

SUSSEX COUNTY SOIL CONSERVATION DISTRICT
Board of Supervisors Meeting
August 28, 2013- 4:30 PM
District Office- 186 Halsey Road, Newton (Hampton Township)

NEXT MEETING: October 23, 2013 – 4:30 p.m. District Office

SUPERVISORS PRESENT: Barbara Rosko, James Kilduff, Fred Hough, Philip Deacon and Matthew Fox (late).

SUPERVISORS ABSENT: None

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

Chairman Rosko called the meeting to order at 4:32 p.m. declaring that adequate notice had been provided in accordance with the NJ Open Public Meetings Act. The members joined in a salute to the flag.

MOMENT OF SILENCE:

The members joined in a moment of silence in memory of Floyd Menchek of the Hunterdon District.

OATH OF OFFICE- BARBARA ROSKO: Mr. Lundin administered the Oath of Office to Mrs. Rosko who was reappointed by the SSCC to a 3 year term on the Board of Supervisors from July 1, 2013 through June 30, 2016.

ROLL CALL: A call of the roll confirmed that a quorum of four Supervisors was present. Mr. Fox had telephoned to indicate that he would be late. Mr. Fox arrived at 5.02 p.m.

REORGANIZATION:

A) Officers:

- 1) Chairman: Mr. Lundin opened the floor for nominations for the position of chairman for the period of July 2013 through June 2014. Mr. Deacon moved, seconded by Mr. Kilduff to nominate Mrs. Rosko. There were no other nominations. The nomination was unanimously approved on voice vote.
- 2) Vice Chairman: Chairman Rosko opened the floor for nominations for the position of 1st Vice Chairman for the period of July 2013 through June 2014. Mr. Hough moved, seconded by Mr. Kilduff to nominate Mr. Deacon as 1st Vice Chairman. There were no other nominations. The nomination was unanimously approved on voice vote.

- 3) 2nd Vice-chairman: Chairman Rosko opened the floor for nominations for the position of 2nd Vice Chairman. Mr. Deacon moved, seconded by Mr. Hough to nominate Mr. Kilduff as 2nd Vice Chairman. There were no other nominations. The nomination was unanimously approved on voice vote.
 - 4) Secretary/Treasurer: Chairman Rosko initially opened the floor for nominations for the position of Secretary for the period of July 2012 through June 2013. Mr. Deacon moved, seconded by Mr. Kilduff to combine the positions of Secretary and Treasurer and they further nominated Mr. Hough for the position. Motion was unanimously approved on voice vote.
- B) Special Counsel/Attorney: Mr. Deacon moved, seconded by Mr. Kilduff to appoint William Haggerty as Special Counsel/Attorney for the period of July 1, 2013 through June 30, 2014 at a rate of \$105.00 per hour, total not to exceed \$12,500.00. This appointment is made as a Professional Service and is awarded without competitive bidding. The appointment was approved by the following roll call vote: Mr. Hough- yes, Mr. Deacon- yes, Mr. Kilduff- yes and Chairman Rosko- yes.
- C) Auditor: Mr. Deacon moved, seconded by Mr. Kilduff to appoint Thomas Ferry of the firm of Ferraioli, Wielkocz, Cerullo and Cuva, PA as Auditors for the period of July 1, 2013 through June 30, 2014 at a maximum rate of \$175 per hour, total contract not to exceed \$5,000.00. This appointment is made as a Professional Service and is awarded without competitive bidding. The appointment was approved by the following roll call vote: Mr. Deacon- yes, Mr. Kilduff- yes, Mr. Hough- yes, and Chairman Rosko- yes.
- D) Engineer: Mr. Deacon moved, seconded by Mr. Kilduff to appoint Joseph Sedivy, P.E. as Engineer for the period of July 1, 2013 through June 30, 2014 at a rate of \$80.00 per hour, total not to exceed \$12,500.00. This appointment is made as a Professional Service and is awarded without competitive bidding. The appointment was approved by the following roll call vote: Mr. Deacon- yes, Mr. Hough- yes, Mr. Kilduff- yes and Chairman Rosko- yes.
- E) Custodian of Public Records: Mr. Deacon moved, seconded by Mr. Kilduff to appoint Clifford R. Lundin as the Custodian of Public Records for the period of July 1, 2013 through June 30, 2014, pursuant to the Open Public Records Act. The appointment was approved by the following roll call vote: Mr. Hough- yes, Mr. Kilduff- yes, Mr. Deacon- yes and Chairman Rosko- yes.

