UPPER DELAWARE COUNCIL MEETING MINUTES
July 6, 2023

The Upper Delaware Council held its monthly meeting on Thursday, July 6, 2023. Chairperson Robinson called the meeting to order at 7:00 p.m. 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 Tusten-Evan Padua, Town ofs of Delaware-County

Absent Voting Members:
Town of Highland-Andy Boyar; Westfall Township-Michael Barth

Staff:
Executive Director Laurie Ramie
Resource & Land Use Specialist Kerry Engelhardt

Media:
Katerina Plescia, River Reporter
Peter Becker, Tri-County Independent

Guests:
Town of Deerpark-Bill Dudko; Don Hamilton-National Park Service (Zoom); Ron Babus and Ingrid Peterec-NPS

Presentation: “Update on National Park Service’s Water Safety Initiatives” by Upper Delaware Scenic & Recreational River Chief of Interpretation Ingrid Peterec and Law Enforcement Park Ranger Ron Babus:
Peterec started by thanking the UDC for the invitation and reiterated that it is not just the National Park Service’s Water Safety Program. “This is a team effort and not just us. It’s a partnership,” she said. The Upper Delaware could not do what they do without all of the key players, including the Upper Delaware Council, National Canoe Safety Patrol, Pennsylvania Fish and Boat Commission, New York State DEC, and someone from every division of the National Park Service. Babus introduced himself. Apart from being a Law Enforcement Ranger for the NPS, Babus is also the Upper Delaware Water Safety Coordinator.

Since 1980 there have been 78 drownings on the Upper Delaware River. Unfortunately, in 2022 there were 3 drownings. On August 27th a 21-year-old male drowned in Pond Eddy, NY. He was not wearing a PFD with the river at a height of 2.86. September 3rd a 47-year-old male swimming at Landers in Minisink drowned, wearing no PFD. On that day the river was at a height of 3.14. Lastly, on September 8th a 47-year-old male in a fishing boat tipped over and drowned at Mill Rift Rapids, wearing no PFD. Currently for 2023 there has been one drowning in May. Babus commented that the 4th of July weekend was very safe. He joked that it’s the National Park Service’s “Super Bowl” of the year.
The presentation stated that not wearing Personal Flotation Devices is the common cause of drowning. In some cases, the PFD is not worn correctly, too loose, or the improper size. Another issue with visitors going down the river is the use of alcohol and drugs. Babus said that usually when the toxicology report comes back from victims there is alcohol and/or drugs in their system at the time of drowning but he was not prepared to offer a percentage.

Babus moved on to discuss the National Canoe Safety Patrol (NCSP). There are about 70-80 members of this volunteer program. The program is a partner service with the National Park Service. They patrol the river, dangerous parts of the river, the swimming areas and the rapids areas. It allows the NPS to increase patrols and over the July 4th holiday weekend they had about 8 or 9 volunteers. The National Park Service also put out about 4 or 5 staff that allowed more eyes on the river for the busy weekend, especially at the rapids areas. The NCSP is a critical partner assisting with visitor life and safety. If the NCSP sees people not wearing their life jackets they will approach them and advise them to wear them. Babus and Peterec are the National Park Service’s liaisons to the National Canoe Safety Patrol. They meet at Zane Grey typically on Saturday and Sunday mornings and divvy the patrols for the day and give the assignments. They also go over logistics pre-season and post-season, and also have briefings and debriefings. Babus mentioned that some of the NCSP volunteers are EMS and that lends a great hand. A chart was shown in the presentation on the NCSP statistics from 2022, showcasing just how useful and helpful the program is. From the National Park Service the NCSP volunteers receive a bag radio, extra set of batteries, and an info sheet for the day. At the end of the day they return the sheet to the NPS.

Peterec took over the presentation to talk about the Life Jacket Wear Study that has been going on since 2011. The National Park Service partners with the US Coast Guard and have volunteers sit under a tree and gather data such as what type of vessel the people were in, the gender of the passengers, are they wearing their PFDs and what is the river height. The data gives the NPS information to see if they are doing their job making sure people wear their life jackets. The national average for wearing life jackets for adults is 19.5% and on the Upper Delaware River the average was almost 52%. Peterec mentioned, of course they would like that to be higher but it shows that people who are coming here are making an effort to wear their life jackets. Last year they did almost 3,800 observations on the river. Peterec said that they are looking for volunteers to observe, which she knows Kerry Engelhardt had also mentioned at a previous meeting. If anyone would like to volunteer, please reach out to Ingrid Peterec.

