The Upper Delaware Council held its monthly meeting on Thursday, August 3, 2023. Chairperson Robinson called the meeting to order at 7:02 p.m. and roll call followed reciting the Pledge of Allegiance.

**Attendees:** Town of Hancock- Fred Peckham (Zoom), Town of Fremont- Dennis Bernitt, Town of Delaware- Harold Roeder, Jr., Town of Cochecton- Larry Richardson, Town of Highland- Andy Boyar (Zoom), Town of Lumberland- Nadia Rajsz (Zoom), Town of Deerpark- Virginia Dudko, Damascus Township- Jeff Dexter, Berlin Township- Alan Henry, Lackawaxen Township- Doug Case, Shohola Township- Aaron Robinson, Town of Tusten- Evan Padua, Commonwealth of Pennsylvania- Tim Dugan (Zoom), National Park Service- Ingrid Peterec.

**Absent Board Members:** Westfall Township- Michael Barth; State of New York- Ryan Coulter; Delaware River Basin Commission- Kristen Kavanagh Bowman

**Staff in attendance:** Executive Director-Laurie Ramie, Resources and Land Use Specialist- Kerry Engelhardt and Administrative Support- Stephanie Driscoll

**Guests:** Bill Dudko- Town of Deerpark Alternate, Sullivan County Commissioner of Public Safety- Scott F. Schulte

**Media:** Peter Becker- Tri-County Independent; Katerina Plescia- River Reporter (Zoom)

**Presentation:** Sullivan County Commissioner of Public Safety, Scott F. Schulte -
Schulte started by introducing himself. He was born and raised in Ulster County, NY. His background is in all the different disciplines that encompass preparedness. Currently, he lives in Wallkill, NY. He took over the Division of Public Safety a couple of months ago which includes the Bureau of Fire, Bureau of EMS and the Probation Department. Schulte’s office also handles Homeland Security and Emergency Management. He said they have a strong partnership administratively with members in the other divisions; law enforcement, insurance, the District Attorney’s Office, Public Defender and Animal Control. Schulte said that is a general description on the Public Safety office and more importantly how it relates to the general public. Of most importance to the council, his office focuses on river safety, climate resilience and how we can plan for that in the future and what his office can do to support that. His office can provide trainings, working with the townships and other partners in safety and stakeholders from New York and Pennsylvania and at the national level as well. He said there is a training center located in Bethel, NY where they grow from the typical fire service training to a more comprehensive and holistic training resource for the public works, public health and the more non-traditional stakeholders. Schulte said that’s the focus as they move forward and hope to grow the division, and opened the room up to questions. He knows some of the priorities for the Upper Delaware Council and his office are wireless access and communications, radio service, and things like that. Robinson asked if each municipality had a representative that coordinates with Schulte’s department. Schulte answered as an example, the EMS advisory board has a representative from each volunteer ambulance corps and they meet every other month. That’s a sort of steering committee to focus on training, mutual aid and come up with the best path.
forward. Schulte said the emergency management needs to be reinvigorated and should have a local emergency preparedness committee, which is something in the short-term focus for Schulte. He said his office is the responsible party for the domestic terrorism preparedness for the county, and has taken most of his attention since starting office. Roeder said we often see crime in the newspapers, and don’t see people who have been on and completed probation and started a new path. There doesn’t seem to be any exposure. That’s an achievement that they’ve turned their lives around and it would be nice to hear about. Schulte agreed, that it was an unfortunate testament to the media in general. The probation department is more focused on giving the individual the tools to succeed than they are to advertise. Roeder said that it would be part of the reward. B. Dudko asked if they can’t publicize their names because of HIPPA laws, and Schulte responded that it does play a part in it. Schulte said they do try to shed light on the general success in a more abstract way.

