

UPPER DELAWARE COUNCIL MEETING MINUTES November 5, 2015

The Upper Delaware Council held its monthly meeting on Thursday, November 5, 2015 at the Council office in Narrowsburg, NY. Chairperson Alan Henry called the meeting to order at 7:00 p.m. The Pledge of Allegiance and roll call followed.

In attendance: Town of Hancock-Fred Peckham, Town of Fremont-Jim Greier, Town of Delaware-Harold Roeder, Town of Cochection-Larry Richardson, Town of Tusten-Susan Sullivan, Town of Highland-Debra Conway (7:10 p.m.), Town of Lumberland-Nadia Rajs (7:14 p.m.), Town of Deerpark-David Dean, Damascus Township-Jeff Dexter, Berlin Township-Alan Henry, Shohola Township-Pat Jeffer, State of New York-Bill Rudge, Commonwealth of Pennsylvania-Tim Dugan, National Park Service-Kris Heister. Staff in attendance: Executive Director-Laurie Ramie, Resource Specialist-Travis O'Dell, Secretary-Cindy Odell. Also in attendance: Ginny Dudko-Deerpark Alternate, Aaron Robinson-Shohola Alternate. Absent: Lackawaxen Township, Westfall Township, Delaware River Basin Commission. Media: Dave Hulse. Guests: Al Steppich, Jennifer Canfield, Yaron Fidler, and Talia Fidler.

Presentation on the Latest Trends in the Telecommunications Industry by Dick Comi from The Center for Municipal Solutions: Henry introduced Dick Comi of The Center for Municipal Solutions. He reminded members that Comi was one of the presenters at the March 29, 2014 Cell Tower Workshop sponsored by the UDC. Henry provided details of Comi's biography. Comi stated that The Center for Municipal Solutions is the largest municipal wireless consulting firm in the country. He and another individual started the company in 1987. They currently represent in the neighborhood of 1,000 municipalities. They have provided for almost all of these municipalities, a wireless siting regulation. This regulation has never been successfully challenged by anyone in the industry anywhere in the country. They do not represent any of the wireless carriers or any of the cellular tower companies. Comi said services are provided to the communities at no cost and explained how his company generates income by reviewing wireless applications when they come in; the cost of which is paid for by the industry. Comi reported that 40% of homes in the United States no longer have land lines and this number is increasing daily. He noted that years ago the industry wanted to erect macro sites which are the towers up above the tree lines that will cover areas up to five miles. He reported that two types of service are becoming more prevalent. One is a small cell site. These are generally being put in areas where there is a lot of traffic. Small cells can be used to provide in-building and outdoor wireless service. Mobile operators use them to extend their service coverage and/or increase network capacity. The second upcoming service is a distributed antenna system. A distributed antenna system, or DAS, is a network of spatially separated antenna nodes connected to a common source via a transport medium that provides wireless service within a geographic area or structure. One way to accomplish this is by installing poles on top of utility poles. Comi explained how this system works. He noted that it is very expensive for the industry to come to an area to install macro sites, small cell sites or distributed antenna systems. He provided some figures to accomplish this infrastructure. He added that unless you have the volume to generate the revenue to make it cost effective, it is hard to incentivize the industry to develop in certain areas. He reported that there is at the federal level significant funding available for rural broadband. He spoke of rural broadband development in the State of Vermont. He suggested municipalities could look to their respective states for assistance in securing some of the federal funding. Comi added that it is very important for communities to have good wireless regulations in place to

protect their communities in terms of aesthetics, the environment, and values of homes. He added that communities can prioritize where they want towers to go. Comi noted he believes it is \$1 billion the federal government has reserved for rural broadband development. That is the way in which you reduce the cost to the industry and then can get them to come to these rural areas sooner. Robinson stated that we have a challenge here in the river valley in that we are deficient in cellular service. We have a need as it relates to the safety, health, and welfare of the communities along the Delaware River, he added. He asked Comi how the UDC can get some sort of cell service in the river valley. Comi said that the only way you're going to get the wireless industry to come to the valley right now is to find ways that you reduce the costs to them of providing the service and explained his reasoning. He added there is no good answer except to go after some of the federal rural money and discuss with those entities that are willing to provide a service that will allow all of the carriers to be on the service as that makes it more cost effective to them. Comi stated that there is currently no technology that is inexpensive enough to entice the industry to come here. Peckham spoke of cell phone signal boosters. Comi said there are boosters that will give quality residential wireless coverage in places that typically receive just marginal service. These boosters run in the neighborhood of \$200. Richardson stated that one of the problems in the river valley is that most people don't want to see those macro towers visible from the river. He asked if it is possible to have multiple carriers on the distributed antenna systems. Comi told him it is. Richardson suggested looking for federal money to accomplish this system on the poles that go up and down the river. He feels that could be a good way to get coverage without ruining the aesthetics. He asked Comi how far the service reaches. Comi said two-tenths to three-tenths of a mile in an open area. Infrastructure costs were discussed. Hulse questioned if the cable companies could be involved with providing cellular service. Comi said they could but they want to compete in that industry. He reiterated that there is \$1 billion of rural broadband money available to establish better broadband service in the rural areas of this country. He is unsure about the application process and restrictions for securing some of this grant money. He added that this grant money is available to subsidize the cost. A brief question and answer session and "line of sight" discussion took place with Comi noting that cellular service is not true "line of sight" service. Henry thanked Comi for his attendance and presented him with a UDC lapel pin. Comi provided his business card to those in attendance. He stated that he believes in protecting the municipal side of telecommunication development.

