



# Upper Delaware Council

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## UPPER DELAWARE COUNCIL MEETING MINUTES April 2, 2020

The Upper Delaware Council held its monthly meeting on Thursday, April 2, 2020 via teleconference. Chairperson Richardson called the meeting to order at 6:54 p.m. and roll call followed.

In attendance: Town of Cochection- Larry Richardson, Town of Delaware- Harold G. Roeder, Jr., Town of Hancock- Fred Peckham, Town of Lumberland- Nadia Rajs, 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, Town of Highland- Andy Boyar, Shohola Township- Aaron Robinson, State of New York- Bill Rudge, Commonwealth of Pennsylvania- Tim Dugan, National Park Service- Jessica Weinman, Delaware River Basin Commission- Kristen Kavanagh (7:05 p.m.). Staff in attendance: UDC Executive Director- Laurie Ramie, Secretary- Ashley Hall-Bagdonas. Absent: Westfall Township- Michael Barth. Media: Peter Becker- Tri-County Independent, Linda Drollinger- The River Reporter. Guests: Jennifer Claster- NPS, Dan Paparella- Town of Tusten, Ginny Dudko- Town of Deerpark, Roger Saumure- Shohola Township, Halle Van der Gaag and Sergio Moncada - National Parks Conservation Association (7:10 p.m.)

Richardson said he is proposing a Resolution to address operating under teleconference guidelines for the purpose of voting. He said we do not provide in our bylaws for anything other than in-person voting. Ramie emailed Draft Resolution 2020-08 in advance and Richardson read it to members. A Motion by Rajs seconded by Boyar to approve the Resolution Adopting a Temporary Voting Rules Change carried. Rajs said she understands the rationale behind this Resolution and thinks it's much needed; she just believes it shouldn't be temporary and it should somehow be in UDC's bylaws in case something like this happens again. Richardson said he did look into that and the reason he is proposing it as a temporary voting rule is that the bylaws are specific as to how they can be amended. It can't be accomplished in one meeting. He feels Rajs is absolutely right and at some point UDC should go through the procedure of amending the bylaws to incorporate these changes. Asked by Robinson about the time limit for it, Richardson quoted that the Resolution states it will remain in effect "until the COVID-19 public health threat has been declared safe."

**Approval of March 5<sup>th</sup> Meeting Minutes:** A motion by Rajs seconded by Peckham to approve the March 5<sup>th</sup>, 2020 meeting minutes was carried.

**Public Comment on the Agenda:** None.

**Committee Reports:** There were no questions regarding the following meetings. They were: Mar. 17<sup>th</sup> Water Use/Resource Management- email votes recorded, Mar. 24<sup>th</sup> Project Review and Mar. 24<sup>th</sup> Operations.

### Status Reports

**Delaware River Basin Commission:** Kavanagh said that the DRBC had sent out an informational email about its operations. Like many agencies, DRBC staff is working from home and the office is closed. Previously they did not have a work-from-home policy so it has been a big transition but it's gone smoothly. Things are running normally except they have suspended their monitoring work. They are evaluating when they will be able to resume that on a week-by-week basis. They are doing Advisory Committee meetings remotely. Docket and permit renewals are still ongoing, although they are waiving any late fees. The Hydrologic Conditions Report from 3/30 was provided in the meeting packet. The reservoirs in NY are at 98.3% capacity. Kavanagh said there is generally not a concern about



low flows. The reservoirs are quite full. Flows in the river have been a little bit lower than normal in the last couple weeks. The DRBC website includes an online dashboard link for watershed hydrological conditions. Kavanagh said DRBC hopes UDC members are all safe and healthy.

**NYS Dept. of Environmental Conservation:** Rudge said the most relevant handout he provided was the change in regulations with regards to striped bass fishing. He said admittedly, we're high enough up on the Delaware River he doesn't imagine that a lot of people pursue striped bass in the Delaware. Peckham requested some clarifications on the size and catch limits for striped bass. Rudge said particularly to Rajs, he's really sorry that NYS DEC could not present the Habitat Management Plan for the Mongaup Valley Wildlife Area Site presentation that had been planned. They look forward to another opportunity and do have the capability to present it online if UDC would like to pursue that for next month's meeting. Rajs said she appreciates Rudge's sentiments and said, "We've waited this long; we can wait for this horror to be over but thank you."

