

Upper Delaware Council  
**OPERATIONS COMMITTEE MEETING MINUTES**  
**August 28, 2012**

Committee Present: Nadia Rajs, Larry Richardson, Harold Roeder, Jr., Jack Niflot, George J. Fluhr, Fred Peckham (6:41 p.m.)  
Committee Absent: None  
NPS Partner: None  
Staff: Laurie Ramie, Dave Soete, Cindy Odell  
Guests: Cheryl Korotky, Debra Conway (7:15 p.m.)

The UDC's Operations Committee held its monthly meeting on August 28, 2012 at the Council office in Narrowsburg, NY. Chairperson Rajs called the meeting to order at 6:32 p.m.

**Approval of July 24 Meeting Minutes:** A motion by Richardson, seconded by Niflot to approve the July 24<sup>th</sup> meeting minutes was carried. There was no public comment on the agenda.

**Executive Director's Report & UDC Calendar:** Ramie referenced her written report. She noted that Pennsylvania Governor Corbett was on a two-day kayak tour that included the upper and middle sections of the Delaware River. He left on August 23<sup>rd</sup> from the Darbytown access and paddled down to the Zane Grey access where he was met by the Park Service for a brief tour of the museum. Richardson asked if anyone from the Council was able to meet him. Ramie said that she was. Joe Hinkes was able to arrange for her to go in and meet him. Ramie said she shook his hand and explained to him what the UDC is and who we are. He expressed that he had had a very enjoyable time on the river, spotting 11 eagles along the way. Ramie shared photos that she and Soete had taken of the Governor's trip which included protesters that lined the banks, followed him down the river and met him at the museum. Ramie said the Park Service had not made any of the arrangements for the Governor's visit. Some Park Service personnel were on the river to do interpretation and their law enforcement was present. A luncheon at The Inn at Lackawaxen took place after attended by local tourism-oriented businesses and sponsored by the Pocono Mountains Visitors Bureau. Rajs suggested reaching out to the Governor. Richardson added that this may be an opportunity to thank him for visiting the river and asking for some of his time to explain the Council and what we are. Discussion took place about the Sojourn and how that would be a great opportunity to bring officials and other influential people to the river. Rajs said that now might be the opportune time for Ramie to send a letter to the Governor thanking him for the meet and asking him if he would find the time to meet with some of us. Some of the members felt the Park Service was remiss in not letting the UDC know in advance of the Governor's visit. We had to call them to confirm the rumor. Niflot stated that perhaps the Governor just wanted a quiet day on the river and told the Park Service that he did not want any big display. Fluhr felt that regardless the Park Service could have included someone from the UDC to accompany the Governor on his trip. Ramie said she will do a follow-up letter.

Ramie reported that the Fall/Winter 2012 issue of "The Upper Delaware" is due to Courier Printing in Deposit by September 14<sup>th</sup>. She said some training may be necessary to utilize the upgraded Quark Xpress Version 9 software. Roeder asked if the new computers are in place. Ramie said they are and staff is very delighted. She said that Jeff Chorba will need to come back one more time to hook up the battery backup surge protectors that were shipped with the wrong batteries. The new computers are a world of difference with speed and functionality, Ramie added. Odell installed the latest Microsoft Access program purchased through Tech Soup to enable editing of the newsletter database, due to Courier by September 21<sup>st</sup>. A brief discussion about transcribing software took place. The issue is expected to be mailed on October 1<sup>st</sup>. A quote for printing and mailing services will be solicited for FY 2013.

Ramie said the UDC Raft Trip on August 5<sup>th</sup> was successful despite the unfortunate rain. Odell coordinated the event, with 75 participants rafting from Callicoon to Skinners Falls. Lander's River Trips was the host livery. Peckham asked what the demographic is of the people who go on this raft trip. He was told the Tri-State area. Ramie said the feedback that we received was all positive despite a rainstorm about an hour into the trip.