Padua brought up railroad issues; the derailment a couple of years ago that affected the oil spill through Sullivan County, and more recently a tree on the railroad tracks in Callicoon, NY. Padua said there seems to be a disconnect with the railroad and the communities. He wasn’t sure if that was something that Schulte could look into. Schulte answered that he’d be happy to, that it was a great focus point for him and hasn’t fallen on his radar yet. Schulte will try to get a point of contact for the issue. Padua said there was supposed to be a revamp of the incident command system after the oil spill, but hadn’t heard much about it since it happened. He explained, a local community member was trying to notify the railroad of a tree down on the tracks and they couldn’t get in touch. B. Dudko said that in this situation, the person called 911 and the 911 operator did not know the railroad’s phone number. Ramie stated the incident took place on July 14th in Callicoon in which an employee at a local business had observed a tree fall across the tracks and had called 911 to get help to contact Central New York Railroad. The 911 operator apparently didn’t have the phone number and didn’t make any suggestions. They ended up calling people who work with the Cochecton Preservation Society who got them in-touch with Norfolk Southern. Ramie asked Richardson what happened next since he was involved. Richardson said that the witness had gotten in touch with the Richarsonsons since she knew they were involved with the railroad station. They looked up Norfolk Southern Railroad for them, which she called. Norfolk Southern said they would get in touch with Central New York Railroad right away to take care of the tree. Richardson said it was discouraging to call 911 and get that response. He said over the years, the UDC has been concerned with potential accidents on that railroad and the policies in place to address it. He said you see trains all over the country dumping toxic things and we don’t want that here, but must be able to respond if something like that happened. Schulte said he would listen to the tapes from the 911 call tomorrow to get an answer and be in touch. Henry said when you get out next to the river and you’re from either Pennsylvania or New York and you dial 911, if you get a signal, you will get through to dispatch. You don’t know, in this case in Callicoon, what 911 call center will pick up. Schulte said that’s exactly why it’s important that he looks into this. He mentioned another less critical incident about a homeowner calling 911 and getting awful directions and upon further researching the call it had not gone through the 911 call center; it had gone through the local police department. Henry said that if you call 911, they won’t ask you what state you’re in; they are going to ask you what your emergency is. He said that on the river, you won’t know what call center you’re going to get. If you get someone in Honesdale, PA they may not know anything about the railroad tracks in Sullivan County, NY and vice versa.

Henry asked if you’re in the middle of the river and you have Verizon Wireless and you don’t have a signal, what will happen? Schulte said they recently spoke with Verizon upon noticing the SOS message on phones in the past few months. Schulte assumed it was a capacity issue, but Verizon explained that it’s an Apple IOS function. When you’re in an area with limited availability, they will put you in SOS mode.
to reserve the capability to call 911. Henry said his recommendation would be to get experts from both states and go out on the river with a cell phone, advise the 911 centers, and call 911 to see who picks up. The people who come up as visitors do not know what state they are in if they need to call 911. Schulte agreed that a test like that would be no problem at all and he would be happy to learn from that. Henry said that we’ve asked the NPS to do some experimentation with 911 through the fishing guides who are out all along the river. Henry said we were also told if you don’t have a signal, 911 should still work but we don’t know if that’s a fact. He suggested taking AT&T and Verizon phones out to test different spots. The cellphone capability has increased over the years, but there is still confusion on who you are going to talk to. Schulte agreed to look into it.

Ramie said another issue is our location downstream from the Delaware River Basin Reservoirs, the New York City system. She said there has always been concern of an incident of a dam breach, and what the notification process would be. We have seen studies on how many minutes it would take a torrent of water to get to various communities, and it doesn’t leave enough time to notify public to evacuate. Ramie said at one time there were talks about equipping the fire towers with whistles that would go off or some kind of simple, low-tech system. We know that NYC DEP invests in all kinds of public safety protocols but how is a text message going to work if there isn’t a strong enough signal? She asked how do we get the word out that something catastrophic has happened. Schulte said “You hit the nail on the head” regarding the fire whistle. He believes it may difficult for residents to discern the difference between the fire whistle for fire and a potential dam breach, but there are more than enough platforms available in terms of mass communication. He said a similar function would be to broadcast an alert, similar to the ones used in the Mid-West for tornados. It’s something he could look into, to see if there is possible grant funding. The first step would be to see if it’s been utilized and successful elsewhere. B. Dudko said that Sparrowbush still uses a fire whistle, and instead of a standard siren, it’s continuous for emergencies. Schulte didn’t know how many towns still had or used fire whistles. B. Dudko believes Lumberland does and Engelhardt said Town of Tusten does. Richardson said that he thinks it’s a good idea to be able to alert people on the river with a siren. Robinson recalled that they were having problems getting the sirens repaired since there is only one company that services them. Schulte said there are companies that operated in the realm and have voice over internet protocol, wireless, hardwired, copper line and telephone system and it’s relatively easy to push a button for activation. You can narrate with text message and notification alerting. There were no more questions, and he left the council members his business card for any questions or follow-ups. Robinson presented Schulte with a lapel pin on behalf of the UDC to thank him for his presentation. Richardson asked Ramie to send a list of items discussed to Schulte.

