

SUSSEX COUNTY SOIL CONSERVATION DISTRICT

Board of Supervisors Meeting

April 24, 2013- 7:30 PM

District Office- 186 Halsey Road, Newton (Hampton Township)

NEXT MEETING: June 26, 2013 – 2:00 p.m. District Office

SUPERVISORS PRESENT: Barbara Rosko, Walter Ricker, James Kilduff and Philip Deacon.

SUPERVISORS ABSENT: Mr. Hough

OTHERS PRESENT: Clifford R. Lundin-District Manager, Dan Mull- Regional Conservationist, USDA-NRCS.

Chairman Rosko called the meeting to order at 7:30 p.m. declaring that adequate notice had been provided in accordance with the NJ Open Public Meetings Act. The members joined in in a salute to the flag.

ROLL CALL: A call of the roll confirmed that a quorum was present.

MINUTES:

On motion of Mr. Deacon, seconded by Mr. Kilduff and properly carried, the Board approved the minutes of the regular meeting of March 27, 2013.

CORRESPONDENCE:

On motion of Mr. Kilduff, seconded by Mr. Deacon and properly carried, the attached correspondence list was reviewed and approved for the files. Special attention was given to the highlighted items.

TREASURER'S REPORT:

Monthly Report: On motion of Mr. Deacon, seconded by Mr. Kilduff and properly carried, the Treasurer's Report was approved, subject to audit, by roll call vote as follows: Mr. Ricker- yes, Mr. Deacon-yes, Mr. Kilduff- yes and Mrs. Rosko- yes. The Treasurer's Report included the following: Income Statement for the Nine Month Period ending April 30, 2013, Cash Disbursements-Check Register from March 27, 2013 through April 24, 2013, Cash Receipts Journal from March 27, 2013 through April 24, 2013, Cash Account Balance Report as of April 24, 2013, Consulting Engineer-Cash Disbursements Journal from July 1, 2012 through April 24, 2013, General Ledger Trial Balance as of April 24, 2013 and Balance Sheet dated April 30, 2013.

OLD BUSINESS

Chapter 251:

Monthly Report: On motion of Mr. Deacon, seconded by Mr. Kilduff and properly carried, the attached 251 Project Card Summary Sheet dated April 24, 2013, the Project Status Report dated April 24, 2013 and the Performance Bonds Remaining Report as of April 30, 2013 were approved. The motion included authorization for the chairman to

certify the plans listed under the report heading: "Projects Certified 3/28/2013 to 4/24/2013."

District Quarterly report: On motion of Mr. Ricker, seconded by Mr. Deacon and properly carried the Board approved the District Chapter 251 Quarterly report for the months of January through March 2013.

Exempt Municipality Quarterly reports: The Board reviewed the Quarterly Reports submitted on behalf of Green Township and Andover Township. On motion of Mr. Kilduff, seconded by Mr. Deacon and properly carried the Board approved the Exempt Municipality Quarterly report for the months of January through March 2013.

Problem sites: Mr. Lundin briefed the Board on the following sites:

- 1) 284 Aggregates- WT-057M: The certification expired on December 5, 2012. The permittee has refused to recertify or extend his certification asserting that he is automatically extended at no cost under the Permit Extension Act. Mr. Lundin visited the site on March 25, 2013. The owner has agreed to retain a surveyor to outline the current area of disturbance. By letter dated April 5, 2013 the District directed the permittee to submit the survey by no later than May 3, 2013 and suggested a meeting during the week of May 13, 2013.
- 2) Bahr- WT-131. This site was previously issued an ROC. The neighboring property owner has continued to make complaints to the SSCC. Mr. Lundin and Mr. Showler of the SSCC visited the site during a rain event on March 13, 2013. The site was fully stable at that time. Mr. Showler requested the owner submit an "as built" drawing. The drawing is under review at the SSCC. The neighboring property owner has now submitted an OPRA request to review the entire District and SSCC file.
- 3) Whispering Woods- VR-748. The applicant has abandoned the site. The site is now owned by the lender. Major work remains to be done. The Township bond is insufficient to complete all work. The owner refuses to take responsibility for the roads or permits. The current owner claims they received the lots only. The District issued a Stop Work Order on April 11, 2013 that is applicable to all lots and rights of way. The District is coordinating its actions with the Township.
- 4) Eagles Nest. SP-125, SP-125B and SP-125C. The District issued an NOV on April 16, 2013 based upon the continuing failure of the applicant to maintain the SESC measures at the site.

