

Upper Delaware Council
OPERATIONS COMMITTEE MEETING MINUTES
February 27, 2024

Committee Members Present: Harold Roeder, Al Henry, Fred Peckham (Zoom), Ginny Dudko,
Larry Richardson, Roger Saumure, Christine Martin (Zoom)
Committee Members Absent: Jeff Dexter
Staff: Laurie Ramie, Kerry Engelhardt, Stephanie Driscoll
NPS Partner: Lindsey Kurnath, Carly Marshall
Guests: Bill Dudko

The UDC's Operations Committee held its monthly meeting virtually on Tuesday, February 27, 2024. Chairperson G. Dudko called the meeting to order at 7:27 pm.

Approval of the January 23, 2024 Meeting Minutes: A motion by Roeder seconded by Henry to approve the January 23rd meeting minutes carried.

Executive Director's Monthly Report: Ramie said she met with NPS Administrative Officer Tara Harbert on February 9th. Harbert provided an update on previously discussed conflicting dates between the Cooperative Agreement, 5-Year Plan, and funding documents. She has been actively working on the issues, resulting in the approval of Modification #7 that was submitted on February 22nd to extend the UDC's Cooperative Agreement period of performance to 12/31/2024 and the funding disbursement for FY 24 Quarters 3 and 4 to 9/30/2024 (previously ending on March 31st) in the amount of \$155,000. That amount includes a \$5,000 pass-through from NPS to facilitate payment for Water Safety billboards as proposed by Kurnath on February 12th. The billboards will be a joint project between the UDC and NPS for water safety. NPS was having difficulties paying through the contractor for the billboards as a federal agency. The UDC as a non-profit organization has agreed to take over the billing responsibilities, being a member of the Water Safety Committee. She said we wanted to get the request in as soon as possible to have the funds credited by March 31st. Everything has been done in terms of the budget, narrative, and SF-424 Reports and Forms, but the software program (Grant Solutions) is difficult to navigate and she hasn't been able to submit the application as required. She has a meeting on Friday (3/1) to hopefully resolve the issue.

Ramie would like to invite U.S. Senator John Fetterman from Pennsylvania to serve as keynote speaker at our 36th Annual River Valley Awards Banquet. Senator Fetterman's staff has been very active with us trying to figure out our funding issues. She thinks it would be good to send an invitation out now, to give plenty of notice. B. Dudko said it makes sense; he seems to be interested in our funding issue. Ramie said we should have a Plan B as well. She would send it with a deadline, so we have time to plan accordingly. Henry said another option could be Secretary of the Interior Deb Haaland. A motion by Henry, seconded by Roeder to invite U.S. Senator John Fetterman to the 36th Annual River Valley Awards Banquet, carried.

The Performance Progress Report (PPR) for Fiscal Year 2023 was submitted to NPS on January 26th. It is posted on the UDC website's "Publications" page, Operations Committee members received a copy via email, and highlights were included in a news release that went out on February 14th. The UDC filings for federal and state forms have been handled by Eckersley & Davis as of February 20th. Our bookkeeper found 6 different checks dating back as far as 2021 that never cleared. The checks were for mileage reimbursements and/or meeting fees, so Ramie reached out to the members to see if they knew what happened. It's assumed they may have been lost in the mail so the bookkeeper has reissued the checks totaling about \$375.

Ramie said there were some changes involving political representatives recently. NYS Assemblywoman Aileen Gunther has decided to retire after serving in that position since 2003 for the 100th District. They already have candidates for those offices: Camille O'Brien who we met as a representative for both Senator Martucci and Senator

Oberacker is running on the Republican line. Paula Kay from Monticello is running on the Democratic line. On the Pennsylvania side, Representative Joe Adams (representing the 139th District) has decided not to run again after one term. The NYS Independent Redistricting Commission on February 15th agreed on a single Redistricting Plan for NYS Congressional Districts that has been submitted to the NYS Legislature for a vote. The new maps would change the boundaries of the 19th District that Congressman Marc Molinaro was elected in 2022 to cover all Sullivan and Delaware County towns in the corridor and the 18th District to which Congressman Pat Ryan was elected in 2022 to represent the Orange County portion of the corridor. Ramie didn't open the maps to figure out what towns are in or out since it's subject to the vote. The articles she has read expressed that the incumbents would benefit from the way it's proposed in terms of their Republican or Democrat base. Driscoll recently updated the UDC's Federal and State Political Representatives Directory on February 29th. She is also working on the Local Officials Directory for the 15 towns and townships. Engelhardt has updated the list we maintain of all the town and township meetings, which will be helpful for the "Road Show".