Approval of July 6, 2023 meeting minutes: A motion by Henry seconded by G. Dudko, to approve the July 6, 2023 meeting minutes carried.

Public Comment on the Agenda: None.

Committee Reports:
There were no questions regarding previously distributed minutes: Water Use/Resource Management (WU/RM), July 18 (chaired by Dudko); Project Review, July 25 (chaired by Richardson); and Operations, July 25 (chaired by Robinson).

Status Reports
NYS Dept. of Environmental Conservation: No report.

PA Department of Conservation and Natural Resources: Dugan reported that he misspoke at the UDC meeting last month about the Commonwealth passing the budget. There appeared to be some procedural steps the Commonwealth hadn’t gone through. According to news releases today, the State Senate came back into session to move on the budget bill and approve it to be sent to the Governor’s desk to sign. Dugan said he had heard that afternoon that it did in-fact happen, after going about 5 weeks with a budget impasse. Spending was restricted greatly for Commonwealth operations. Everyone did their best to maintain regular operations, without spending authority. After a couple of other steps, they should be able to operate at normal speed. Dugan mentioned some other things happening outside of the Upper Delaware. Fish and Boat Commission put out a press release that day about the Snakehead and he knows his colleague from NYS DEC has been talking about them in the upper regions of the Upper Delaware. They put out an advisory for the lower Susquehanna in central PA heading down to Maryland toward the Chesapeake Bay. Anglers should be on the look out for Snakeheads. He said if you catch a Snakehead, keep it, dispose of it, do not release it and to report it.

National Park Service-Upper Delaware: Peterec mentioned the Water Safety video, and that she hadn’t heard back from Jim Hamill at the Pocono Television Network, so she emailed him today. The NPS is waiting for the Spanish safety points to be included into the video. She said he’s usually quick about responding, and NPS will make sure to distribute the video. She thanked anyone who had attended the Zane Grey Festival and said that it was a success. About 650 people attended the event. The festival is planned for July 13 next year, and she hopes everyone will come. Kurnath gave Peterec a list regarding the Skinners Falls Bridge PEL Study agency meeting on July 19th. The NPS met with representatives from Pennsylvania and New York and various agencies from both states and AECOM, the consultants on the project through PennDOT. They met at Skinners Falls-Milanville Bridge. The goal of the site visit was for all of the parties to see the bridge, get a sense of the river, get a sense on how the area is used, and understand the uniqueness of the area and importance of the history. The discussion was mostly focused on the background of the Upper Delaware; the unique land management arrangement; the river operations, including how recreational visitors and residents use the bridge and how the liveries operate; and the history of the bridge itself. The participants agreed it was helpful to see the bridge and experience it together. The next steps are for PennDOT and AECOM to continue on with their study. Peterec reported that an AO (administrative officer) has been hired. Tara Harbert, who has been acting AO, is going to fill that position. She said she’s enjoyed working with her in the acting capacity for the last 3 months. Harbert will be working remotely and currently resides in Ohio. NPS is still working on hiring for the community planner position. As Kurnath shared at the Project Review Committee meeting, Freda Eisenberg will be helping NPS on an ad hoc basis providing planner type support. Lastly, she mentioned the NPS selected and hired a CVA (community volunteer ambassador) who will be at Upper Delaware for a year starting at the beginning of October running through September. She will be focusing on the volunteer program and building on what the NPS already has, and focusing on the National Safety Patrol which has been around since 1979 and how we can get more local people involved in that organization. The person selected was Corrine Hinton, who did all the wonderful water safety posters as an intern last year. G. Dudko commented that the NPS staff at the RailRiders baseball game on August 1st were excellent. Peterec thanked her. NPS also went to Port Jervis Night Out that same night, and they had about 425 contacts. Peterec said it was a wonderful night for water safety. Henry asked Peterec to relay to Kurnath that there were a lot of things to talk about at the next Project Review Committee meeting on the 29-page letter on FIMFO. One thing that needs to be looked at is the acreage in the letter. The listed acreage is not the same as the River Management Plan, 200 plus acres. To change the acreage, you have to have a minor or major
amendment and go through the whole process. Peterec asked if he was talking about the acreage for the corridor, and Henry said yes. Ramie commented that she noticed it; that is was not the traditional 55,574.5, it was about 200 acres more. Peterec said she will mention it to Kurnath. Robinson added they referenced this area as a National Park when it is not; it’s a unit of the NPS. Peterec said it’s coming from the NPS, and that’s their vernacular. G. Dudko said that people come here and think it’s a National Park. Peterec said that’s just how NPS refers to all of them as parks whether they are or are not. Henry said to let Kurnath know they should be considered units of the National Parks System, since that’s what they are. Dexter said he noticed there has been a lot less litter at the Skinners Falls area. Peterec commented that’s good to hear.