- 5) Ogdensburg: This was a stream cleaning project that exceeded the authorized area under a NJDEP emergency permit in 2010. Although the District has been to the site on several occasions; there is no SESC application or plan as of this point. The District is in receipt of a draft ACO that would require the Borough to restore the stream, obtain all necessary permits (including a SESC certification) and pay a fine.

Agriculture-NRCS:

- 1) NRCS Report: Mr. Mull provided the Board with the attached report dated April 2013. There are currently 54 active Farm Bill contracts within Sussex County involving assistance valued at \$1,215,799.31 on 2053.6 acres. Mr. Mull requested Board approval of an EQIP Equine Grazing Conservation Plans for a property in Wantage Township. NRCS is currently accepting applications for the Conservation Innovation Grant program (due April 29) and the Wetland Reserve Program (due May 17.) The Board accepted the NRCS report on motion of Mr. Deacon, seconded by Mr. Kilduff and properly carried.
- 2) Cooperators: Since its last meeting, the District is in receipt of two applications for Conservation Assistance from the following:
 - a. Lynn Turr for a 51 acre parcel in Montague;
 - b. Eric Nilsen for a 35 acre parcel in Fredon.

The Board approved the applications on motion of Mr. Kilduff, seconded by Mr. Deacon and properly carried.

- 3) NRCS Workload: Mr. Lundin expressed concern re NRCS letters sent to recent producers requesting assistance to the effect that the NRCS workload does not permit site visits at this time. Mr. Mull indicated that the agency hoped to get to the sites after the various applications Farm Bill programmatic assistance had been processed.

SSCC Report: Mr. Minch was unable to attend on behalf of the SSCC. In his absence, Mr. Lundin briefed the Board on the following matters:

- 1) Program reevaluation: The work of the subgroups continues.
- 2) Hurricane Sandy-Demolition Issues: The SSCC at its April 8, 2013 meeting recommended to the Secretary of Agriculture that he adopt an Administrative Order establishing an expedited procedure for SESC approvals for structures needing demolition as a result of Hurricane Sandy.

- 3) Readoption of SESC Standards: The SSCC at its meeting of April 8, 2013 readopted the SESC standards with changes. The proposed new soil health/soil restoration standard was not adopted and was referred back to the drafting committee for additional review.

H&H Grant: In accordance with the Board's action at the March meeting, a District letter was sent to the Secretary of Agriculture. The letter was discussed at the April 8, 2013 SSCC meeting. The SSCC will continue to seek compensation from Rutgers relative to the lost data. The SSCC is also renegotiating the agreement with NJDEP to provide extended dates for completion.

Education:

- 1) Envirothon Training: Mr. Lundin reported on the Northern Jersey Envirothon Training Session hosted by the District on April 17, 2013 at Swartswood State Park. Four schools comprising 6 Envirothon teams attended. Chairman Rosko was in attendance and provided assistance throughout the day.
- 2) NJ Envirothon. Mr. Lundin indicated that the 2013 NJ Envirothon is scheduled for May 3 and 4 in Burlington County. Mrs. Rosko and he will serve as judges.
- 3) 2013 Conservation Poster Contest: Mr. Lundin reported on the award ceremonies at the Sussex Wantage Board of Education on March 27 and at the Hopatcong Board of Education meeting on April 22. An additional presentation is scheduled for April 30 at Pope John. Mr. Lundin also announced that one of the posters from the District was awarded 3rd place in the statewide competition for grades 2-4. The winner was Cole Vaughn who attends the Fields of Green School in Vernon.

Meetings:

- 1) Northern NJ Regional Supervisors Meeting: Mr. Lundin, Mrs. Rosko, Mr. Hough, Mr. Ricker and Mr. Deacon attended this April 10, 2013 meeting held in Mountain Lakes.
- 2) 2013 NACD Northeast Regional Meeting. Mr. Lundin reported that the annual meeting will be held in Dover, Delaware from September 15-September 17, 2013.
- 3) 2013 NJACD Meeting. Firm dates have not yet been determined. It appears that the conference will be a 2 day session in Avalon.

- 4) 2014 NACD Annual Meeting: Mr. Lundin reported that the 2014 Annual NACD Meeting is scheduled for February 2-5, 2014 in Anaheim, California.

