

**UPPER DELAWARE COUNCIL MEETING MINUTES**  
**March 7, 2019**

The Upper Delaware Council held its monthly meeting on Thursday, March 7, 2019 at the Council office in Narrowsburg, NY. Chairperson Roeder called the meeting to order at 7:02 p.m. The Pledge of Allegiance and roll call followed.

In attendance: Town of Delaware- Harold G. Roeder, Jr., Town of Hancock-Fred Peckham, Town of Fremont-Jim Greier, Town of Cochetcon- Larry Richardson, Town of Tusten- Susan Sullivan, Town of Highland-Andy Boyar, Town of Deerpark- David Dean, Damascus Township- Steve Adams, Berlin Township- Alan Henry, Lackawaxen Township- Doug Case, Shohola Township- Aaron Robinson, Westfall Township-Michael Barth, National Park Service- Kristina Heister, Commonwealth of Pennsylvania –Rhonda Manning. Staff in attendance: UDC Executive Director- Laurie Ramie, Resource Specialist- Pete Golod, Secretary- Ashley Hall-Bagdonas. Absent: Town of Lumberland- Nadia Rajs, State of New York-Bill Rudge, Delaware River Basin Commission- Steve Tambini. Media- Peter Becker, Dave Hulse. Guests: Heather Jacksy- Sullivan County Planning, Roger Saumure-Shohola Township, Ginny Dudko- Town of Deerpark, Carla Hauser Hahn, Cheryl Korotky.

**Approval of February 7<sup>th</sup> Meeting Minutes:** A motion by Greier, seconded by Robinson, to approve the February 7<sup>th</sup>, 2019 meeting minutes was carried.

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

**Committee Reports:** Committee reports were provided based on the meeting minutes. They were: Feb. 19<sup>th</sup> Water Use/Resource Management by Boyar; Feb. 26<sup>th</sup> Project Review by Richardson, and Feb. 26<sup>th</sup> Operations by Roeder.

**Status Reports**

**Delaware River Basin Commission:** None

**NYS Dept. of Environmental Conservation:** None

**PA Department of Environmental Protection's Interstate Compacts and Commissions Office River Basin Program:** Manning said DEP has a new Deputy Secretary, Aneca Atkinson. She is still an Acting-Deputy Secretary until she is approved by the Governor's office. DRBC had gone through an audit and one of the recommendations was the update of their administrative agreement with PA DEP. The old agreement is from 1979. Manning said their Department is going through a contract with DRBC for the Flexible Flow Management Plan including the dissolved oxygen issue which is in the works and Manning will let UDC know when that is ready. There's a Restore Pennsylvania Initiative Manning thought UDC might find of interest. She mentioned high speed Internet access is a topic she knows UDC has been discussing. It also addresses storm water. There's \$4.5 billion to be spent over the next four years. The money would come from severance tax. Manning said she would be sure to send out that information to UDC. Manning said she knows PA has been trying to pay the money that they owe. She's been working with the commissions for the last 10 years and the general budget has been cutting. In the recent proposal they moved all the commission money out of the General Budget into the Environment Stewardship Fund. That's getting a lot of flak right now, but it's paying all commissions at 100%. Manning had an idea that this might be a source for the UDC to keep in mind for funding.

**National Park Service-Upper Delaware:** Heister said Ramie asked her to give a Law Enforcement contract update. After being off for 35 days they were a bit 'under the gun' for everything. This year they solicited a proposal only from the Town of Deerpark. They have not received the proposal back, but anticipate that the contract would be about \$11,000. They talked to the Chief about their needs, and fully funded what they requested. Sean McNeil is in the acting Chief Ranger position. McNeil is one of NPS's law enforcement rangers. He was at the law

enforcement meeting with Larry Neal. The paperwork to hire that position is in. Hiring is all befuddled right now because the timing of the furlough could not have been worse from a hiring perspective. Everything is behind because they are all trying to get their seasonal staff on board. McNeil will be in that acting position until early June and they will probably have to have a second acting position, then maybe NPS will get somebody on by the end of the fiscal year. That is the same situation with the administrative officer. Michelle Blockberger, who has been the ATR on UDC's agreement for the last couple years, is going to be the acting administrative officer as of the end of March for 220 days. Ramie said when Heister had discussed that topic when we had that December meeting NPS had \$58,000 available for 2019 for law enforcement. What happens to the rest of it, minus the \$11,000? Heister said that would be absorbed into their budget but not for anything permanent. Ramie said Heister had mentioned that perhaps they could hire seasonal rangers or patrols. Heister said they are trying to hire a seasonal Law Enforcement Officer. NPS is trying to hire two. McNeil can address that if there are further questions.

