

## **UPPER DELAWARE COUNCIL MEETING MINUTES**

### **May 5, 2011**

The Upper Delaware Council held its monthly meeting on Thursday, May 5, 2011 at the Council office in Narrowsburg, NY. Vice-Chairperson Nadia Rajszyk called the meeting to order at 7:40 p.m.

In attendance: Town of Hancock-Fred Peckham, Town of Fremont-Jack Niflot, Town of Delaware-Robert Fisher, Town of Cohecton-Larry Richardson, Town of Tusten-Susan Sullivan, Town of Highland-Andy Boyar, Town of Lumberland-Nadia Rajszyk, Town of Deerpark-Phil Chase, Shohola Township-Scott Rando, and National Park Service-Carla Hahn. Absent: Damascus Township, Berlin Township, Lackawaxen Township, Westfall Township, State of New York, Commonwealth of Pennsylvania, and Delaware River Basin Commission.

**Report from Nominating Committee and Election of UDC Chairperson to Fill Vacancy:** A motion by Niflot seconded by Boyar to elect Larry H. Richardson as chairperson for the remaining 2011 calendar year term was carried unanimously. Richardson thanked his fellow board members for their support and confidence. He recited a list of past UDC chairs from 1988 to 2011, paying tribute to those who have taken a turn at the position. He urged the Council to build on common ground during these tough times. Rajszyk commented that Richardson's list sparked some good memories of people we've lost who have gone on to a better place.

**Approval of April 7 Meeting Minutes:** A motion by Boyar seconded by Rajszyk to approve the April 7 meeting minutes was carried. There was no public comment on the agenda.

**Committee Reports:** The committee reports were provided based on the meeting minutes. They were: April 19 Water Use/Resource Management by Chase; April 26 Operations by Rando; and April 26 Project Review by Peckham. Richardson asked Chase whether Kiryas Joel has projected how much water they'll need to take from their tapping of the Delaware Aqueduct. Chase replied that New York City is allowed to take 800 million gallons per day (mgd). He's not sure of how much Kiryas Joel would take, but speculated that it could be 25-30 mgd. Rajszyk noted that, at last month's UDC meeting, we had asked Damascus Township for a letter relative to its removal of Dolores Keesler from her position as UDC representative. She asked whether it had been received. Public Relations Specialist Laurie Ramie replied that Damascus sent a fax that next day of their correspondence to Keesler advising her of their March 21, 2011 vote to remove her as their representative. There were signature lines for the three supervisors but the copy that the UDC received was not signed.

### **Status Reports**

**Delaware River Basin Commission:** Richardson reviewed the Delaware River Flow and Storage Data report dated April 29, 2011. Peckham said that these hydrologic reports are useless because they start too low in the river basin. This is not our water. Richardson asked when the 10% void policy would start. Boyar inquired whether the UDC should send a letter to the DRBC asking when the drawdowns will be implemented. He said he realizes that the policy is only 30 days old but we've had very rainy weather lately. This is a tricky time because their goal is to have the reservoirs 100% full on June 1. Richardson agreed that a letter should be sent. The ground is already saturated. He instructed Executive Director Bill

Douglass to have staff write and send a letter to the DRBC asking about the implementation schedule for the 10% voids.

**NYS Dept. of Environmental Conservation:** No report.

**PA Dept. of Conservation & Natural Resources:** No report.

**National Park Service-Upper Delaware:** Hahn reported that the new season is upon us and the water is high. NPS has been dealing with a few visitors to date, with more expected. Fishing hasn't been ideal. NPS is bringing on board 10 seasonal interpretive rangers and two law enforcement rangers. They also hope to get two seasonal Maintenance positions filled. She noted that the UDC had already been advised that the Upper Delaware has a new Chief of Protection. Don Hamilton has a Biological Technician working with him and there will be one seasonal working with the museum curator. Hahn said that final figures are pending for the Commercial Use Authorizations.

**UDC Executive Director's Report:** No report.

**Old Business:** None

### **New Business**

**UDC Draft Resolution 2011-03 Supporting Sullivan County's River Corridor NY Main Street Program Grant Application:** The members received this draft resolution prior to the meeting for review. Boyar explained that this is the second year of this Main Street Grant program which seeks to benefit the hamlets of Callicoon, Narrowsburg, Barryville, and Pond Eddy. A motion by Boyar seconded by Rajsz to approve the resolution was carried unanimously. The resolution states in part, "Whereas, the target hamlets of this grant application are important residential and commercial centers within four of the Upper Delaware Council's (UDC) member municipalities: Delaware; Tusten; Highland; and Lumberland, respectively; and Whereas this project is consistent with the River Management Plan goal to 'maintain and enhance the corridor's social and economic vitality and its diversity, consistent with efforts to protect the recognized values of the river corridor', and it also complements the 'Local Waterfront Revitalization Program for the Upper Delaware River Corridor' planning effort that is currently being coordinated by the Sullivan County DPEM with active participation from local stakeholders including the UDC and participating municipalities; Now therefore, be it resolved that, 1) The Upper Delaware Council fully supports Sullivan County Division of Planning and Environmental Management's 2011 grant application to the New York Main Street Program as being in the best interests of the Upper Delaware River corridor; and 2) The Upper Delaware Council encourages eligible property owners and businesses within the hamlets of Callicoon, Narrowsburg, Barryville, and Pond Eddy to take advantage of the funding provided by this proposed program."

