



Upper Delaware Council

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UPPER DELAWARE COUNCIL MEETING MINUTES December 5th, 2019

The Upper Delaware Council held its monthly meeting on Thursday, December 5th, 2019 at the Council office in Narrowsburg, NY. Chairperson Roeder called the meeting to order at 7:08 p.m. and roll call followed.

In attendance: Town of Delaware- Harold G. Roeder, Jr., Town of Hancock-Fred Peckham, Town of Cohecton- Larry Richardson, Town of Tusten- Susan Sullivan, Town of Deerpark- David Dean, Town of Fremont- Jim Greier, Damascus Township- Jeff Dexter, Berlin Township- Alan Henry, Lackawaxen Township- Doug Case, Shohola Township- Aaron Robinson, National Park Service- Kris Heister, Delaware River Basin Commission- Steve Tambini. Staff in attendance: UDC Executive Director- Laurie Ramie, Resource Specialist- Pete Golod, Secretary- Ashley Hall-Bagdonas. Absent: Westfall Township- Michael Barth, Town of Lumberland- Nadia Rajs, Town of Highland- Andy Boyar, State of New York-Bill Rudge, Commonwealth of Pennsylvania- Tim Dugan. Media: Peter Becker, Fritz Mayer. Guests: Dan Paparella- Town of Tusten, Ginny Dudko- Town of Deerpark, Roger Saumure- Shohola Township, Cheryl Korotky.

DVD Presentation: The Delaware & Hudson Canal Company: Its History and Legacy, Chapter 3:

Roebeling Bridge to Port Jervis: The DVD presentation was cancelled due to technical difficulties of the UDC's computer capabilities. Ramie said that the whole set of DVDs is available to purchase at the Wayne County Historical Society for \$10 each.

Approval of November 7th Meeting Minutes: A motion Greier seconded by Peckham, to approve the November 7th, 2019 meeting minutes was carried.

Public Comment on the Agenda: None.

Committee Reports: Committee reports were provided based on the meeting minutes. They were: Nov 19th Water Use/Resource Management by Dudko, Nov 26th Operations by Roeder and Nov 26th Project Review by Richardson.

Status Reports

Delaware River Basin Commission: Tambini provided UDC with a donated and framed relief map of the Basin. In terms of the Hydrological Storage Report, the reservoirs and flows are pretty much at normal with no droughts, floods or ice, which is a little unusual. Tambini offered to send a link to their weekly report. The DRBC created a Subcommittee on Ecological Flows with a primary focus on the Upper Basin. Their focus has been for thermal protection of fish such as trout, and mitigation of reservoir release flow swings. 2019 was the first year the thermal release protocol was put in practice. He feels significant progress was made. Effectively, during the last Flexible Flow Management Plan (FFMP), about 3 billion gallons stored was set aside for fishery cold water releases and Rapid Flow Change Mitigation. Every time there was a hot spell and the river was above 75° there was a release. The protocol is that NYS DEC calls NYC and they release. This past year DRBC put out the State of the Basin Report. Tambini said he would leave a few copies with Ramie. It is also

available on the website <https://www.state.nj.us/drbc/about/public/SOTB2019.html>. He will also leave a copy of the DRBC Annual Report. The DRBC would like UDC to hopefully reapply to serve on the Water Management Advisory Committee. He also said to keep your eyes open for other committees as well. Generally, in January, things open up and it will be posted on the DRBC website when there are openings. Tambini noted in the meeting minutes that Peter Eschbach from DRBC was scheduled to come to the January full Council to talk about "Our Shared Waters". He is unavailable 1/2; it's too close to the holiday and will still be traveling. He is available in February. Robinson asked how many hydrologists are on staff at DRBC? Tambini said there is a staff of 34, 25 are scientists and planners. Of those Scientists and Planners 4 or 5 could call themselves hydrologists. Peckham referenced the 9/5 minutes where he requested an article be added to the meeting packet. It was an opinion piece from the *Washington Examiner* by Kevin Mooney titled "Green activists hurt average Americans with their latest corrupt assault on fracking." Peckham said it talked about the DRBC and their practice of having many environmentalists on their committees. He said now more of them are becoming committee members including Maya van Rossum, the Delaware Riverkeeper. Tambini said the Riverkeeper is on four or five out of the seven committees. He said since he's been there DRBC publishes all the openings so people can apply and reapply. DRBC encourages people to step up from the Upper Delaware. Brian Oram is part of the Toxics Advisory Committee and Golod joined the Water Management Advisory Committee.