Babus moved on in the presentation to high water alerts. There are currently two ways to get high water alerts: an email or text message via WaterAlert. Alternatively, you can send an email or text message to waternow@usgs.gov containing the USGS site number of the gage you want to query. National Park Service will send directions to river guests on how to access these alerts.

Peterec mentioned the NPS partnership with Adams Outdoor Advertising for the water safety billboards. Adams Outdoor Advertising generously gives the 3rd billboard free after the purchase of 2. The new billboards are located at PA Route 6 east of Twin Lakes Rd, PA Route 652, and NYS Route 97 at the Roebling Bridge. Peterec commented that she thinks the billboards are eye catching. One of the NPS interns developed new signage for the “Wear It” campaign to really hone in on why people aren’t wearing their life jackets, and why they should. Peterec wanted to thank the Upper Delaware Council for recognizing Corrine Hinton for the work she did on those designs, as well as for the Life Saving Award that the UDC presented last year. The NPS works with the media, Wayne Memorial Hospital, Bold Gold Media Group, WJFF and others to promote water safety locally.

Babus talked about the life jacket loaner stations for 2023. There are 5 or 6 locations around the park. They are loaded with different size PFDs for people to borrow and return. Babus and Peterec mentioned that there is a pretty good return rate on the PFDs at the loaner stations. The NPS picked the locations of the loaner stations based on where they’ve had the most swimming related drownings.

As the final topic of the presentation, Peterec and Babus debuted the new water safety video. Peterec thanked the Pocono Mountain Television Network for doing all of the videoing and editing. She commented that they did a really great job. There are two versions of the video available in English and Spanish. The video was played for everyone at the meeting. It will be available on the NPS website. After the video concluded, Peterec passed around flyers for the 17th Annual Zane Grey Festival flyer and said she hoped to see people there. She also distributed flyers on the Life Jacket Wear Rate volunteer program after Ramie had requested more information that the UDC can post.
On behalf of the council, Robinson thanked the National Park Service for everything they do, and especially for water safety. He presented Ingrid Peterec and Bob Babus with UDC logo lapel pins as a token of our gratitude. Asked whether the video would be presented before groups go out on the river, Peterec responded yes, their hope is that all the liverys will play the water safety video in their orientations or have them playing on a loop in their shops. Peterec and Babus left the meeting after the presentation.

Approval of June 1st 2023 Minutes: A motion by Rajsz seconded by Henry to approve the June 1, 2023 meeting minutes carried.

Public Comment on the Agenda: None.

Committee Reports: There were no questions regarding previously distributed minutes: Water Use/Resource Management, June 20 (Ginny Dudko); Project Review, June 13 Special Meeting and June 27 (Larry Richardson); and Operations, June 27 (Aaron Robinson).

Status Reports:

a. **Delaware River Basin Commission**: Bowman Kavanagh said she was happy to hear the river was safe over the holiday weekend. She wanted to give kudos first to the UDC and Kerry Engelhardt in particular, noting that Bowman Kavanagh participated in the Delaware River Sojourn this year and Kerry put a lot of work into organizing the day plans for the first several days. It was an excellent event as an attendee, and she appreciated the hard work that went into it and knows other people do as well. Bowman Kavanagh put a couple links in the Zoom chat for reference about topics she would be discussing. Within the last couple of days it was announced the 2022 annual report on Hydrologic Conditions was posted to the website as well as an annual performance report on FFMP which outlines river flow and conditions, where flow targets met and the 2 locations, how many thermal releases there were and that type of information. There are no upcoming advisory committee meetings. Bowman Kavanagh remembered one more thing before wrapping up – the Delaware Aqueduct shut down has been postponed until next year. Jen Garigliano with the New York City Department of Environmental Protection will be speaking to that at the September meeting. Bowman Kavanagh commented that the cause of that delay was related to construction issues. Peckham mentioned he had heard that the tunnels were not satisfactory for the safety of the workers so they have to do more testing before they can allow people in there to work and that is why it had been delayed a year. Bowman Kavanagh said she had heard earlier that there were some issues with them being able to get the equipment they would need to be able to make it happen this year. She believes they will be doing additional testing this fall but that Garigliano would have the details and specifics to share on the topic in September.