Ramie noted there were six news releases issued over the past month on behalf of the UDC and the UDSB. They were included on her documents list and the "Norcross Wildlife Foundation Grant Helps UDC to Upgrade Computers" was included in members' packets.

Ramie highlighted financial issues and reported that Superintendent McGuinness secured advance funds to guarantee UDC's funding during the Park Service-wide financial system-change-over. She noted that is a big relief to us. Ramie said the UDC received a determination from McGuinness in response to our memo inquiring what could be done with de-obligated funds from the FY 2012 TAG round. Those funds will be added to the previously budgeted allocation for FY 2013, enabling us to offer \$32,905.81. Ramie noted the deadline for the TAG FY 2013 applications is August 31. Roeder asked when the special Project Review meeting is scheduled for. He was told September 11<sup>th</sup>.

Ramie reported there will be no increase for the UDC's dental policy with United Concordia through the Wayne County Chamber of Commerce, effective with the October 1<sup>st</sup> renewal. Ramie said that MVP Health Care had terminated the UDC's health insurance policy on 5/31/12 due to inputting an incorrect group number, but continued to accept our payments in the interim. We were provided with written evidence of this error on August 6<sup>th</sup> indicating that we remained in good standing from June through August to counter any coverage denials. A letter was sent to Soete on August 20<sup>th</sup> formally advising him of the Council's policy on employee's coverage due to retirement. He may continue coverage under this policy for up to three years at 100% of his own expense.

Ramie said she prepared a notarized reimbursement request package for the UDC NYS Grant TM09050 for submission to the NYS Department of Environmental Conservation on August 3<sup>rd</sup>. Once she receives all payments and they are disbursed, she will issue a news releases publicizing project accomplishments and a thank you letter to Senator Bonacic for his sponsorship of the grant. She noted that unfortunately, there are no other state grants available for UDC towns at the moment. Ramie reviewed details of the Upper Delaware Scenic Byway (UDSB) grants and referenced the bottom of page two of her report where she listed the activities of the UDSB.

Ramie noted her report contained a list of special meetings and events of the period and a list of documents she had produced. She told members that copies of any of those documents are available to them upon request.

Ramie referred to the September calendar provided for review. She said we have been invited by the Buckingham Township Planning Commission to give them a presentation on the UDC and the Park Service will join us. Ramie referred to it as the start of the previously discussed "road show" essentially. The meeting is scheduled for Thursday, September 20<sup>th</sup> at their regular meeting at 7:00 p.m. Ramie said we appreciate the invitation. Discussion took place about the editorial in *The River Reporter* and private property rights. Richardson feels this will be a good opportunity to stress the difference of being in or out of the Council. Peckham cautioned it needs to be approached in the right manner. Ramie said she, Sean McGuinness, and maybe Carla Hahn will attend the meeting and extended the invitation to anyone else who would like to go, noting it may be good to have Pennsylvania representation along.

### **Old Business**

**Proposed UDC Bylaws Changes:** Rajsz suggested skipping to new business at this time and coming back to this if time allowed.

### **New Business**

**Personnel Subcommittee Report:** Ramie reported there was a meeting at 6:00 prior to this meeting. The Council ultimately received 32 applications for the Resource Specialist position after two rounds of advertising. It was decided to start with four interviews out of the list of ten that the staff recommended. Those interviews will be conducted on September 6<sup>th</sup> before the full Council meeting.

**Fiscal Year 2012 Proposed Expenditures:** Ramie noted there is still a surplus based upon the bookkeeper's projection. She referred to her report which included a list of previously authorized purchases, proposed projects, and staff's recommendations. Ramie said that staff's recommendations would get us within a few dollars of the projected surplus. Discussion took place about upgrading the building's electrical panel. It was decided that was a project that could happen during the next fiscal year after October 1st. Ramie reviewed the recommendations which included ceiling repair, install window in

conference room where air conditioner currently is, crack fill and stripe paint the parking lot, and purchase copy paper. After a brief discussion, a motion was made by Roeder to go with staff recommendations for expending the rest of the surplus, seconded by Richardson and carried.