Approval of October 1 Meeting Minutes: A motion by Peckham, seconded by Dexter to approve the October 1 meeting minutes was carried.

Public Comment on the Agenda: None

Committee Meeting Minutes Comments: Committee reports were provided. There was no Water Use/Resource Management verbal report of the October 20th meeting. Copies of the minutes were available and sent out to members. The October 27th Project Review meeting was cancelled due to a lack of a quorum. Richardson commented that although they were unable to seat a quorum, the committee did use the time wisely to go through an exercise of substantial conformance review using the Town of Cochection zoning and the Project Review workbook. Henry reported on the October 27th Operations Committee meeting.

Status Reports

Delaware River Basin Commission: The DRBC was absent, however, the hydrologic report was provided. The NYC Delaware River Basin Storage as of October 30, 2015 was at a combined capacity of 64.0% with Cannonsville at 49.2%.

NYS Dept. of Environmental Conservation: Rudge referred to the October 23 news release titled "Governor Cuomo Announces Series of Actions to Promote Tourism and Draw Visitors to the Catskills Region" provided in members' packets. Rudge spoke of the Governor's ride through the greater Catskills Region on a motorcycle tour to announce a series of initiatives to promote the Catskills, including a \$5 million "I Love NY Catskills Tourism Advertising Campaign," his hosting of Catskills Challenge 2016 next summer, and a \$7.3 million gateway/visitors center at the region's popular New York State

Minnewaska Preserve State Park, atop the nearby Shawangunk Ridge. Rudge said that next summer Governor Cuomo will host a Catskills Challenge to promote tourism and showcase all of the recreational opportunities the region has to offer, including fly fishing, paddling, hiking and mountain biking. The Challenge will be modeled after the Governor's successful Adirondack Challenge used to strengthen tourism in Upstate New York and will bring together state and local officials, tourism industry representatives and outdoor enthusiasts to explore the Catskills region. He reported that Empire State Development will launch a \$5 million tourism ad campaign next year to promote all the Catskills region offers to visitors from around the world. He noted this campaign will encompass the Upper Delaware region. A brief discussion about the \$7.3 million transformational project at Minnewaska Preserve State Park took place.

Rudge spoke of the New York Works program. One of the major components of this program has been to improve access to public lands, he added. Rudge is hoping to create a river access site in Long Eddy with some of this funding. Rajsz asked about the status of the Mongaup Unit Management Plan. Rudge said he would say they are even further behind, noting that a key staff person who was working on this project recently retired. Hulse commented that Pennsylvania has a lovely visitor center on Interstate 84 in Matamoras, PA. He asked if something similar could be built in New York. Rudge said he does not know of anything in the works.

PA Dept. of Conservation & Natural Resources: Dugan reported that there still is no budget in place for the Commonwealth of Pennsylvania. He said that DCNR is conducting business to the best of their ability. He reported that grant awards are still delayed as a result of the budget impasse. Dugan said the Commonwealth has seen a very nice fall foliage season with trees in some areas holding on to their great color. He noted that hunting season has begun and there has been a very good mass crop this year. Many bear sightings have been reported. He urged people to be careful this time of year. Regarding gypsy moth defoliation, he said that roughly 700,000 acres have been affected, predominately in central and northeast Pennsylvania. He noted that gypsy moths are considered a growing population within the Commonwealth. Right now egg mass surveys are being conducted and they are working on preparing their request to the federal government for spray program funding. He noted that a lot of federal money is tied up due to fires in the west. The spraying program and the fees associated with it were discussed.

Dugan noted that the Commonwealth voted three new Supreme Court justices into place causing a big shift in Harrisburg.

National Park Service-Upper Delaware: Heister noted that October is the first month of the fiscal year and as a result, much time is dedicated to administrative issues.

Heister reported that the Park Service will be hiring for three positions. The positions include a maintenance worker, chief of law enforcement, and full time permanent planner. She added that they are all good, well-paying jobs. Dean questioned what the salaries are. Heister said she did not have those figures immediately available. She hopes to have the announcements for these positions posted by December and will share that information once it is available.