b. **NYS Dept. of Environmental Conservation**: Coulter reported that Fishery staff this week had collected four adult Northern Snakeheads in Callicoon at about 30 inches long. They are an invasive species and travel quite a distance. Paving at the Highland access site is done, the lines are painted, and the signs still have to go in. Coulter said there was an appraisal done for a new Callicoon boat launch site. He commented that they are still a way away with that project but there is progress being made. Ginny Dudko mentioned the Gypsy/Spongy moth situation and Coulter commented he had been seeing a lot of droppings especially in his pool, but after the rain he’d seen a decrease personally. Dudko said that the damage from the moths was spread out and sporadic. Ramie asked Coulter if he was able to disclose where the boat launch is in Callicoon. Coulter replied that he thought it could. It would be down from where the Callicoon Creek comes in at the park. Coulter mentioned he could get a map if that information is of interest.

c. **Pennsylvania Dept. of Conservation and National Resources**: Dugan stated the big news in PA is that they did pass the budget. They had passed it the night before and Governor Shapiro said he would sign it. That should be going through today and then it would take around two months to get any idea if it’s changing anything or not, but generally speaking it’s about the same budget they had from last year from Dugan’s perspective number wise. Dugan said that DCNR Secretary Cindy Adams Dunn early in June got confirmed; up until then, she was the acting secretary. This is her 3rd term as DCNR secretary. Dugan moved onto Beech Leaf Disease which is now confirmed in every county in Pennsylvania. Dugan said he knows in the Poconos they have a lot of people calling about seeing Beech Leaf Disease. He explained if
you hold the leaf to the sky, you’ll see all its striping from the disease and then the leaves die relatively quickly. This is a fast moving, new disease and multiple state and federal agencies are doing research on it. The disease moved across Pennsylvania quickly and in Dugan’s opinion it must be weather related and a lot of research leans toward nematode. A question was asked where the disease was from and Dugan answered from the West. Dugan said that they are directing people to online resources for the disease. Dugan moved on saying that the Spongy moth this year has been a little tough with this year’s earlier drought that had an impact on forests overall. The oaks were a little stressed and in late May when we had the freezing temperatures, they saw significant impact. The most impacted seemed to be the White Oak. Dugan said Spongy moth caterpillars hatched earlier this year and they didn’t migrate off the egg. Dugan hasn’t heard anything that’s super severe but keep in mind there are multiple stressors lining up this year. Lastly, PA resident hunting licenses went on sale Monday June 26th and it is a new version – no more pink envelopes for antlerless or doe tags. Richardson asked about the Spotted Lanternfly since it was a bit of a panic last year and now we don’t hear much about it. Dugan reminded that he did comment he didn’t think It would be too bad up here in his personal opinion. He said they concentrate around the Ailanthus tree known as the Tree of Heaven since it’s needed in their life cycle. Once you go north of Monroe County or more heavily forested areas you’ll see a bigger impact. Dugan commented that they are still around and at his home he has nymphs all over. The Lanternfly is more of an agricultural concern.

d. National Park Service: Kurñath said that at the last meeting she announced that the NPS now had a community planner, who has since withdrawn. The NPS is back on the hunt for a community planner. Kurñath said she would forward everyone the link and not to worry about the July 19th closing date as she planned to extend it. NPS summer operations are in full swing and she invited everyone to the 17th Annual Zane Grey Festival on Saturday July 15th. Padua asked how everyone will receive the Water Safety Video to which Kurñath replied that Ingrid Peterec was putting it on the National Park Service website and that they will be sending it in some way to the local liverys, but if anyone wants it to contact Peterec for the video. She mentioned it would be sent so that the UDC could put it on the website as well. Henry asked if there were any of the life jacket signs available and Ramie responded that there were some of the lawn signs in the UDC front office but perhaps not the wire frames. Henry asked if they are the current signage and Kurñath answered she had seen them at some local liverys. Henry mentioned that it wouldn’t hurt to see more signs out and about. Dugan said he forgot to mention that they just closed on a 555-acre parcel outside of the Delaware River region along Bushkill Falls Road. He commented that they got a great price on the land and that it would be open for the public for hunting, hiking, etc. Padua asked if it is the largest public land in the state and Dugan responded that the State Forest across the Commonwealth is about 2.2 million acres.