**UDC Executive Director’s Report:** Ramie said she’s had a chance to work with Tara Harbert, who has been on the detail for the AO position, since she is in charge of the UDCs cooperative agreement with the NPS. Prior to that the most recent AO was Michelle Blockberger, who is still with the NPS now doing a remote job. Ramie has high hopes since we already know Harbert, that we will have a good working relationship. She seemed very responsive while trying to get our latest modifications in and now thanks to Kurnath’s approach, the UDC is funded through March of next year.

Ramie reported on the success of the August 1st RailRiders game. She hopes those involved in social media had a chance to see the photos from the event. Ramie thanked Padua for throwing out the first pitch on behalf of the UDC. She had posted a video of the first pitch on the Facebook page, and it was viewed 410 times. The UDC and NPS went on the field where Susie Kaspar spoke on water safety and Ramie gave a brief description on the UDC. When people would come over for the give aways at the NPS table, they would notice the UDC map and people picked up our literature. Ramie thanked Susie, Chris and Carly from the NPS for staffing the booth and Kurnath for her attendance at the game. The RailRiders won 5 – 4. The UDC sold all 25 of the ticket allotment. We purchased the tickets at $10 each, and were encouraged to sell them for $15 to use as a small fundraiser. Ultimately $407.75 was made in revenue and the UDC paid $255.00 for the discounted tickets, making a profit of $152.75. A 12-passenger van was charted for transportation that totaled $238.00. Ramie thought that the event was worthwhile for publicity and board camaraderie. She commented that the van driver, a friend of Robinson’s, donated his driving services and was very personable. Ramie said that everyone from the UDC wore their orange litter sweep t-shirts. G. Dudko said that she got asked about her shirt and thinks good press came as well.

Ramie said that yesterday was the Day On the Delaware that she had sent council members an invitation to previously. Dennis Bernitt, Steve Adams, Nadia Rajs, Lindsey Kurnath, and Ramie were all in
attendance. Ramie took notes and photos during the event and Dan Hust, the Public Information Officer for Sullivan County, had taken a video. A portion of the recording from the Day On the Delaware was played. The event was to celebrate the opening of the improved Highland Access and discuss federal and state support for the Upper Delaware River. Ramie and Rajsz both spoke during the event. Ramie said that she could send the link to the full video, if anyone wanted. Richardson thanked Rajsz for commenting on funding for the UDC during her speech. He said that protecting the Delaware River starts at the UDC, with the towns and the townships. Robinson said the UDC was created as part of the legislation. Rajsz said that she and Ramie spoke to Congressman Molinaro and Ramie impressed upon him that the UDC has been getting the same funding since the 1988. He did understand that, but suggested that the two states also had their share in it. Robinson thanked Rajsz for working our funding into her speech. Ramie told Congressman Molinaro that she was excited he’d be the keynote speaker for the UDC Awards Banquet. She’s sure that his staff will reach out to us before September 10th for talking points and we will emphasize what the funding situation is. Molinaro thought that $300,000 had gone to the UDC, when it in fact went to Friends of the Upper Delaware River (FUDR). Ramie referred the council to the Operations Committee meeting minutes from July 25th, where she had given an update on where the UDC stands with Federal and State campaigns. She also displayed a poster that was newly created based on Engelhardt’s involvement with the Pike/Wayne Conservation Partnership that led to an invitation for the Pennsylvania Legislative Breakfast on July 14th. Ramie and Robinson stood by the poster that showcases the UDC’s ask from the Commonwealth of Pennsylvania, which is funding. Ramie said at the federal level, we’ve been speaking with Congressman Cartwright, Senator Fetterman, and Senator Casey’s offices about restructuring the funding mechanism.