**Comments on UDC Draft Five-Year Plan: FY 2013 -2017:** Ramie reported we received five written comments which were circulated in advance of this meeting. She said this issue was discussed at last Tuesday's WU/RM meeting and reported that those members have suggested that we do a survey to obtain more input on the priority issues. They would like the 16 issues that were identified to be sent out to all the representatives and alternates, especially those who were not able to attend the June 23<sup>rd</sup> workshop, and also to the municipalities to see how everybody feels about these. Rajsiz commented that this was done already. Ramie noted that the draft plan itself, which included the priority issues, was sent out, but the WU/RM Committee members think that just the issues themselves should be sent out to make sure that they are truly representative of the way the entire board feels. Richardson asked how this would be different from what was sent out previously. Ramie told him that just the 16 priority issues would be sent out. Peckham asked why this would be done. Ramie said they want to rank them with everybody on the board participating. Rajsiz said she understands that the WU/RM Committee members want more input, but she feels the opportunity to give input was given. Peckham said he feels we should just continue moving ahead with the plan. Ramie said that the WU/RM Committee felt that the voting process was flawed at the workshop because we didn't adequately explain the concept of the ranked colors of dots that were put on the chart. Five years prior, we had instructed everyone that they get just two dots per each color and this time we gave everyone a whole sheet. Rajsiz wanted clarification that the WU/RM Committee wants the 16 issues sent out to all Council representatives and alternates. Ramie said yes and also to the municipalities. Odell said it was suggested by the WU/RM Committee members to send the issues to the representatives and alternates for their opinion on the ranking and then after that process, go to the towns and townships. She added there was discussion to make sure that all the towns and townships were represented equally, that they get just one vote each. Rajsiz said that maybe the issues should be sent around again to the Council representatives and alternates, but she does not agree that it should be sent to the towns. Odell stated that one of the WU/RM Committee member's concern was that when individuals and towns and townships received this 60-page document, they didn't even consider because it was too much to look through and recycled it. Ramie added that several of the comments on the Plan stated that it should be re-worked because the priority issues are kind of buried in the middle. Ramie suggested that she could re-structure it by putting the more background information about the River Management Plan goals and functions as an appendix and shorten up the entire plan. Fluhr commented that when you lose a vote on something, you shouldn't be able come up with a reason for losing and look to do the vote over again. Peckham said that everyone had access to the Five-Year Plan and opportunity to comment. Fluhr questioned what the reason is that some people are advocating voting again on the priority issues. Ramie told him they thought there wasn't adequate representation at the June 23 workshop where those were ranked. Peckham said if it was that important to them, they should have been there. Rajsiz suggested that it could be sent out to the members and the alternates. Fluhr questioned what we will do if the results are significantly different. Peckham said to chalk this up to experience and move on and the next time, do things differently. He feels it is too late for a re-do. Roeder said it would be setting a precedent for all other cases that may come up. Rajsiz asked if the WU/RM Committee members found a particular issue out of sorts. Ramie said they felt that the protection of the river values should be most important. Richardson said he does not disagree with that concern. He said that ultimately the Council's charge is to see that the River Management Plan is enforced to the best of our ability. He added that private property rights do not trump the River Management Plan and he feels that may be the way people are interpreting the priority results. Roeder said that for years, private property rights have not been brought to the table and the Council is here to protect both. Rajsiz asked Ramie to read priority issue number one. Ramie read, "Protect and respect private property rights and land use." Rajsiz suggested re-phrasing it to include "within the context of the River Management Plan". Richardson said what we are doing here is trying to be the middle man between what the federal government says is required and the individual towns and their rights and property owners. He added we want to see the Plan in effect and effective and asked how do we do this at the local level. That is the Council's charge and has always been the charge, Richardson said. Peckham said the RMP is essentially a zoning document. Richardson said he feels it is probably a good idea to word that in such a way that we recognize the importance of private property rights. Peckham feels this is the pushback of the private property owners who feel they are not being represented fairly. Ramie shared one of the written