e. UDC Executive Director: Ramie welcomed Dennis Bernitt as the newly appointed alternative representative to Jim Greier, Town of Fremont, who plans to serve until the end of the year and then have Bernitt transfer over. Ramie said that Bernitt is big in the reenactment community, which he confirmed is the case for the Civil War and a bit of the Revolutionary War. Ramie added that Ryan Coulter is now officially the NYS representative to the UDC. On June 12, DEC Commissioner Basil Seggos sent a letter announcing that appointment, with DEC Region 4 Fisheries Manager Chris VanMaaren as the alternate, which means we now have both fishery regions in the river valley covered. Ramie said that she was optimistic that next week the UDC will be boarding a new staff member, and there would be further discussion of that later in the meeting. Ramie called attention to some upcoming activities, some of which are listed on the calendars in the packet and others that are not if they aren’t UDC programs. On Friday, July 14th she and Aaron Robinson will be going to the Pennsylvania Legislative Breakfast which is sponsored by the Pike/Wayne Conservation Partners and will be held at the Wayne Conservation District in Honesdale, PA. The UDC was invited to the event through Kerry Engelhardt’s participation and to create a poster. Ramie displayed the new design of the poster which outlines the UDC’s legislative “ask” is, which is of course funding. All Federal and State officials as well as County leaders are invited. The following day, Saturday, July 15th is the 17th Annual Zane Grey Festival as mentioned and the UDC will have a booth there. Engelhardt will be representing the UDC at a Homeowner Resources Fair taking place at the Wallenpaupack Environmental Learning Center July 21st. Ramie mentioned that "The Upper Delaware” newsletter is due to the printer by July 24th and July 28th is the reservation deadline for the family raft trip,
for which there is a flyer in the packets and it will take place on Sunday, August 6th. The promotional RailRiders baseball game is coming up on August 1st and there will be more on that later in the agenda. The UDC was invited to speak at the Day of the Delaware happening on August 2nd from 2-4 pm at the Highland Access, with this event also serving as a debut of the improvements there. Ramie reminded everyone to let the towns and townships know that applications for the Technical Assistance Grants are due by August 18th which is also the wrap up date for the 2023 program. Ramie had a couple more items to mention by partner organizations. Sunday July 9th The Delaware Company, a fellow non-profit, will be honoring the Basket Historical Society of the Upper Delaware Valley with their Presidents’ Award at 1 pm at the Fort Delaware Museum of Natural History. The Basket Historical Society is based in Long Eddy, NY and was founded by the late Town of Fremont Representative Jack Niflot. Ramie commented it has been 10 years since Jack had passed away and for the Basket Historical Society to survive his passing after being such a key figure and to be thriving really is award worthy. On Sunday July 9th the Ten Mile River Scout Museum is re-opening to the public and they have a new exhibit on Monarch butterflies that the Upper Delaware Scenic Byway helped fund. They will also be debuting a summer series of local history talks, now in person unlike the last 2 years done by Zoom. Ramie said that due to the one-year postponement of the Delaware Aqueduct repair project, our planned presentation in August by Amy Shallcross from the DRBC doing a flood risk analysis associated with the project doesn’t make much sense anymore and she has agreed to postpone it until next Spring. Jen Gariglione from NYC DEP said she would still like to come for the September meeting and talk about what they found in terms of the infiltration issue and also the new dewatering plan that will start this fall. Now there is an open slot in August and Ramie took Rajsz’s advice to invite the new Sullivan County Commissioner of Public Safety, Scott Schulte, who is considering the invitation. The $2,000.00 grant from the Sullivan County discretionary funds that Rajsz secured for the Upper Delaware Litter Sweep came in. A photo will be arranged for that. Lastly, Ramie said the Kraus family from Narrowsburg had brought in a rock embedded with fossils they found while cleaning out their garage. The fossil was collected at the Ten Mile River area decades ago by their son, Doug Kraus, who is former UDC Secretary Cindy Odell’s brother and now works for search and rescue for the National Park Service. The fossil rock was passed around the room. Ramie plans to offer it to the National Park Service for their cultural resources collection.