NYS Dept. of Environmental Conservation: Absent.

PA Department of Conservation & Natural Resources: Absent.

National Park Service-Upper Delaware: Superintendent Heister had a couple position updates to provide. There has been an offer for the NPS Administrative Officer position, the replacement for Karen Henry. It's a tentative offer. When the background check is complete Heister will be able to make a final offer and announce it. NPS has a Law Enforcement / Safety Officer replacement for Vince Pareago. The exterior painting at Zane Grey is complete as well as the interior floors. The next stage in that process is to design and contract for handicap accessibility and the conversion of the garage into a bathroom. There is an effort to seek funds to demolish the three buildings behind Zane Grey. The Delaware Highlands Conservancy operated out the Zane Grey house last year and that work out great. They will do the same and the NPS staff will be with them on weekends 1/4 through February. The Town of Highland Substantial Conformance Review went off to the Regional Director today. The delay was that Heister sent it for Solicitor review. Robinson asked if the NPS was still pursuing a hydrologist? She said they didn't get any qualified applicants for the Hydrologist/Aquatic Ecologist job ad so they changed it to be an Ecologist with the same focus of Aquatic Ecology. She said they hope to get someone who is an expert on riverine ecosystems, whether it be flow, river dynamics, aquatic life, etc. Golod said isn't that what NPS Aquatic Ecologist is doing right now? Superintendent Heister said yes, NPS is hoping he will apply for that job.

UDC Executive Director's Report: Ramie thanked everyone that participated in the Cooperative Agreement workshop at 6 p.m. The documentation is needed by February. Ramie will re-strategize about next steps to take to meet that deadline.

On 12/4 there was a meeting to discuss the closure of the Skinners Falls-Milanville Bridge that was called by the Wayne County Commissioners. Commissioner Brian Smith was there as well as Wayne County Planning Director Craig Rickard. Tom Sheptone from Sheptone Management Company has been hired by Wayne County to coordinate efforts with a goal of having that bridge re-open someday, somehow, in some form. Ramie, Golod, Superintendent Heister and Dexter (until he got an ambulance call) were all in attendance. There will be a complete report at the WU/RM committee meeting on 12/17. Ramie provided a copy of a GIS map that was produced by the Wayne County Planning Department. She said what they are discussing coming up with a joint position statement about the bridge and cooperating with PennDOT to specify why it should be reopened for the sake of the local economy, cultural resources, and history. Of course, the most important priority is safety through emergency response. Everybody unanimously agrees that we want that bridge to

remain in some form. Sometime in December PennDOT will be doing an in-depth inspection to see what the condition is of the bridge. Ramie said she foresees a closure continuing through the winter months. Superintendent Heister provided an update saying the discussion at the meeting regarding the NPS Special Use Permit was odd to her and clarified NPS did issue a Special Use permit with an inspection taking place on 11/28. Ramie said that was definitely a miscommunication then because they said they were delayed by a month to assess the condition of the bridge. By 12/17 we may have a copy of the draft statement that can be reviewed to see if UDC wants to sign-on to that.

Ramie was asked to share news about hiking trails opening up at the Ten Mile River Scouts Camp. This is for the first time that they would allow public local hiking groups to participate in those 12,000 acres of property that the Greater New York Council of Boy Scouts owns. She included a message from David Malatzky in the member packets about that. There are some conditions listed.