Four news releases were issued in February on the subjects of the UDC roster for 2024 along with this year's board photo; promoting Litter Leaders, volunteers, and sponsors for the 2024 Litter Sweep; citing our Fiscal Year 2023 accomplishments; and promoting our presentation coming up on March 7th at the full council meeting on the High-Definition Stream Survey of the Upper Delaware River by Jim Parham from Trutta Environmental Services. When that press release went out, WJFF radio station asked if they could do a live interview on "Radio Chatskill" with Parham to promote the presentation. Ramie had sent out the link to the interview she had done on "Radio Chatskill" with WJFF for the 2024 Litter Leaders, where WJFF General Manager Tim Bruno also asked about UDC funding. She was contacted by a former investigative reporter with ABC News, Peter Madden, for a *Delaware Currents* article on the hazardous materials that the trains coming through the river valley may be carrying. She was contacted by *River Reporter* Editor Pam Chergotis who is also working on an article about the train traffic. Chergotis asked her about the status of the UDC's 1997 Emergency Response Guide. Ramie told her it's being rolled into a larger program through a federal grant with the Inland Oil Spill Contingency Plan. *Sullivan County Democrat* Publisher Fred Stabbert also reached out to her to ask about his observation on the reservoirs spilling out. He asked if that was normal for this time of year and Ramie pointed him to the Rivermaster, DRBC, and USGS. There was an article on the front page of the February 2nd *Sullivan County Democrat* titled "Reservoirs full as rain, snowmelt continue" that was distributed at this month's WU/RM Committee meeting.

The spring issue of *The Upper Delaware* newsletter is due to Courier Printing by March 25th, which Ramie will be working on now. It will be released on April 8th.

The UDC received its first sponsorship donation for the 2024 Upper Delaware Litter Sweep from North American Packaging Company (Econo-pak) out of Milford, PA for \$250. Ramie has started a donations log to keep track of contributions for proper publicity and acknowledgments. As stated in the press release, anyone that donates over \$50 will be acknowledged in our publicity. We're not doing names and logos on the t-shirts, but in our newsletter and other articles we will express appreciation. She had transferred funds that were in the UDC PayPal account from UDC t-shirt sales and end of year donations to start with a \$0 balance for 2024 Litter Sweep donations and payments. Engelhardt is working on grant applications for the Litter Sweep from Sullivan 180 and the Poconos Mountains Visitors Bureau due the first week of March. There's also a strong possibility of some funding through UDC's Lumberland Representative Nadia Rajs from her district's Sullivan County Legislature Discretionary Funds.

At last Tuesday's (2/20) WU/RM Committee meeting there was a discussion about a map of Narrowsburg's Big Eddy by Lisa Glover that she graciously donated 50 copies of to the UDC to use as a fundraiser. Ramie asked Glover what value she thought should be put on the map. Glover said she charges \$25 for a similar map at Gather in Honesdale, with \$5 per sale going to a local non-profit. The committee decided a \$20 donation per map would be appropriate. Ramie plans to do a brief outline to give with the maps explaining the origin. She plans to put out a press release about the map and it will be a subject in the Spring newsletter. If the 50 copies sell out right away, she will ask Glover if there is a digital file so the UDC can print more.

Also, on her report is a list of meetings and document releases that have been issued since last month to review.

New Business

UDC/NPS Water Safety Billboards Project: Ramie said the billboards are located on Route 652, Route 97, and US Route 6. The billboards are arranged through Adams Outdoor Advertising with whom the NPS has partnered for several years. There is a portion of the billboards work that Adams does gratis to contribute to the water safety cause. The total cost of the billboard rentals over certain time periods (spring-fall) is \$4,425 with a \$575 balance that can be used for other water safety ideas. This money is being channeled through the UDC budget to make it easier for all parties. B. Dudko asked where on Route 97 the water safety billboard is located. Ramie said it's across from the Roebling Bridge on the Minisink Ford side. Kurnath said this ties into the conversation she's had with the Operations Committee in the past about the NPS having extra money; how it could be added to the agreement for a specific task.

