Saumure said rather than being a line item in the NPS's budget UDC's funding should be independent of the NPS's budget. He said there's an inherent conflict of interest that NPS has because UDC is that line item in their budget. If NPS wants more money, it's too easy to skim off the UDC. If we proposed an increase for the UDC to match the NPS they could say we need some money to fund an NPS project, we will just give UDC a little less or increase what they give the UDC. He said we're going to have the fox managing the henhouse. Robinson said if UDC's numbers are more than what the local management wants they have to go to the Department of Interior with the RMP and say there is a third party here and we are compelled to fund them, and we have been funding them at a flat-rate for 32 years. Richardson said he agrees with Greier that it's certainly reasonable that UDC would expect a COLA increase on top of what we are receiving. He said putting in a specific request for \$400,000 amount of money isn't going to happen. Heister has said more than once if UDC has a project we can apply for additional funding. Richardson said when you look at UDC in the beginning (1988 and 1989) we were flush with money and we could do anything we wanted with \$300,000. The problem is if we can't get a working budget of over \$300,000, how do we get additional funds for those projects? We apply for them. Sullivan said the world we live in now people don't give you money unless there is a project attached to it but that doesn't fix the problem of operating expenses.

Robinson said he personally wants it in a Cooperative Agreement saying every time UDC has suggested a study in the past with a handful of good options they were shot down. He said this is a Five-Year Agreement where we could set in paper an obligation that these get funded and it's in the RMP to fund it. It's UDC's responsibility to evaluate the agreement. If UDC out sources that, what's it going to cost? Sullivan said she thinks it's important to look at what would be a COLA over a five-year period, how would that work and what would be an automatic, annual increase over the next five years. Roeder thinks the Cooperative Agreement should be sent to Congressmen Cartwright and Delgado with an explanation on why UDC is doing this. Dexter recommends for UDC to request the appropriate percentage of real cost of living increases that NPS receives. Claster said when NPS gets a cost of living raise it doesn't necessarily increase the amount of money that the Park is getting. The budget doesn't increase. Robinson said we could have our Bookkeeper go through the last 10 years of NPS budgets and analyze how much of their increases were based on operating expenses vs. income and see how those lines increased. Claster said the NPS budget stays relatively the same. People are going up in Grade, they are getting a cost of living increase and that's why NPS is at an 80-85% Personnel.

Sullivan asked Ramie if there is anything very different about the Cooperative Agreement that is being proposed to the UDC that is making it harder for UDC staff to do work? Ramie said no, right now it's tied to excerpts from the RMP. Heister has said that UDC can't put new items in there that weren't already part of the RMP. She said from Heister's perspective UDC can't go back in time to include something that wasn't there originally and projects belong in the Work Plan as opposed to the Cooperative Agreement because UDC's managements functions are laid out in the RMP. The only additions were a new line stating that Technical Assistance Grants must pertain to the RMP and what that described for them. There was also one line about funding for the Comprehensive Emergency Plan for the Railroad safety project. Heister included that so the UDC wouldn't have to amend the Cooperative Agreement if their grant for staff time is allowed. Ramie would like to see an increase as well and suggests conducting a salary comparison with realistic rates. If there was extra funding the first thing she would recommend doing is hiring an additional staff person because she believes UDC should be back up to four full-time staff members but our budget doesn't currently support that. Sullivan said she spoke with Senator Metzger's representative, Ari Mir-Pontier about grant writers and Mir-Pontier mentioned Sullivan County Planning. Sullivan said that is the key person we are missing. She said look at what FUDR just obtained. She said we are advocating for the residents as well as the environment and said we need someone on staff that taps into funds and uses the right language. Sullivan said the best answer on why NYS funding was denied from Senator Metzger's representative was that it could have been yes, no, or insufficient. She said a grant writer would know what insufficient means and how to fix that. Richardson said the challenge is what would the full-time staff person do? What would the grant writing be for? Sullivan said you could tie it to the RMP. Sullivan said that \$300,000 is not going to support the UDC, so

continuously funding projects, expanding Technical Assistance Grants, communication infrastructure, law enforcement, trash collection, river quality monitoring, maintenance in improving river accesses, enhancing local economies, cleanup of landfills, control of invasive species, etc. are all ideas. Peckham said people have no idea who the UDC is, they dislike the NPS, they don't know the purpose of the RMP. Peckham referenced an article in the *Tri-County Independent* referencing the NPS and that type of publicity is why Manchester and Buckingham Townships won't join the UDC because they feel it's another layer of oversight. Robinson said with an extra staff person UDC could look at economic development in the River Corridor. The more he reads about outdoor recreation from the transition of very active outdoor experiences to passive outdoor experiences the demographics prove that. If the Town/ships could benefit from that, the staff member could focus in on that type of issue. Robinson said you go up and down the River Valley and a lot of sections are now dead compared to 30 years ago when this Cooperative Agreement took effect. Richardson said this is a really good discussion, whether we do a retreat like the past or another meeting, that's where we will flesh out some of these topics. Greier said he thinks the UDC needs to be more open and have a better rapport with our Town/ships because they used to look to the UDC for support. Sullivan said regarding the PA DCED Grant money that put more energy in the Townships. There were also several ideas for what to do with UDC's portion of the DCED Grant money and what projects to use it for. Robinson asked Ramie if she needs more information to start assembling a proposal? Greier said let's start with what we've got. Robinson said if we start with what we've got and a study is \$40,000 and it's part of the RMP and we seek to get a defined COLA increase over a 5-year period, these are rational requests. Ramie said she can handle those requests.

PA DCED Grant Update: Ramie provided an updated summary of what has been agreed to for the Townships as well as the equipment needs for UDC. UDC is down to \$15,078.47 that needs to be prioritized. She provided a handout survey of "UDC Project Ideas for the PA DCED Grant" asking each voting member to rank the project ideas. If you don't feel a project has any merit put a zero. Ramie said while this is PA funding UDC hasn't been told we can only spend it in PA. This is an application UDC is making that will either be approved or modified. Ramie asked for the Committee to review the document and bring it back to the 1/2 UDC meeting.

Other: None

New Business

NPS Upper Delaware Scenic and Recreational River FY 2020 Work Plan: Heister provided the Work Plan to Ramie today, forewarning this document has not been proofread. She would like the UDC to review it and have comments back by 1/28 Operations Committee meeting. Ramie will make sure other UDC members also receive the document for review.

Summary of Pending Bills 12-16-19: A motion by Robinson, seconded by Peckham to approve the bills was carried.

Financial Statement 12-31-19: Roeder said the financial statement is offered for individual review.

Other: None

Public Comment: None

Executive Session: Ramie said this Executive Session is for Personnel matters and it would be appropriate for the voting membership and the staff to stay. She said we are not expecting any further action other than adjournment after that. A motion by Robinson seconded by Dean to go into executive session at 8:52 p.m. to discuss personnel matters was carried. A motion by Peckham seconded by Greier to come out of executive session at 9:25 p.m. was carried. No action was taken in executive session.

Adjournment: A motion by Sullivan seconded by Robinson to adjourn the meeting at 9:26 p.m. was carried.