**UDC Draft Support Letters to NYS DOT & PennDOT: Directional Signage, Grover Hermann Hospital Division, Callicoon, NY:** Two individual letters addressed to Jack Williams, Regional Director, NYS Department of Transportation Region 9, and George J. Roberts, District Executive, PA Department of Transportation District 4-0, had been reviewed and recommended for approval by the Operations Committee at its April 26, 2011 meeting. A motion by Rando seconded by Rajsz to approve the two letters was carried, with Fisher abstaining. Fisher, who is employed as administrator of the Grover Hermann Hospital Division of Catskill Regional Medical Center, thanked the board for its support. Rajsz said that she has noticed there really is a deficit of hospital directional signage on the New York side of the river. Fisher pointed out there are no signs at all for the 8881 NYS Route 97, Callicoon facility on the PA side. Richardson said he's sure that a great many visitors wouldn't expect that we have a full-service hospital in this area. The letters request that serious consideration be given to Mr. Fisher's request for the installation of additional signage to raise awareness of the hospital's round-the-clock availability for emergency care in the interest of public safety. Two lists of locations within a Sullivan County radius in NY and Wayne County radius in PA proposed for consideration by Fisher will be attached to the respective letters.

**UDC Draft Resolution 2011-04 Approving a Change in Employee Health Insurance Plan to Take Effect June 1, 2011:** Rajsz asked her fellow board members whether this resolution should be tabled or amended based on a prior discussion, and what the timeline is for a decision. Ramie replied that the health insurance policy comes due for renewal on June 1, 2011; however, since this proposal involves the same company, they would adjust our payment accordingly if they didn't receive the change by their May billing cycle. A motion by Peckham seconded by Rajsz to table the resolution and send it back to the Operations Committee for further discussion at its May 24 meeting was carried unanimously.

**Other:** Sullivan reported that the Delaware River Basin Commission has a docket for XTO for a water withdrawal from the Oquaga Creek coming up on its May 11 agenda. It would affect Broome and Delaware Counties above us. There's no time for the UDC to comment on it but people could do so personally. Peckham said that this is a small withdrawal proposal of 250,000 gallons per day, which amounts to 0.38 cubic feet per second. It has nothing to do with gas drilling at this time. They're just trying to get a water source in place. Sullivan asked whether this would permanently remove water from our basin and received an affirmative reply. She noted that the details of the docket are posted on the DRBC's website. Richardson said he finds more interesting the New York State Attorney General's attack on drilling. Peckham said that's just political grandstanding. Boyar said, on the issue of water withdrawals, we have an article in our packets about leaks in Delaware Aqueduct. He abhors the waste of water. Should we bring this to the attention of decision-makers and the media? Can we send this to the Water Use/Resource Management Committee for further discussion? Chase asked, shouldn't that water that is leaking be deducted from the 800 mgd allotment? Richardson said it's a good idea to refer this to WU/RM. Advise the committee chair, Tony Ritter. Sullivan concluded, we need to just ask the question, what are they doing about the leaks?

#### **Public Comment**

~ Bernie Handler, Damascus – DRBC has been researching the Oquaga Creek withdrawal proposal for six months already. It might come up at the May 11 meeting. XTO is owned by Exxon. You may think it's a small amount of water; however, it's the first of many to come. They're setting a precedent by rushing it through. The UDC could still comment after the fact. This will affect us in that less cold water will come down for the fish and recreation. Chase replied that the water that is taken out has to go some place after it's used. If it goes back into the ground, it's a possible pollutant. Boyar said he reads many e-mails every day and the first he saw of this proposal was 2 or 3 days ago. His town board meets on Tuesday before the DRBC's Wednesday meeting. Is this expedited or unfair? The comment period should be extended. There is insufficient time to form an opinion or do any analysis. Handler said that the DRBC is legally required to put this out 10 days before the hearing. Anyone can sign up for their e-alerts. Peckham said this all goes back to Stone Energy, when the DRBC didn't know how they would handle this. Now they have a guideline that they use. Richardson proposed sending a letter to the DRBC asking for clarification of their procedures. Are they going to keep processing applications like this? Richardson asked Douglass whether the staff had enough information to do a letter on this. Douglass replied that Soete would handle it.

**Executive Session:** On a motion by Rajsz seconded by Rando, the board went into Executive Session at 8:41 p.m. On a motion by Rando seconded by Rajsz, the board came out of Executive Session at 9:35 p.m. Richardson announced that there was a lot of discussion but no decisions were made.

**Adjournment:** A motion by Rajsz seconded by Fisher to adjourn the meeting at 9:37 p.m. was carried.