NYSHTA Legislative Networking Breakfast 3/8 Registration: The Sullivan Catskills Visitors Association is hosting this New York State Hospitality and Tourism Association Networking Breakfast on Friday, March 8th at Resorts World Catskills in Monticello. Ramie said this is where she met Congressman Molinaro and several U.S. Congress and Senate staff representatives. She thinks it would be useful for her to attend, not only to hear about the tourism industry but to get additional contacts regarding the UDC's funding issues. Several elected officials are expected to attend. It starts at 9am next Friday and there is a \$35 ticket charge. She asked the committee if they thought it would be worthwhile for her to attend. G. Dudko said it's great to connect with legislators. A motion by Roeder, seconded by Saumure for Ramie to attend the NYSHTA Legislative Networking Breakfast on March 8th carried.

175th Roebling Aqueducts Event Sponsorship Request: Ramie has been reporting on the D&H Canal 200th Anniversary, which is over a 5-year period that the D&H group will be celebrating with events in various communities. They discovered there is an earlier 175th Anniversary of the first crossing of the Roebling Aqueducts on the Lackawaxen and Delaware Rivers that occurred on April 26, 1849. Kenny Christianson, a trustee on the D&H Transportation Heritage Council (DHTHC) and representative from the Lackawaxen River Conservancy, came up with the idea of the celebration that will take place on Saturday, April 27th. It will be held at the New Inn at Lackawaxen with speakers featuring experts on all things Roebling such as Professor Paul King, a walking tour in conjunction with NPS, buffet lunch with canal era recipes, live music by Dan Engvaldsen, and various presentations. Anything that contributes to the celebration cost has to be offset by donations. Ticket prices can't be set until they see how much money is raised through sponsors. Ramie asked if the UDC would be willing to make a donation to the celebration. The UDC has a cultural component with the D&H Canal being one of the cultural resources that we interpret and this is a very specific event within the corridor. Most of the sponsors so far have been contributing at the \$200 level, which she recommends. A motion by Richardson for the UDC to participate in the event as a sponsor with a \$200 donation, seconded by Roeder, carried. Ramie thanked the committee on behalf of the DHTHC.

Roeder said he remembers when they dedicated the bridge most recently. The great-great grandson of John A. Roebling was a speaker at the event and he also is an engineer who helps build bridges. During his speech he said that the same design that was used to build the Roebling Bridge were still being used in present day. G. Dudko said when she was young, her grandfather and father used to work on the Roebling Bridge and her great-grandfather's sister was a toll taker on the bridge. Saumure said John A. Roebling's wife was an engineer who managed his projects.

Summary of Pending Bills 2/27/2024: Motion by Henry seconded by Roeder to approve the bills and pay them in the normal fashion carried.

Financial Statement 2/29/2024: The statement was included for review in the packet. Henry asked how much interest we're gaining off the Jeff Bank savings account? He thinks it might benefit the council to move some of that money to the Vanguard account. Richardson said we need to be cautious to have funds enough to operate in the event of a federal funding delay. Ramie said she will look into it with the bookkeeper.

Other: None.

Old Business

Draft Resolution: 2024-04: Revising Employee Vacation Leave Policy: Ramie said this revision came out of the recent Personnel Subcommittee meetings after looking at the benefits and how they haven't been consistently applied. The intent of the policy revision is to have the vacation days benefit that takes effect upon becoming a permanent employee documented. A motion by Henry, seconded by Roeder to revise the employee vacation leave policy, carried. It will come to the full council for approval at the March 7th meeting.

Federal and State Funding Updates: Ramie reported that on January 22nd she had reached out to Drew Popish, Northeast Regional Director for Pennsylvania Governor Shapiro, after receiving his name and contact information from Cody Forgach at Senator Fetterman's office. She sent Popish the UDC Funding Fact Sheet and a May 31, 2023 letter that the UDC had sent to Senator Baker, Representative Fritz, and Representative Adams. She also sent the September 26, 2023 letter that UDC's solicitor Jason Ohliger had written on the UDC's behalf. She gently pointed out that we had not heard a response back from the 9/26/23 letter. She made sure to copy our PA UDC Representative Tim Dugan, as he likes to be aware of communication regarding funding on the PA front. She hasn't heard a response back from Popish yet, so she sent another reminder earlier today and will hopefully hear back soon.