NPS is putting together the combined Work Plan for FY 2019. A copy was provided at the meeting. It's not complete but some major components were listed. Heister asked the council to review and let her know if you have any thoughts. We are halfway through the fiscal year. If there are any major things that should be brought to Heister's attention, please let her know as soon as possible. Lastly, NPS had a three-day high performance teamwork training for their management team in November. The follow-up to that is a three-day strategic planning workshop that's going to occur from April 30<sup>th</sup> to May 2<sup>nd</sup>. Part of that process is to solicit input from partners. NPS would like to have input from UDC. NPS would like to have this input from the towns and townships as whole rather than having each individual township fill out the survey, then the Commonwealth of Pennsylvania, the State of New York and the DRBC separately. There are only three questions on the survey. Heister thinks it would be good to do it that way unless UDC doesn't think so, because Heister thinks it would be a great opportunity for the UDC to collectively think about these three things. Question 1: If only one thing can change in the next five years, what one change would make the biggest difference? Question 2: What 1-3 opportunities does the Upper Delaware need to pay most attention to in the next five years? Why? Question 3: What 1-3 threats should the Upper Delaware consider the highest priority to manage in the next 5 years? Why?

**UDC Executive Director's Report:** Ramie had just interviewed Kaitlin Haas for the newsletter before the meeting began. She's expecting a baby on March 27th. As Roeder mentioned, we have made our rounds in visiting state officials to spread the word about the operational support that's been lacking for the UDC. On March 1<sup>st</sup>, Ramie had received word from the Office of Assemblywoman Gunther, that she has introduced a request for a \$100,000 appropriation for the UDC to the Governor. Ramie asked what form that took since there must be paperwork, unless it was a verbal request. Of course it's excellent news. Ramie read that the 2019/2020 New York State spending plan is \$175 billion for the fiscal year that starts April 1<sup>st</sup>. Ramie doesn't know if anything would be possible this fiscal year. We would like to follow up with meetings with the Governor's office in both states and hope to do that very soon because if we can have any influence on this decision, we'd like to try. Ramie was hoping to get more details so that she could describe it in a letter to our federal representatives, to say what specifically they could opt to support or what committee it's in, but she hasn't been able to find out.

The newsletter bids are here. Ramie is working on the spring issue of "The Upper Delaware"; it needs to be finalized Monday because it has to be received by our printer by Wednesday. It usually takes Ramie about 40 hours off and on to work on each issue. Since our last issue was six months ago, there is a lot to cover. We are embarking on a three issue schedule, to have a spring, summer and fall/winter issue. This newsletter is catching up with all the news that happened since October.

The Awards Banquet on April 28<sup>th</sup> seems somewhat far away but right now we're in the process of collecting nominations. There is a form in the packets for that. No one is obliged to use that form but it is there as a visual reminder of the March 15<sup>th</sup> deadline to submit any ideas. Even if they aren't fully fleshed out, please let us know of good deeds that we can potentially recognize. Once we know what our slate will be for honorees, then we issue the formal invitations and reservations will be due by April 19<sup>th</sup>. The Awards Banquet is April 28<sup>th</sup> at the Central House Family Resort in Beach Lake.

Ramie reported that we're still missing Conflict of Interest Statements from alternates of the Town of Delaware, Town of Hancock, Lackawaxen Township, Westfall Township and the DEC. Hall-Bagdonas will send out another

reminder to get those back from those individuals.

The Technical Assistance Grant Midterm Progress Reports were due by Friday, March 1<sup>st</sup> for the four projects approved for FY 2019. One of them from Shohola was late but was subsequently received.

At our next full council meeting on April 4<sup>th</sup> we have a presentation by the Delaware River Master. They responded to the WU/RM Committees letter very positively and said instead of us writing you back, how about we come and speak with you. We are trying to arrange a presentation from NYC DEP as well about the public emergency notification procedures study when those results are available. Since we had this offer from the River Master office, we took it and then if NYC DEP happens, that can be in May. We don't actually have anything else specifically scheduled for the rest of the year. The outdoor warning sirens company wanted the NYC DEP presentation to happen before they came to talk to us. So there's an order there that we're following.