comments that we received. It said in reference to item ranked #1 "Protect and respect private property rights and land use" that the wording "as defined by Federal, State, and Local law" be added. Fluhr said that goes without saying. Fluhr asked what the purpose ultimately of the Five-Year Plan is. Ramie said it provides the vision for the Council over the next five years. Ramie shared another of the written comments received. It stated "The enabling legislation, the River Management Plan and even the UDC's first Five-Year Plan stated that the number one priority was/is the protection of the unique scenic, cultural and natural qualities of the Upper Delaware River. And all allowable land uses **follow** from THAT number one priority." Fluhr asked if any other items will be qualified in the vote. Ramie said that this issue was essentially addressed in each of the five written comments received and also in the feedback that she received from the Upper Delaware River Roundtable citizens. Ramie said that the phrasing of the number one priority statement raised a lot of questions. She feels it was misunderstood and it would be helpful to clarify it. Fluhr said he felt a lot of people knew exactly what they were voting for. Roeder questioned if anyone here disagreed with protecting or respecting private property rights and land use. Rajszt said she does not disagree with it, but feels we are losing sight of the way it was written within the RMP. Roeder said he feels the issue should be left alone, the people voted on it at the meeting. Niflot said he would like to think the issue could be settled by changing a few words. Maybe everybody could agree. We have had a very contentious situation in the last few years. He said that maybe this could be the first step forward with everybody agreeing on one thing. If that is possible to do, why would we not want to do it, he asked. It is not a big deal. Peckham said he feels that the landowners have been forgotten. Richardson said that the suggested wording change recognizes the issue of private property rights, just within the context of the River Management Plan. Roeder made a motion to leave the issue as it is and continue with the meeting. The motion was seconded by Peckham. Fluhr asked for confirmation that the vote is to leave the issue as is. Rajszt said that was it. Ramie suggested going ahead with the restructuring by putting the more historical information as an appendix and bringing out the issues towards the beginning. Fluhr commented that the Council is in business to take care of the river, but we're not in business to placate people who have preferences in the rankings of issues like this. Rajszt feels the issue should be addressed because it was the recommendation from another committee. She asked why can't we come to some consensus. Roeder stated there is a vote on the floor. The vote resulted in a 3 – 3 tie and the motion was not carried. Ramie referenced the proposed format changes to the Five-Year Plan from Sean McGuinness' letter and stated them. Fluhr asked if this Plan is going to be voted on by the full Council at the September meeting. Ramie said she was hoping it would be since we will not meet again before it takes effect on October 1. Rajszt said she feels the formatting changes are good to make the Plan an easier read. A motion to accept the format changes was made by Richardson, seconded by Roeder and carried. Ramie said she will have a second draft of the Five-Year Plan with no content changes, available for review before the September 6<sup>th</sup> meeting.

**Summary of Pending Bills 8-28-12/Financial Statements:** Ramie noted that the five FY 2012 TAG payments are listed on the abstract. A motion to approve the bills as listed on the abstract was made by Peckham, seconded by Fluhr and carried. Financial statements as of July 31, 2012 were provided for individual review.

**Other:** None

Rajszt commented that due to the time, she recommended putting off the proposed UDC Bylaw changes discussion until next month. After a brief discussion of the e-mail sent out by Odell showing the motion to approve the amended Bylaws in 1992, it was confirmed that is the set of Bylaws that the committee should be working with from this point forward. Ramie added that the 1992 amendment replaced the 1988 version.

**Public Comment:** None

**Adjournment:** A motion by Peckham, seconded by Fluhr to adjourn the meeting at 7:56 p.m. was carried unanimously.