Ramie also provided the correspondence that took place between the UDC and the PA Fish and Boat Commission on the topic of the non-factual Narrowsburg, PA access with the actual name request for Darbytown that we tried back in 2016. We weren't successful then but now it appears to have some traction. The Maintenance Manager for the Northeast region pledged that he will take it to the proper channels and hopefully it will happen based on the UDC argument that it's the traditional name, there is no such thing as Narrowsburg, PA, and all of the existing literature we have refers to Darbytown. Ramie said the incident of people asking for emergency help there and not knowing how to identify where they are if you're not familiar with the area because of that incorrect nomenclature is particularly alarming.

"The Upper Delaware" was due to come out on Monday, which had that winter storm that shut down many people for a day. Ramie emailed our contacts at Courier Printing in Deposit giving them her full permission to waive our late penalty fees for that day because that would be unreasonable. On 12/4 we did get that issue delivered. Ramie handed out the Fall/Winter issue and said the newsletter is also posted on the UDC website if people would like to access it there or share it with anyone.

Referring to the calendar in the packets for December, we are holding all three committees on the same night 12/17, with potentially abbreviated schedules for half-hour meetings. Project Review will be first at 6:30, Operations at 7, and Water/Use Resource Management (WU/RM) at 7:30 p.m.

Hall-Bagdonas provided a list of the 2020 meeting dates for the council and the committee meetings. She will also be circulating the appointment updates to every Town and Township so they have that waiting for them when they hold their Reorganizational meetings. At the 1/2 meeting we will have our Election of Officers and the Swearing in Ceremony will be in February.

Henry referenced the email from the Greater New York Council of Boy Scouts. Does that apply to the Tusten Mountain Trail? Paparella said to the best of his knowledge, it's a public trail. Superintendent Heister said the NPS leases 20 acres to them and she believes the trail is part of that 20 acres. Henry asked how do you keep the public off now? Ramie said that's a good question she provided names of contacts for groups that may be interested in learning about this information to Malatzky, Sullivan Trailkeeper being one of the primary sources.

Old Business

UDC PA DCED Grant Update: Ramie provided an updated report in the member packets. Berlin Township wants to make a slight change in the allocations of their funds but it doesn't ultimately affect that they are asking for the full \$15,000. They found a new use for a distance measuring instrument which they need for the bidding of road projects. The other change was Ramie had pricing for the river safety lawn signs which now has the shipping costs. At the 11/26 meeting the Council reviewed the Township proposals and particularly