Included in the packet are the UDC calendars for August and September with our meetings, activities and deadlines. Staff is happy to answer any questions. At the next UDC council meeting on September 7th, the presentation will be given by Jen Garigliano from NYC DEP. She was going to be speaking about the shutdown of the aqueducts for repairs, but now she’ll be talking about why it’s delayed for the second year and the water infiltration issue. They will also be starting a de-watering exercise this fall, and that’s what Garigliano will be focusing on in her presentation. There is an open slot for the October 5th UDC meeting, if anyone has any ideas for presenters. November 2nd the Delaware Highlands Conservancy will be giving a presentation.

Lastly, Ramie thanked Robinson and Henry for fixing the porch lights. New dawn to dusk lights were purchased and installed on the front of the building. She also asked Peterec to take a fossil that Don Hamilton had wanted back to NPS.

New Business

Recommendation for Purchase of Tablets for UDC Members: A handout was included in the packet on research that Driscoll had done on tablet options. Driscoll commented she looked into as many as she could. She noted that at the Operations Committee meeting, everyone had leaned more toward the tablet with the note taking capabilities. She had put the new and refurbished version on the handout as well as one that Robinson had mentioned at the Operations meeting. Richardson leaned toward option 3, the Chromebook, based on battery life. Driscoll mentioned that it is more of a small laptop. Padua said that option 3 only has half of the storage capacity than option 1 and 2, and that he thinks that you’ll want more storage than a longer battery life. Robinson said at the next monthly meeting, we could hand out surveys on the tablet matter. Ramie asked if the council would like to have staff purchase one of their choosing and test it out prior to a survey. Henry said we should get one, see if people like it, and go from there. Rajsz said the county had purchased 9 or 10 tablets, one for each legislator and the clerks. She prefers to
use paper; however, they did get option 1 from the handout and half the people like it and half don’t. She doesn’t believe purchasing the tablets for everyone would be the best value. She recommended that if the UDC wanted to purchase them, to purchase only as many for people who’d like to use it. Robinson said that personally, since the agenda is sent in PDF form prior to meetings, he saves them at home. He still uses paper at the meetings for reference. Richardson said he asks Driscoll to send the agendas as a Word Document as he does a report every month to the town board, and it helps him to copy, paste and edit.

Motion by Robinson, seconded by Henry to purchase the Microsoft Surface Go (new), a tablet, carried.

**UDC Seeks Nominations for 35th Annual River Valley Awards by August 18th:** Ramie said we are currently soliciting nominations from the general public leading up to the September 10th 35th Annual Awards Banquet. She welcomes all ideas. There is a copy of the nomination form in the packet, but you can feel free to email her or just tell her any nominations by August 18th. September 1st is the reservation deadline for the banquet.

**Other:** 1) Padua mentioned there was another confirmed Northern Snakehead caught north of Narrowsburg two days ago. It was reported to Don Hamilton at the NPS. Padua said that’s 5 now. He’s also noticed a large increase in cormorants on the river, they are fish eaters from under the river and above it. He commented that when he was young, he’d never seen a cormorant, but that’s changed over 20 years. 2) Ramie pointed out a copy of an article from the Delaware Currents on an interview about Skinners Falls Bridge was included in the packet. This sort of publicity on the bridge is great; it keeps the issue out in the public eye. The author was a freelance reporter named Cloey Callahan.