In the packets is a memo that just went out this week to all towns and townships, soliciting river and shoreline cleanup grants proposals. Those are due by April 19<sup>th</sup>. We wanted to get that out so that your boards can meet and consider if they would like to apply. Four townships participated in 2018 and we have budgeted slightly more money this time because we ended up spending more than we expected last year. All the details are there in the memo that went out both by mail, and through email to everybody. If you want to follow up as delegates, please do.

Ramie noticed when we were looking for various contact people for the state agencies and the Governor's offices that Bill Rudge had reported to us at one point that DEC Commissioner Basil Seggos was stepping down and leaving the agency. Then we saw a news release saying he rescinded his resignation and now he's sticking with the DEC. If Rudge had been here tonight, Ramie was going to ask him about that.

Lastly, we received a certified letter concerning the fact that the building next door has a proposed new use that's coming before the Tustin Planning Board. The letter states: "Dear Neighbor, This letter is to inform you about a change of use for apartment two on the second floor of 225 Bridge Street, which is a multi-use commercial building. The new tenant will be using this space as a real estate broker's office. There will be a public hearing on this matter on Monday, March 18<sup>th</sup> at 7:20 p.m. at Tusten Town Hall." This is from John Pisanelli who is the building manager for 225 Bridge Street. There has been a sign out there for a while now that says Penn York Real Estate. Ramie wanted to bring it to everyone's attention since it's coming up Monday night. Roeder said just remind them that this parking lot belongs to UDC; we should at least let the tenant know through this public hearing. Ramie said she would assume this is a pretty low impact business and that we as an adjacent property owner would not have any objections to that. A real estate office probably isn't getting a lot of traffic and anybody there would be temporary and not taking up our spots, not as much as the Chinese restaurant does. Henry said he was curious to know where our bounds are and if we have pins, map or deed specifying UDC property. He recommends that UDC looks into what we own and send a letter saying it's a private parking lot to the best of our knowledge. Discussion ensued.

### Old Business

**UDC Inventory of Membership and Substantial Conformance Dates:** A copy was provided in the meeting packets. Golod updated this from last month when Richardson pointed out that Town of Cochection date of joining the UDC was incorrect. Golod went back through for quality assurance, quality control. Golod said hopefully this time he's gotten all the municipalities correct. If you see any that are incorrect, please let him know. He was also able to amend a few of the Substantial Conformance dates utilizing some information that was provided by NPS. Robinson asked if those dates represented the first date of Substantial Conformance. Golod said correct, these are the initial dates, NPS determination letter dates.

**Town of Highland Parcel #27.-9-1 Project Update:** Golod has not heard anything since September or October when there was a Stop Work Order placed by NYS DOT. UDC was supposed to receive an update but hasn't. Golod has heard things from the public but nothing from the town or NYS DOT.

**Other:** None

## New Business

**Damascus Township Floodplain Ordinance Amendment Substantial Conformance Recommendation:** A letter was provided in the meeting packet to the Township. Essentially the Project Review Committee didn't find any issues with Golod's review and presentation of this Floodplain Ordinance Amendment. They made the initial recommendation for full council to move to approve to NPS that this does Substantially Conform. Motion by Peckham seconded by Richardson to approve Damascus Township Floodplain Ordinance Amendment Substantial Conformance Recommendation carried.

**Draft Resolution 2019-02:** Motion by Robinson seconded by Boyar to Award the Printing of "The Upper Delaware" Newsletter to Courier Printing Corp. for 2019 carried.

**Draft Resolution 2019-03:** Motion by Henry seconded by Robinson to Adopt the Budget for the Balance of Fiscal Year 2019 carried. Ramie said this has been sent to NPS as part of our Federal Assistance package for the \$244,110 owed. A copy of the budget and the narrative report was included in the meeting packets. If you have any questions let us know. That's our spending plan for the rest of this fiscal year.

**Other:** Roeder saw in the *Sullivan County Democrat* March 5<sup>th</sup> paper there was an article on the 100<sup>th</sup> Anniversary of the Town of Delaware showing a beautiful postcard showing North Main Street and the Erie Railroad. Roeder shared from 1743 to 1798 Delaware was in the Precinct and Town of Mamakating. From 1798 to 1809 in Lumberland, from 1809 to 1828 in Bethel, from 1828 to 1869 it was part of the Town of Cochection. At the end of 1868, the supervisors of the county decided to cut Cochection in two and make Delaware a new town. In the photograph it shows the old Olympia Hotel, it was beautiful, it had balconies and from the upper one you could see the whole Delaware River up above Callicoon. Olympia Hotel is being reconstructed finally and they're doing a nice job.