focused in on those that were over or under the \$15,000 goal per Township, then she went back to them with feedback and questions. At this point, four of the five Townships are asking for the full \$15,000 and one is a fixed bid which is less than that at \$12,123.09. Ramie said we are not too far off the goal of \$75,000 allocated for Townships. At the 11/26 Operations Committee meeting, they approved UDC equipment needs minus the laser pointer added on at Richardson's suggestion. The equipment costs add up to \$5,702.50. Ramie asked the council what do we do with the rest. She asked them to turn to page four showing the grant breakdown. \$100,000 is the amount eligible to request from PA DCED. The Government Project Audit by Eckersley and Ostrowski, LLP is \$7,000. Subcontracted PA Township Projects are \$72,123.09. UDC equipment needs are \$5,702.50. At that point there is a balance of \$15,174.141. Ramie also listed the different prices for the River Safety posters "Life Jackets Save Lives". The company, Sign Outfitters, had the artwork on file so they could do this project quite easily. Ramie provided additional ideas in the updated DCED Grant Update handout and asked committee members for input. Henry said the Life Jackets Save Lives yard signs have the NPS logos on it and asked Superintendent Heister if there is concern if someone else publishes that? She said no, there are certainly guidelines for that she can look at. Henry suggested printing 1,000 Live Jackets Save Lives yard signs and including an UDC logo on them. He thinks life jackets and public safety should be paramount with UDC and NPS. The more we impress upon people wearing one while swimming, boating, fishing and floating, it would benefit both the NPS and UDC. Superintendent Heister said they do order the signs when they need them and haven't lately. They also have received blowback from some local Town/ships saying it's sign clutter. Sullivan said her concern when she saw the Life Jackets Save Lives signs was that it would be overlapping with the NPS. Ramie said Ingrid Peterec of the NPS provided her with the information for the company and said there are some signs left but Ramie doesn't know how many. Ramie asked if that's something that could be budgeted in the NPS River Safety Committee and Heister said we certainly could but the committee hasn't met yet this year. Roeder asked when the project list needs to be done? Ramie said it should have been done already because the longer UDC waits to submit a grant application as it impacts some of the Township projects that have already been completed and they are waiting for funds. Sullivan suggested drafting the suggestions and making an online poll for UDC members, tabulate the votes and decide that way. Paparella suggested spending DCED funds on life jackets for the loaner station saying all the signs in the world aren't going to provide people with life jackets that could be left at specific access points on the river. He feels it would be a better expenditure of money than 1,000 signs. Ramie said there are loaner stations for swimming purposes at certain accesses. Sullivan said last time the lawn signs were printed there wasn't a problem in the Town of Tusten because they were eager to support it. There is still a sign at the Narrowsburg access. One of the loaner life jacket stations is at Skinners Falls and expanding on that may be an excellent idea. Superintendent Heister said that can also be something UDC and the NPS does in partnership together. It is really hard for NPS to purchase life jackets. They have four jacket loaner stations available but as predicted they aren't all being returned. She said a lot of them get picked up by the liveries and they are able to get them back, the biggest issue is Mongaup. A Motion by Henry for Ramie to reprioritize the DCED UDC project ideas so the committee can respond by internet poll was seconded by Greier carried.

11/19 Letter to NYS Gov. Cuomo from the Alliance for the Upper Delaware River Watershed: Ramie provided a copy of the final version of the 11/19 letter to NYS Gov. Cuomo from the Alliance for the Upper Delaware River Watershed. It didn't change other than they recommended there should be a name of an entity proposing this, so that's where the Alliance for the Upper Delaware River Watershed came from. It doesn't represent a new organization. The vote taken at the 11/19 UDC meeting was not unanimous in terms of the Town of Hancock abstained as did the NYS. When it's listed under UDC on the signatories it only includes the New York Towns that voted in favor for it because this is a request for NYS funding. The Hancock Town Board did vote in favor for it and is listed under their own separate line. Since the letter went out it was delivered to the Governor's office in Albany. On 11/26 Ramie received word from Jeff Skelding, from Friends of the Upper Delaware River, that in the past week they met with the NYS DEC, NYS Assemblywoman Aileen Gunther, NYS Senator Jen Metzger, and with the Governor's staff in Albany. He said "It's too early to predict an outcome but our request was well received and we will continue to communicate with these offices and others with key decision making roles, provide supplementary information to bolster our request, and work to keep our request high on the political radar screen both locally and in Albany." This is a \$500,000 request

from the NYS Environmental Protection Fund in the 2020 Executive budget for the Upper Delaware River region.

Other: Sullivan said regarding the 6 pm Cooperative Agreement workshop, the process that she remembers was that Sullivan County Planning facilitated a meeting for UDC's last Five-Year Plan. Ramie said UDC had a facilitator but it wasn't Sullivan County Planning. Sullivan said it was a facilitator with the entire council, Town officials were invited. All the various goals that were discussed were laid out on the wall and everyone voted and that's how the plan evolved. It was like a focus group in Tusten Town Hall and very well attended. She thinks it's very important that everyone has a say if they want to be involved. Sullivan asked if that was the format that is being considered this time around? Ramie said we didn't get that far in discussing how to approach the Five-Year Plan. Ramie said one year there was a retreat and UDC went off site to the Beach Lake Inn, another time a facilitator, Alan Sorensen, was used. Ramie said we could certainly approach it that way before February.