**PA Department of Conservation & Natural Resources:** Dugan said we are into Spring wildfire season and it's starting to get a little bit more active with some of the dry weather coming up in the next ten-day forecast. We've had a moderate amount of fires so far this season. Regarding trout season adjustments, the Fish and Boat Commission has advanced their stocking dates due to staffing and the COVID-19 restrictions. They have eliminated the split season in PA where southeastern PA had an early start and now it will just be the traditional opener. It appears that everything is still on schedule. DCNR staff are working from home to the best of their ability. A large amount of the Commonwealth wage or seasonal staff have been put on leave without pay. That is essentially like being furloughed. Through legislation, DCNR is able to retain about half of their wage staff only for the Spring wildfire season and that is all dependent on weather. They are still staffing for emergencies, wildfire response, their ranger staff and management as needed.

**National Park Service-Upper Delaware:** Acting Superintendent Weinman said NPS Cultural Resources would like to recognize the help of Opal Hocker of the Damascus Historical Society. Hocker has been diligently helping track down descendants of folks who were interviewed 30 years ago with NPS. Hocker has been working with Lauren Hauptman, the Cultural Resource Manager, and has been extremely helpful. Like everyone else, COVID-19 has impacted the NPS. They are following PA Governor Wolf's Order. They are considered non-essential so all offices are closed and those capable of teleworking are doing so. Staff that are ineligible to do that have been put on a weather safety leave. NPS does have essential personnel at the park which is law enforcement staff and maintenance as required. Operations have been modified but they are adapting to conduct business the best they can. Robinson asked if there are any projections on how this may impact the liveries and campgrounds in the valley? Weinman said as far as their Commercial Use Authorizations (CUAs) and Special Use Permits, many of them are already established. NPS is not revoking, suspending, or cancelling the existing permits. However, their permits do state that the permittee needs to follow State and Federal law. They are aware that this is a difficult time but they also feel that the fishing guides, liveries, and children's camps will abide by the State's laws. If any of them have any questions they can reach out to the NPS. Robinson asked if the liveries and campgrounds would be prohibited from opening? Weinman said under the current NY and PA Orders from the Governors, yes, because of social distancing and their status as non-life sustaining businesses. She said if NPS sees repetitive violations on the river, they would be reaching out to folks to remind them what their permit states. If it became an issue of willful negligence then NPS has the right to revoke that permit. She is hoping that CUA holders understand the importance.

**UDC Executive Director's Report:** Ramie said that we last amended the UDC bylaws in 2017 and one purpose at that time was to allow for email voting, to enable taking action on time-sensitive issues between meetings. She agrees that the UDC may wish to institutionalize this procedure in the bylaws in case it is needed in the future.

Ramie reported we officially closed the UDC office as of 8 p.m. on Sunday, 3/22, in compliance with the NYS Executive Order for non-essential businesses to PAUSE – ("Policies Assure Uniform Safety for Everyone"). While being respectful of the stay-at-home directives, that order *did* include a clause that a sole occupant of a business is exempt as long as there is no public allowed inside. Ramie said on that basis, Hall-Bagdonas and she have each been to the office for brief occasions, and plan to alternate stopping by at least once a week, to handle any time-sensitive mail from the post office; forward bills to our bookkeeper (such as our Liability Insurance renewal that was due to expire by 4/13); arrange the co-signing of dated checks; use the scanner; check messages left on the UDC phone lines; and pick up or drop off any folders or supplies. We both have access to work emails from home but not the



files on our UDC desktop computers, so that means that we have to put everything we need on flash drives or think to email those documents to ourselves. It's more complicated but manageable to work at home with discipline and organization. Ramie said we're trying to avoid having anything fall through the cracks.

The composition of "The Upper Delaware" Spring newsletter was underway when these orders were enacted. As Ramie mentioned to the Operations Committee, Courier Printing in Deposit requested our help to obtain an exemption from NYS to continue operating to meet their contractual obligations to clients like us, and we immediately submitted a letter to help that cause on 3/19. Then we had to make sure we had that issue for them to print. Ramie raced against the clock on that 3/21<sup>st</sup> weekend to get it done using the design software that is only installed on her UDC work computer. Hall-Bagdonas also accelerated her updating of the mail program for our nearly 9,000-subscriber database. Ultimately, Ramie sent them the completed newsletter on that Sunday evening ahead of our 3/25 deadline, they sent her the electronic proof on Monday, Hall-Bagdonas emailed the Excel database that same day, and they delivered the pre-sorted bulk mailing on Wednesday morning, 4/1, ahead of their 4/6 deadline. Ramie met the driver at the Callicoon Post Office loading dock to pick up our extra boxes of the 10,000-copy print order, and it's now making its way through the postal system. Dorene Warner posted it for us on the UDC website on Tuesday. This issue can be found under Publications.

We are still a full-time staff of two since 1/10. Unfortunately, this pandemic crisis has stymied our search for a Resources and Land Use Specialist. Ramie said even if we were at the point of making an offer that was accepted, telling that person "you're hired, now sit home and read the River Management Plan until further notice", doesn't make financial sense. We do have a consulting services arrangement in place to do the leg work for any project review and substantial conformance requirements in the meantime. Our Personnel Subcommittee and Ramie prefer to conduct interviews in person. She has contacted two applicants we had who were at that stage to notify them that we are deferring action for the time being.