Heister said the Park Service is trying to address the Orion Pipeline issue. According to the plan, the proposed project will build approximately 13 miles of additional pipeline adjacent to and connecting with the existing pipeline in Wayne and Pike counties. The pipeline will be crossing the Lackawaxen River. The crossing point is approximately one mile from the park boundary and the company is proposing a "wet crossing". The project will cut across numerous other streams and wetlands. Many of these streams are either tributaries to the Delaware River or the Lackawaxen. The Park Service will be commenting on the project. They will be advising them of the designation of the Delaware River and requiring a Section 7 determination before they can get their Army Corps permit, Heister added. The Orion pipeline will follow along the existing Tennessee Pipeline. Heister said they are expanding the right of way in some areas, so they are renegotiating with those landowners. Hulse questioned what the Section 7 determination is. Heister told him it is part of the Wild and Scenic Rivers Act. The key provision directs federal agencies to protect the free-flowing condition and other values of designated rivers.

Sullivan asked Heister if she, as a representative of the federal government, could look into federal funding for rural broadband development in the area. Heister said she will look into it. Rudge stated that most UDC members are probably familiar with the NYS Consolidated Funding Application (CFA). The

CFA process marks a fundamental shift in the way state resources are allocated, ensuring less bureaucracy and greater efficiency to fulfill local economic development needs. Some of the grants that have been awarded through this process have been for fiber for improving internet access and cell phone coverage for rural regions of the state, Rudge added. Rajsyz feels that pursuing improved broadband and cell phone coverage in the river valley needs to be done on a collaborative scale. Rudge agreed and said he would encourage going through the Economic Development Council for your region to pursue funding.

UDC Executive Director's Report: Ramie told Heister we are still planning on a presentation at the December 3rd full Council meeting of an update on the law enforcement collaboration with the Delaware Water Gap, which Heister confirmed will take place.

In terms of the Catskill Challenge that Rudge referred to in his report, Ramie noted that marketing is a challenge for us in this area as we are somewhat between the Poconos and the Catskills, but don't necessarily belong to either one. She added it is tough to be part of something when you are on the fringe of everything. This is always a big challenge that this area faces.

Ramie reported that meetings took place on November 4th and 5th in the five counties for National Geographic's "Scenic, Wild Delaware River" geotourism initiative. She said these meetings were to launch the 90-day site nomination process for the MapGuide website. Local people are being sought to nominate the landmarks, attractions, activities, events, lodging and dining spots that make the Upper and Middle Delaware River region special. The Geotourism Stewardship Council will meet in January to approve final content to unveil in May 2016. To nominate, visit www.DelawareRiver.NatGeotourism.com. Ramie said it was noted that whoever has control over a particular site, should be the one nominating it. She added this initiative is a great opportunity for marketing this area. Peckham said he had made the recommendation that the area today be compared to what it was in the July 1952 edition of the National Geographic magazine. A brief discussion about the program funding and site nomination upkeep took place. Hulse said the nomination of the D&H Canal is going to require some administrative oversight. A brief discussion regarding the demographics of the participants at the different county meetings took place.

Ramie reported that following the October 21 sand truck accident at the Pond Eddy Bridge, passenger cars were allowed to cross starting October 30th at 5 mph guided by reflectors on the deck to avoid the weak areas. Contractor repairs are set to begin November 9th and last through November 25th. Work will take place Monday through Saturday, 8 a.m. to 12, and 1-5 p.m. Once these emergency repairs are done, the plan is to raise the current 3-ton weight limit back to 7-tons. Ramie said that the \$13 million Pond Eddy Bridge replacement goes out to bid next spring and should be built by the Fall of 2017.

Ramie referred to the agenda for the Delaware River Basin Land Use Dynamics Workshop that Shippensburg University is holding at the UDC office on Tuesday, November 10th, from 10:30 a.m. – 3 p.m. Individuals are asked to pre-register at www.drproject.org in order that a lunch count can be determined. A brief survey is included in the registration process. Ramie noted that the organizers are offering mileage reimbursement to attendees. Shippensburg was awarded a \$1 million grant from the William Penn Foundation in February to develop a land use mapping, modeling and monitoring system for the Delaware River Basin. Heister said the project will be mapping the land use in the Upper Delaware Region and they are seeking input from people in the area to determine how you might use the information and what you're interested in. She noted this could be a really valuable tool. O'Dell said attendance may qualify for credits for planning and zoning board members.