**Old Business**

**Reservation Status for the 35th Annual UDC Family Raft Trip on August 6th:** Driscoll reported there are 96 guests registered currently. She said she’s been getting calls that people may be adding on day of, and is confident the numbers will go over 100. She and Ramie will be at the Kittatinny Matamoras launch Sunday morning to organize the guests with Kittatinny staff. G. Dudko asked how that compares to previous years. Ramie answered it was hard to compare year to year, since weather plays such a big role. Ramie commented that it’s a good turnout; the last time Driscoll reported on the trip we were only at 27 people. Robinson said the weather on Sunday looks beautiful for the trip.

**7/17 NPS Determination: Substantial Conformance Review for Camp FMFO Special Permit, Town of Highland (UDC 2022-2023):** Ramie said we are bringing this to the council since it had happened since the last full council meeting, and we always include determinations on the agenda. Engelhardt said the determination letter was what the UDC was expecting. There is a report that came with the official letter, and if someone not on the Project Review Committee wanted a copy to let her know. She also attended the Town of Highland Planning Board meeting on July 26th. The applicant was asked if they wanted to respond to the letter, and their attorney instead made a speech about the River Management Plan and how the town doesn’t need to listen to the NPS. The applicant didn’t address any of the issues in the letter. The Planning Board declined to vote, with the chairman saying they had a lot of homework to do. The applicant had waived their 62-day requirement back in November of last year. Engelhardt said that hopefully the Planning Board will make a decision at the next meeting. Ramie said that the July 17th determination letter came out just in time to report on it in the newsletter, which she appreciated while realizing it was a coincidence. Henry recommended that people to read the 29-page report.

**Other:** 1) Boyar brought up the matter of the Barnes landfill in the Town of Highland. He said that the board used to get reports on it from the NYS DEC, but haven’t gotten anything in quite some time. He
thinks it would be a good time to get an update, since there was no final resolution and no update since we got a change in our representation for the NYS DEC. He asked if we could make this an action item, to reach out to our DEC representative and give a report on what the status of the landfill is. Rajsz said that she has brought this issue up several times. The County had met with the DEC and they were “prickly” about it. The DEC had done some testing of the adjacent wells and said they came back clean. The County asked permission to gain access to the property to see if the liner is still intact and if there are any kind of leachate or flows coming out. They did not get the permission. They had wanted to take it to court but at some point, the County said, “We’re not doing it.” She told Boyar that the land doesn’t belong to the town or the county and the DEC relinquished any responsibility for it. Boyar thanked Rajsz for making an effort. It’s under the jurisdiction of the NYS DEC, they are the ones who licensed it, and they should license the closure and make sure it’s responsibly done. Rajsz said the biggest problem is the DEC ran out of money for the testing. She agrees with Boyar that the issue needs to come to some closure. She believes Jill Weiner, when she was still with the planning department, had a group come to her to use the land to grow hemp but it went nowhere. Richardson said that the last conversation he had with Bill Rudge on the topic was that the fund ran out of money and there was no responsible person the DEC could go after. Boyar said the DEC licensed the land, the DEC approved the closure plan, and if they took insufficient funds, he thinks they should be responsible.

2) Robinson said he wants to keep funding on the agenda. He said although we are having interaction with our elected officials, it has produced nothing. He commented that the council needs to start thinking about what the next step is. With inflationary pressures, we’ll be facing financial issues. He said that the council was created by an Act of Congress. There was an obligation for Congress to keep this organization in place in perpetuity and they haven’t appropriated the funds to do that. From a legislative point of view, they have to fund us or they have to change the legislation to some unknown agreement, which will undo the River Management Plan. He thinks that there needs to be a timeline in place to consider litigation. There is no organization to replace the UDC, and it is as important as the NPS. The UDC should be equally funded as part of a line item in the Department of Interior. Boyar suggested making this a topic to be discussed at the UDC meeting on September 7th, since it was not on tonight’s agenda. Richardson thought it should be reviewed at the next Operations meeting on August 22nd first. Robinson agreed.

Public Comment: None.

Adjournment: A motion by Roeder, seconded by Case, to adjourn the meeting at 8:58 p.m. Carried.