Ramie provided updates on Action Item tasks from the March meetings: The National Park Service forwarded the Regional Director's concurrence on our substantial conformance recommendation for the Highland River Access Improvement Project on 3/31. NPS has submitted a funding extension at our request for completion of Shohola Township's FY 2019 Zoning Ordinance Update TAG project which was facing a 5/1 expiration of that encumbered account otherwise. We continue to plan orientation sessions for the Project Review Workbook in early June while awaiting completion of the graphic design proof. Ramie is also awaiting the deposit of the \$100,000 by the PA Dept. of Community and Economic Development into our new bank account for the PA grant in order to start making disbursements for the projects by our member townships and the UDC. Ramie referred all to the April calendar in the handouts. Please let her know if you have any questions.

### **Old Business**

**Upper Delaware Litter Sweep Postponement:** Ramie said it was unfortunate but not unexpected that the NYS Department of Transportation revoked the permit that UDC had for the April 22-25 Litter Sweep which would have enabled people to pick up trash along the major state highway going through the corridor. Supplies are no longer available from the DOT agencies and the disposal sites are not open now. Paparella made the decision in consultation with the organizers that we can't move forward which is a shame with all of the planning put into it. Paparella has dedicated over 115 hours to this project so far. A news release was issued regarding the postponement. Ramie said there may still be some art projects going on. Paparella said this was in consideration of the orders in which people are not supposed to be going out in public unless absolutely necessary. That includes going to landfill stations. He is still encouraging people to get out and litter pick with people they are quarantining with using their own supplies. They would have to stockpile anything they collect at home until things open back up again. He will email out information as it develops.

**Five-Year Strategic Plan May 30 Retreat Update:** Ramie said at this time we are hopeful that we can still proceed with the retreat. At the Operations Committee meeting on 3/24, the decision was made to contract with Buck Moorhead from Callicoon to serve as our facilitator. The scope of services outlined workshop activities, with pre-planning, writing the plan, and providing a post-workshop follow-up, all predicated on the 7/1 deadline UDC has for submitting the new Five-Year Plan to the NPS. Weinman said in order to have a productive and meaningful

workshop, it definitely needs to be done face-to-face. She said in the event that we are not able to meet face-to-face because of the COVID-19 social distancing guidelines or State Orders, what is recommended would be for the UDC to submit a Five-Year Strategic Plan similar to our existing document by 7/1, making sure it aligns with the goals outlined with the Five-Year budget already submitted. When the restrictions are lifted, everyone will be able to meet as a group and perform the workshop as planned. Then next year an updated Five-Year Strategic Plan would be submitted.

**32<sup>nd</sup> Annual June 7<sup>th</sup> UDC Awards Ceremony Update:** Ramie said we had unexpected extra time to finalize the honorees since postponing our event date. She is in the process of reviewing public and internal nominations. She will provide recommendations to the Awards Subcommittee for their approval. Currently, 6/7 is being held for us by our venue, Central House Family Resort in Beach Lake, as well as our keynote speaker, PA Representative Jonathan Fritz. We do have a fallback date of 8/30 on which the venue and speaker are currently available.

**Other:** None.

### **New Business**

**Draft Letter to Delaware Highlands Conservancy re: Support for DCNR Grant Application:** A handout was provided in the meeting packet. Ramie said this is a grant through the DCNR for land acquisition of the 144-acre Van Scott property located at 571 Perkins Pond Road in Beach Lake that would protect the property and serve as a public nature reserve, hiking trails system, and future educational center. If approved Ramie will be sending this electronically to include with their package which is due by 4/22. Delaware Highlands Conservancy intends to move their Hawley office to the new site. They also have a satellite office in Bethel, NY. A Motion by Henry seconded by Rajsasz to approve the draft letter to Delaware Highlands Conservancy carried.

**Other:** None.

**Public Comment:** Halle Van der Gaag from National Parks Conservation Association (NPCA) said in terms of the Five-Year Plan Retreat planning NPCA has the capacity to do Zoom meetings. She doesn't believe that's appropriate for the workshop itself and agrees with Weinman's approach for everyone to be in person. However, Van der Gaag said if there is prep work that needs to happen to keep the process moving they can offer assistance through videoconferencing if UDC would like to think about that.

**Adjournment:** A motion by Rajsasz, seconded by Greier, to adjourn the meeting at 7:45 p.m. was carried.

*Minutes prepared by Ashley Hall-Bagdonas 4-8-2020*