Ramie referenced a copy of the "Retrospect" column by Sullivan County Historian John Conway from the October 30th edition of the *Sullivan County Democrat* describing the History Forum that will take place on Saturday, November 14, from 9 a.m. to 4:15 p.m. at SUNY Sullivan's Statler Hall. This forum will be hosted by The Delaware Company. Ramie noted that Kris Heister is among the presenters and the UDC will have an exhibit there. A free continental breakfast and lunch will be provided. Registration is due by November 11th and can be done through Debra Conway.

Ramie referred to a copy of the October 20th letter from Pennsylvania Senator Lisa Baker, responding to concerns raised by the Westfall Township Board of Supervisors this summer about the noise from Hawk's Nest Drive along NYS Route 97. The letter is addressed to Pennsylvania Senators Robert Casey and Patrick Toomey and U.S. Congressman Thomas Marino requesting consideration of federal funds to supplement police patrols by the Town of Deerpark.

Ramie said that a hard copy of her informal notes from the October 19th & 20th “Water, Water Everywhere: The Future of the Upper Delaware River” conference were included in members’ packets. The conference took place at the West Branch Angler & Resort in Hale Eddy. She noted that she and Travis O’Dell attended the conference and he gave a very good talk about the role of the UDC. Presentations from the conference are posted on-line at www.fudr.org/presentations, Ramie noted.

Ramie said the UDC has received a request from the Pike County Chamber of Commerce for a supply of the Upper Delaware Map and Guide brochures. She asked if anyone traveling to or through Milford could drop these off at the chamber office on Harford Street.

The November calendar of UDC Meetings, Activities and Deadlines was provided in members’ packets. Ramie said that the consultants from Environmental Planning & Design (EP&D) will be here on November 23rd and 24th to meet with stakeholders for input on the Project Review Workbook review project. An evening session on the 23rd is yet to be confirmed, but an afternoon session on November 24th will take place from 1 p.m. until 4 p.m. at the UDC office. This will be the opportunity for people to share their thoughts of how the Project Review Workbook works or doesn’t work for their communities, or suggested changes. This project is a step to make the Workbook more user-friendly and accessible, Ramie added. A survey will be going out next week to all the participating towns and townships to ask questions leading up to the stakeholder sessions. The consultants from EP&D will participate in the Project Review Committee meeting scheduled for November 24th. Also, on November 24th, Dick Eckersley will be in attendance at the Operations Committee meeting to present his draft Financial Review report. Ramie reminded members that in December, all three committees meet on the same night. This year the meeting will take place on Tuesday, December 15, beginning with Project Review at 6:30 p.m. A brief discussion about the questions that will be included in the survey took place.

Roeder asked that the persons hosting the workshop from Shippensburg University be informed of the partnership that exists in the Upper Delaware and the fact that the majority of the property here is privately owned. He would like them to have an understanding of “who we are, what we are, and what’s going on in the Upper Delaware River because it is vastly different between here and the rest of the river basin.” Ramie said she would convey that.

Old Business: Heister reported that the salary being offered for the GS9 Planner is about \$55,000 and the GS11 Law Enforcement Officer is somewhere around \$72,000. She is not able to provide the salary for the maintenance position at this time. Henry said federal salaries and job information can be found at www.usajobs.gov.

New Business:

Draft Resolution 2015-17: Resolution Awarding the Printing of “The Upper Delaware” Newsletter to Courier Printing Corp. for FY 2016: A motion to approve Resolution 2015-15 was made by Peckham and seconded by Rajs. Ramie reported there was no cost increase. A vote was taken and the motion carried.

Appointment of a Nominating Committee for 2016 Officers: Henry reported that the following members are named to serve on the Nominating Committee to produce a slate of officers for the UDC for the calendar year 2016: Jeff Dexter (Damascus Township), Dave Dean (Town of Deerpark), and Susan Sullivan (Town of Tusten). The Nominating Committee will issue its report at the December UDC meeting, with the election taking place at the January 2016 meeting.

Other: None

Public Comment

Jennifer Canfield of Damascus Township questioned if any answer has been received from Paul Rush of New York City DEP to the August 2015 letter sent to him posing questions regarding a Cannonsville Reservoir notification plan in the event of an emergency. Ramie said there has not been a response and the UDC had received the same inquiry from Senator Gillibrand’s office as they had been copied on the letter.

Ramie forwarded Gillibrand's inquiry on to Paul Rush on October 14th. Peckham said he has read that New York City is going to propose to put in an early warning system on the West Branch of the Delaware River down below the reservoir. Canfield said she reviewed the inundation maps. After a brief discussion, Dugan suggested that if no response is received by the December 3rd full Council meeting, perhaps the Council could send another letter by certified mail. Members agreed.

Adjournment: A motion by Rajs, seconded by Peckham, to adjourn the meeting at 9:04 p.m. was carried unanimously.

Minutes prepared by Cindy Odell 11/17/15