On January 23rd Ramie had a meeting with two aides from U.S. Senator Bob Casey's office. They said there had been staffing changes within their ranks and wanted to be brought up to speed on the funding issue. Ramie was happy to oblige and followed up by sending them the Funding Fact Sheets on both federal and Pennsylvania levels.

Ramie said Kurnath had a meeting with Senator Fetterman's office and staff from the NPS Regional and National Legislative Affairs Team. Kurnath wrote on January 25th in response to a UDC action item for a report: "We covered the establishment of UPDE under the Wild and Scenic Rivers Act and the expectations set out in the 1986 RMP. We also discussed how the RMP could be updated and realities available through NPS budget process. The outcome of yesterday's briefing was a 'thank you' for the information and a commitment to follow up with more questions. As I have more information, I will share it." Ramie forwarded that response to the Operations Committee on January 26th. Kurnath also provided us with a letter dated January 23rd regarding UDC lobbying questions for the DOI solicitor in response to the request by Henry that the NPS look into Section 26 CFR under the Self Defense Exemption for Non-profits regarding lobbying. Kurnath looked into that and responded: "The answer is the same as before. 18 USC 1913 is the legal definition for organizations accepting federal funds. If we are to look to a CFR for additional information on how to interpret this law, we would look to 2 CFR 200.450. This section applies to organizations who accept federal financial assistance and the rules they must follow when using those funds. 26 CFR is not applicable in this situation as the UDC is using federal funds. The UDC is free to take actions like a letter writing campaign using your non-federal funds." Kurnath also included a link to 2 CFR 200.420 with the response.

On February 8th the *River Reporter* published an article called "The Upper Delaware Council's Catch-22" by Ruby Rayner-Haselkorn. Rayner-Haselkorn attended the January 20th Operations Committee meeting and followed up with Ramie in seeking more information about the lobbying subject.

On February 9th Ramie got a call from Sherri Resti Thomas, Administrative Support for Friends of the Upper Delaware River (FUDR) following Ramie's presentation to the Coalition for the Delaware River Watershed (CDRW) about UDC funding. They were considering whether they would include the UDC's funding issues as a priority advocacy platform for them. Resti Thomas told Ramie that CDRW does want to advocate for that funding. FUDR, which is the coalition's NYS lead, is currently consumed by the Upper Delaware Watershed Plan with the deadline coming up, so we aren't sure what that will look like just yet. CDRW will most likely reach out to legislators on UDC funding, since they can and the UDC has restrictions. Resti Thomas also invited Ramie to participate in the Environmental Protection Fund Lobbying Day in Albany on February 13th. Ramie declined due to our lobbying restrictions, but asked to keep the UDC in the loop.

The UDC got some additional publicity on UDC funding issues during the February 12th "Radio Chatskill" interview on WJFF about the Litter Sweep. Ramie sent a link to the interview via email and posted it on the UDC Facebook page.

Other: Henry said in the report Kurnath gave from the DOI solicitor it was recommended that the UDC seek guidance from our own legal counsel. There's a lot of information out there relative to some of the information the

DOI solicitor has ruled on that he thinks it may be worth drafting a letter, running it by the UDC solicitor, and get a final decision. He thinks the law the DOI solicitor gave the UDC is applicable to public officers and employees, not general public. He said we are not federal employees; the UDC is not an officer or employee. A motion by Henry to draft a letter to send to the UDC solicitor, seconded by Roeder, carried. This will appear on the full council agenda March 7th.

Ramie said the UDC puts out a memo in March soliciting applications for the River & Shoreline Cleanup grants program. She included a larger allocation in the latest budget, thinking we may get more applications this year with new administration within the towns and townships. April is the deadline for the applications and May is the resolution of the full council. She just wanted to let the committee know that was coming up. Martin asked what the application was for? Ramie said the UDC provides grants since 2014 to member towns and townships to clean in and around the river, unlike the Litter Sweep that is strictly land-based. This came about when the NPS stopped their funding assistance for river community trash pick-ups.

Henry asked Kurnath if there's been any news about the government shutdown? She said no. Ramie said NPS Administrative Officer Tara Harbert said they can only fund things up to 49%.

There was no Public Comment.

Adjournment: A motion by Roeder seconded by Saumure to adjourn the meeting at 8:27 p.m. carried.