New Business

Nominating Committee Report: Henry said the Nominating Committee is proposing Larry Richardson, Town of Cochection, as 2020 chairperson; Vice-chair will be Jeff Dexter, Damascus Township and for Secretary/Treasurer, it's Al Henry, Berlin Township. Ramie said UDC will conduct a ballot vote at the January meeting and other nominations can be taken from the floor at that time.

Draft Resolution 2020-03: Approving Finalization of Fiscal Year 2019 Draft Audit: Ramie noted that Eckersley and Ostrowski needs UDC to offer blessings on the IRS form 990 in particular, so they can finalize and get it back to us. A Motion by Henry seconded by Robinson carried.

Draft Resolution 2020-04: Contract with Eckersley and Ostrowski, LLP for Fiscal Year 2020 Financial Review: A Motion by Henry seconded by Robinson to approve the contract with Eckersley and Ostrowski, LLP for the Fiscal Year 2020 Financial Review carried.

Draft Resolution 2020-05: Adopting the National Park Service Records Retention and Disposition Schedule: Ramie said UDC's inventory, which was Phase I of the Records Management project has been completed. UDC ended up saving \$1,700 on the original contract because they couldn't decipher UDC's various maps and also couldn't find map folders but did speak with Hall-Bagdonas on how to store maps. Ongoing training was provided to Hall-Bagdonas as Records Management Officer. Since they trained Hall-Bagdonas while they were here they aren't coming back. The next phase will be a Needs Assessment Report based on what they found here along with their recommendations. The second document will be a Policy and Procedures Manual. That manual is the purpose of Draft Resolution 2020-05. They need to know what standards we are using for our Retention and Disposition Schedule. This resolution says we are adopting the timetables and standards set by the NPS. Henry asked if we have the funding? Ramie said not now under our 12.5% but this is the contract we signed. It's expected that K Sickler-Murphy will complete those at the end of January. We have the invoice satisfied for the first project because it was encumbered under 2019. A Motion by Henry seconded by Sullivan to adopt the National Park Service Records Retention and Disposition Schedule carried. Ramie said when we receive the Draft Policy and Procedures Manual it will be something the UDC will need to review and adopt.

Draft Letter: Barbara Yeaman 95th Birthday: Dexter said Barbara Yeaman is a longtime Damascus resident. She can't reside there anymore because the winter weather is a little too hard for her so she's relocated to her daughter's house. She lived on River Road for many years on Dexter's former Uncle John and Aunt Mabel's farm. She engaged in many significant projects in ecology and preservation down the river valley. Many of them have been implemented and are very successful. He said he thinks one of the most important things is with all the projects she worked on, she remained a friend to everybody. There was

harmony in what she did. Sullivan said when she moved to the area with her 12-year-old son Yeaman was her closest neighbor. She said she was the best neighbor a person could have. Dexter said in the field by her house was the largest black maple tree in Pennsylvania and shortly after she left the tree imploded. A Motion by Dexter seconded by Richardson to approve the draft letter for Barbara Yeaman's 95th Birthday Wishes carried.

Other: Peckham noted in the Fall/Winter issue of the newsletter the article "Discovering Lost Settlement of Stockport". On the map called "Reconstructing Stockport" you can see Peckham's relatives Kilgour listed. He said the map also references Samuel Preston and Josiah Parks. Peckham said Josiah aka Bo'son Parks was one of the first settlers of the area and he settled where Peckham now resides. During the Battle of Minisink Parks was supposed to come down river but his wife went into labor so they hid three days in Equinunk cave. After those three days he went down river and discovered the massacre. Ramie said she went to the Equinunk Historical Society's Calder House Museum program on this subject back in July but didn't have space for her article until this issue.

Public Comment: None.

Adjournment: A motion by Dean, seconded by Greier, to adjourn the meeting at 8:13 p.m. was carried.

Minutes prepared by Ashley Hall-Bagdonas 12-12-19