Common Waters Initiative: Mr. Lundin reported on the quarterly meeting held on April 11, 2013 at Grey Towers in Milford, PA. The group is pursuing the designation of the Delaware River as a “blueway” under a new federal program to provide additional resources for the protection of the river.

North Jersey RC&D: Chairman Rosko and Mr. Lundin reported on the NJ RC&D meeting held on April 3, 2013. The Board is in receipt of an invoice from the RC&D for our dues for 2013. On motion of Mr. Kilduff, seconded by Mr. Deacon, the Board authorized the payment of the annual dues on the following roll call vote: Mr. Ricker- yes, Mr. Kilduff- yes, Mr. Deacon- yes and Chairman Rosko- yes.

Other Old Business:

Nominations: The deadline for submission of applications is May 1, 2013. Mr. Lundin will convene the nominating committee sometime during May. To date two applications have been received.

NJACD Issues: Pursuant to the Board’s authorization at the March meeting, a letter was sent to the NJACD requesting that the Scholarship and Envirothon funds be segregated from the general funds and be subject to a separate accounting. The NJACD at its meeting of April 8, 2013 agreed to set aside \$50,000 for the Scholarships and \$50,000 for the Envirothon. The actual segregation of the funds into separate accounts cannot occur until the expiration of a Certificate of Deposit.

Envirothon donation: At its March meeting the Board deferred taking action on the annual donation to the Envirothon. In light of the recent NJACD action to segregate the funds, Mr. Deacon moved, seconded by Mr. Kilduff to authorize a donation in the amount of \$500.00. The roll call vote was as follows: Mr. Ricker- yes, Mr. Kilduff- yes, Mr. Deacon- yes and Chairman Rosko- yes.

Purchase of vehicle. Mr. Lundin reported on the delivery of the new vehicle authorized at the March meeting. On behalf of the staff he thanked the Board for providing a safer vehicle for use.

Restraining Order against Thomas Caggiano: Mr. Lundin shared news article relative to the restraining order issued in favor of Stanhope Borough, Green Township and Sussex County against Thomas Caggiano. The restraints issued by Judge Mulhern in favor of the District remain in effect.

Page 6
April 24, 2013
Old Business (continued)

2013 SC Chamber of Commerce Dues: The District is in receipt of an invoice from the Sussex County Chamber of Commerce for dues for 2013 in the amount of \$289.00. On motion of Mr. Deacon, seconded by Mr. Kilduff, the Board authorized the payment of the annual dues on the following roll call vote: Mr. Ricker- yes, Mr. Kilduff- yes, Mr. Deacon- yes and Chairman Rosko- yes.

NEW BUSINESS:

Renewal Lease Agreement: The District's current lease agreement on its office expires on April 30, 2013. The landlord has proposed a 5 year renewal with an increase of 3% per year. On motion of Mr. Ricker, seconded by Mr. Kilduff, the Board authorized Mr. Deacon and Mr. Lundin to negotiate a renewal lease agreement for a 5 year time period at a rate not to exceed an increase of 2% per year. The roll call vote was as follows: Mr. Ricker- yes, Mr. Kilduff- yes, Mr. Deacon- yes and Chairman Rosko- yes.

Cancellation of the May Meeting: On motion of Mr. Deacon, seconded by Mr. Kilduff and properly carried. The Board voted to cancel its scheduled May meeting.

Rescheduling of Meetings: Mr. Deacon suggested that the Board consider rescheduling the remaining meetings for 2013 to commence at an earlier time in the day. After discussion, Mr. Deacon moved, seconded by Mr. Kilduff to reschedule the June meeting to commence at 2:00 p.m. and the July through December meetings to commence at 4:30 p.m. The roll call vote was as follows: Mr. Ricker- yes, Mr. Kilduff- yes, Mr. Deacon- yes and Chairman Rosko- yes.

PUBLIC SESSION:

Chairman Rosko opened the meeting to the public at 8:40 p.m. There being no one desiring to speak, the meeting was closed to the public at 8:40 p.m.

EXECUTIVE SESSION:

There was no need for an Executive session.

ADJOURN:

The Meeting was adjourned at 8:41 p.m. on motion of Mr. Deacon, seconded by Mr. Kilduff and properly carried.

Respectfully submitted for Walter C. Ricker, Secretary

By Clifford R. Lundin, District Manager