Regarding the Highland Draft Zoning Law, Golod provided a letter he sent to the town in the meeting packets. Golod thinks the essential point to the letters is that, 14 out of 22 objectives don't Substantially Conform to the Land and Water Use Guidelines. It was also a recommendation by Peckham to include in this letter to remind the town that if they do approve this Draft Zoning Law that they would be found out of conformance with the Land and Water Use Guidelines. Golod added that we're here, whether it's Golod directly or the UDC, to offer assistance to help the town model this zoning law to Substantially Conform to Land and Water Use Guidelines. Golod sent the letter to the town as well as the consulting group and he has not heard back from anybody. They have a Town Board meeting scheduled for Tuesday March 12<sup>th</sup>, at which they plan to vote to approve and adopt the code. They have about five more days to seek UDC's assistance. Sullivan noted in the Project Review minutes there was a due date of April 1<sup>st</sup>. Golod said they received a grant from Sullivan County, assisting in their draft rewrite of the zoning law. The original deadline was March 1<sup>st</sup>, however, Sullivan County granted them an extension to April 1<sup>st</sup>. Being that the Town Board is not going to meet again from March 12<sup>th</sup> until April 1<sup>st</sup> they're looking to adopt on March 12<sup>th</sup>. On March 5<sup>th</sup> the Planning Board had met and the Town Board was going to deliver this draft Zoning Law to the Planning Board for their approval. Golod did have a chance to reach out to the Planning Board Chair. Boyar said he did not hear any updates. Sullivan also noticed in the new Zoning draft there is no River District listed and if the County is giving them a grant, is the County not concerned that there is no River District delineated in this zoning? Roeder said what was brought up at our meeting is that the County is interested that it conforms to State law and that's as far as they would go. Roeder said we should ask them in the future when they do these type of reviews that they should recognize what has to be done in the special district of the boundaries of the river corridor. Peckham asked if NYS doesn't recognize the scenic rivers as far as NYS law is concerned, that we're not part of their system? Hahn said it's not a State designated Wild & Scenic River nor is it critical environmental area in that State's permitting process. However, the Governor has an Executive Order directing State Agencies to operate within the law but also to support the local management plan. Heister said it's also worth remembering that the counties are included in the River Management Plan and they have responsibilities outlined in there, just like everybody else. Jacksy said it came up in conversation in the office while she was on vacation. It's something they are looking to include. Peckham asked what Act the Wild & Scenic River was under? Henry said under the National Wild and Scenic Rivers webpage <https://www.rivers.gov/>, it says New York has approximately 51,000+ miles of river of which 73.4 miles are designated Wild & Scenic and it draws a map of the Upper Delaware.

Jacksy said today Sullivan County Planning submitted a Resolution to apply for a National Fish and Wildlife Foundation Grant to implement the work that they've done on the Highland access. They've submitted to the state before to fund construction and haven't received any money. Jacksy said this is another opportunity. It's a short turnaround given that grant applications are due on April 11<sup>th</sup>. Jacksy has come to seek a letter of support. Robinson asked if this was on the revised plan that UDC last looked at that didn't include docks? Jacksy said there will be no docks in the water. It's the DEC fishing access currently. Sullivan County Planning would be helping the stormwater infiltration route. It reconfigures the path down to the water so it makes it ADA compliant. There is some pervious pavement. It gets rid of some of the invasives and will put in more natives. It interprets the D&H Canal. Ramie asked if the grant has to be addressed to an agency in particular or just to the County to be added to the online package? Jacksy said she will send a sample letter. Ramie said we have a chance at the April 4<sup>th</sup> full council meeting to endorse it before the April 11<sup>th</sup> deadline. Jacksy said that would work. Motion by Boyar seconded by Richardson to draft a letter of support to Sullivan County Planning for their National Fish and Wildlife Foundation Grant motion carried.

Public Comment: None.

**Adjournment:** A motion by Robinson, seconded by Sullivan, to adjourn the meeting at 7:55 p.m. was carried.

*Minutes prepared by Ashley Hall-Bagdonas 3-15-19*