**New Business:**


A motion by Henry seconded by Rajsz to approve items a, b, and c collectively and forward these UDC substantial conformance recommendations to the National Park Service for final determinations carried.

d. **Personnel Subcommittee Report - Administrative Support Position Vacancy:** Henry said that Ashley Hall-Bagdonas had left on May 31 and they were in the process of filling the position. Henry thanked Ramie and Englarht for filling in during the interim. Henry said they hopefully have a qualified candidate. The Personnel Subcommittee met and held interviews arranged by Ramie and they have made an offer to a candidate who has accepted the position. Ramie noted the next step is for the full Council to approve the hiring, which can be done following an executive session at the end of the agenda.

e. **NYS Senator Pete Oberacker (51st District) 7/6 Meeting Report:** Robinson commented that he liked NYS Senator Pete Oberacker, stating he had been around politicians in the past and that he truly thinks that he is going to be a huge help. Ginny Dudko commended him for meeting earlier with a smaller group for about 2 hours. Rajsz also commented that he seemed very down-to-earth. Robinson’s opinion is that the UDC has an advocate with him. Ramie said that Sen. Oberacker expressed that he would like to come back and hash out some details about funding strategies. UDC staff had provided him with a folder of information that he was happy to receive to review in the interim.

f. **Proposal to Purchase Tablets for UDC Members:** Robinson said that he had an email from Jeff Dexter after the last council meeting about the “14 lbs of paper” he didn’t know what to do with after the last Project Review Committee meeting. A few years back there was a mention about using tablets instead of paper form. Ramie confirmed that it was in 2020 when the UDC was debating how to spend the $100,000
PA DCED Grant that there was a proposal to purchase tablets for UDC members. Ultimately, the decision was made to give the majority of the funding to the townships for various projects the UDC approved since they had never benefited from any legislative member items which NY towns had at one time received. The tablet conversation did come up to reduce the paper usage during meetings, but in the poll that was taken, it fell down in rankings. The UDC’s funding portion was put toward hiring the consultant to develop the long term fiscal sustainability plan that in Ramie’s opinion has served the UDC well. Some of the funding was also used to hire a coordinator for the Litter sweep in 2020, which ended up being cancelled by the pandemic, and for other technology needs. Back at that time it was estimated that each tablet would probably cost about $200 but the pros and cons would need to be weighed. Ramie commented that it depends on how confident people are using these devices and if it would be beneficial. Rajsz said that she prefers paper packets even with her supplied notebook (a version of a tablet) at the Sullivan County Legislature. Richardson said that he thinks it is a great idea and that we should move forward and should investigate the pricing and discounts, and if someone wants paper that they could absolutely print things out. Ramie said we do have a service called TechSoup that offers non-profits discounted rates and she knows there are grants out there for it. Hopefully with some additional help in the office, it’s something we can look into more. Henry commented that he thought it may be a good idea but aside from looking at price we need to look at how effective they will be without a full-time tech support person to help. He proposed maybe we get one and see how that goes. Richardson said that now and then he brings his laptop in and he never really has a problem getting online at the office. Ramie mentioned she didn’t think the Internet would be needed to access the packets. Robinson said that often when he gets home, he ends up losing the paper but if it’s electronically stored, that might be more efficient. Richardson commented that it’s an Operations Committee issue and recommended bringing it up at that meeting.

g. 8/1 UDC Promotion Night at Scranton/Wilkes-Barre RailRiders 6:35 pm game at PNC Field: Ramie said she and Engelhardt looked into online ticket sales. Engelhardt found that the tickets were not in the UDC’s account that was supposed to be set up. She had sent an email and hadn’t gotten a response yet. The UDC is responsible for advertising and selling the tickets which will be transferrable via email. Ramie said that the UDC purchased the minimum of 25 tickets to start with for which the UDC can keep $5 per ticket of the $15 cost, but right now are working on finding them. Engelhardt also inquired about the welcome packet which they had said we will be getting with more information on the organizational promotion matters. Ramie said that Ingrid Peterec from NPS has been asking since the UDC is partnering with them for this event to offer water safety information that evening, so hopefully we get some answers soon. Robinson mentioned getting a bus for the event and asked Ramie her opinion – she asked who would pay for it? Robinson said maybe we could look into pricing.

h. 8/6 Annual UDC Family Raft Trip – Reservations due by 7/28: Ramie asked everyone to please spread the word about this Staircase Access to Kittatinny’s Matamoras Base 35th Annual event!

i. Other: None.

Old Business:

a. Draft Letter to NPS: 2022-11: Lackawaxen Township Proposed Zoning Ordinance Amendment re: BGRV Storage – Substantial Conformance Recommendation: Engelhardt explained that there had been a previous recommendation with Kurnath reviewed and decided they needed more information. They met with the Lackawaxen zoning board and after that Kurnath put her recommendations in writing. The revised Lackawaxen ordinance came before the Project Review Committee again and they recommended substantial conformance. In its final version, this use for Boats, Golf Carts, and RV Storage will be allowed in recreational segments and hamlets, and not in scenic segments A motion by Richardson seconded by Dudko carried to present this substantial conformance recommendation to the National Park Service for a final determination.

b. 6/9 NPS Determination: Lackawaxen Township Proposed Zoning Ordinance Amendment re: Ridgeline and Buffer Areas – Substantial Conformance: Engelhardt said the NPS approved the Ridgeline and Buffer areas zoning ordinance amendment via this 6/9 letter and that closes out that project.

c. 6/23 UDC Letter re: Skinners Falls Bridge SHPO Review: Ramie said comments were being taken by from the consulting parties and State Historic Preservation Offices by June 25 in response to the release of the Historic Ridge Rehabilitation Analysis Phase 1 report for the Skinners Falls bridge. The UDC is one of
the 59 consulting parties and therefore prepared these comments. There was a misconception that this was open to public comment, which was not the actual intention but any such letters would be collected too. The letter reinforces the UDCs position on advocating for the historic preservation of the bridge. A copy was included. Ramie added that she was interviewed yesterday on this subject by a freelance reporter who is writing an article for Delaware Currents, a blog focused on the Delaware river issues. Ramie said when she sees the article, she will share it with everyone.

d. **Member Participation Policy – Adopted August 3, 2017:** Robinson stated that he’s been hearing comments from representatives recently that raise his concern over whether those comments concur with the townships’ positions on certain items. That got him thinking that everyone sits on the council as extensions of their town, and he believes that everyone should have a good sense of their policies. Robinson said he thinks sometimes that gets deviated from though. He recalled that there was a membership participation policy adopted about 6 years ago which outlines what the responsibilities are to be a UDC representative. This agreement is included in the packet. He said that representatives are expected to go to their town officials to ask their opinions on matters that may not be clear. Robinson said that he thinks it is critical that if the town’s position is different than a personal opinion, it should be conveyed as such, and it is concerning because it can be misconstrued otherwise when reported on in the meeting minutes. Rajsz and Dudko both agreed that this is a good reminder.

e. **Other:** Rajsz and Robinson posed for a photo taken by Ramie, presenting the Sullivan County $2,000 check allocated from the Legislature District 2 discretionary funds for the 2023 Upper Delaware Litter Sweep. Rajsz said she will aim for a higher amount next year.

**Public Comment:** There was no public comment.

**Executive Session:** A motion by Henry seconded by Rajsz to enter executive session at 8:40 p.m. carried. A motion by Richardson seconded by Dudko to come out of executive session at 8:45 p.m. carried. A motion by Richardson seconded by Rajsz to approve the recommendation of the Personnel Subcommittee for the hiring of the Administrative Support position according to the compensation and benefits package as discussed carried unanimously. Robinson announced that July 10th will be the starting date for the new staff member, Stephanie Driscoll.

**Adjournment:** A motion by Roeder seconded by Dudko to adjourn the meeting at 8:48 p.m. carried.

*Minutes prepared by Stephanie Driscoll, 7/13/23*