- F) Pension Certifying Officer: Mr. Deacon moved, seconded by Mr. Kilduff to appoint Catherine Williams as the Pension Certifying Officer for the period of July 1, 2013 through June 30, 2014. The appointment was approved by the following roll call vote: Mr. Hough- yes, Mr. Kilduff- yes, Mr. Deacon- yes and Chairman Rosko- yes.
- G) Open Public Records Act Fees: Mr. Kilduff moved, seconded by Mr. Deacon to establish the following photocopy fees pursuant to the Open Public Records Act for the period of July 1, 2013 through June 30, 2014: Letter size- \$0.05 per copy and Legal size- \$0.07 per copy. The motion was approved on the following roll call vote: Mr. Kilduff- yes, Mr. Hough- yes, Mr. Deacon- yes and Chairman Rosko- yes.
- H) RC&D representatives: Mr. Deacon moved, seconded by Mr. Kilduff to appoint Chairman Rosko as the District's representative to the North Jersey RC&D council. The motion also included designating Mr. Lundin as alternate representative. The motion was approved on the following roll call vote: Mr. Kilduff- yes, Mr. Hough- yes, Mr. Deacon- yes and Chairman Rosko- yes.
- I) District Mileage rate: Mr. Lundin indicated that the SSCC is considering a policy specifying that Districts utilize the state mileage rate in lieu of the IRS rate. By consensus the Board determined not to take any action until the SSCC took action to formally adopt the policy.

MINUTES:

On motion of Mr. Kilduff, seconded by Mr. Deacon and properly carried, the Board approved the minutes of the regular meeting of June 26, 2013, subject to the correction of a minor error on the draft version previously distributed.

CORRESPONDENCE:

On motion of Mr. Kilduff, seconded by Mr. Hough 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. Hough, seconded by Mr. Kilduff and properly carried, the Treasurer's Report was approved, subject to audit, by roll call vote as follows: Mr. Hough-yes, Mr. Deacon- yes, Mr. Kilduff- yes and Mrs. Rosko- yes. The Treasurer's Report included the following: Income Statement for the Two Month Period ending August 31, 2013, Cash Disbursements-Check Register from June 26, 2013

through August 28, 2013, Cash Receipts Journal from June 26, 2013 to August 28, 2013, Cash Account Balance Report as of August 28, 2013, Consulting Engineer-Cash Disbursements Journal from July 1, 2013 through August 28, 2013, General Ledger Trial Balance as of August 28, 2013 and Balance Sheet dated August 31, 2013. The Board noted that revenues significantly declined over the past quarter.

FY2013 Budget: Mr. Lundin presented a proposed amendment to the FY2013 budget for consideration. He indicated that it was necessary to again amend the final FY2013 budget due to payments of pension benefits and health insurance benefits that occurred after the June 26, 2013 meeting. With the additional expenditures, the District incurred a loss in FY2013 of approximately \$4,400. This loss was offset by the use of a similar amount from the chapter 251 reserve. The amendment was approved on roll call vote on motion of Mr. Hough, seconded by Mr. Kilduff. Roll call vote as follows: Mr. Hough- yes, Mr. Deacon-yes, Mr. Kilduff- yes and Mrs. Rosko- yes.

Mr. Fox joined the meeting at this time. (5:02 p.m.)

OATH OF OFFICE- MATTHEW FOX: Mr. Lundin administered the Oath of Office to Matthew Fox, P.E. who was appointed to the Board by the SSCC to a 3 year term from July 1, 2013 through June 30, 2016. Mr. Fox replaces Mr. Ricker who chose not to seek reappointment. The members welcomed Mr. Fox to the Board.

OLD BUSINESS

Chapter 251:

Monthly Report: On motion of Mr. Deacon, seconded by Mr. Hough and properly carried, the attached 251 Project Card Summary Sheet dated August 28, 2013, the Project Status Report dated August 28, 2013 and the Performance Bonds Remaining Report as of August 30, 2013 were approved. The motion included authorization for the chairman to certify the plans listed under the report heading: "Projects Certified 6/26/2013 to 8/28/2013."

District Quarterly report: On motion of Mr. Deacon, seconded by Mr. Kilduff and properly carried the Board approved the District Chapter 251 Quarterly Report for the months of April 2013 through June 2013.

Exempt Municipality Quarterly reports: The Board reviewed the Quarterly Reports submitted on behalf of Green Township and Andover Township. On motion of Mr. Deacon, seconded by Mr. Hough and properly carried the Board approved the Exempt Municipality Quarterly Reports for the months of April 2013 through June 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 does not have an accurate depiction of the area of disturbance. The permittee submitted a revised survey in late May. The permittee is working on identifying the area of disturbance. The District will continue to monitor the progress. Mr. Lundin and Mr. Hansen visited the site on August 22, 2013. A Notice of Violation has been issued relative to the level of accumulated silt in the stormwater ponds.
- 2) 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's bond is insufficient to complete all work. The owner refuses to take responsibility for the roads or permits. The District issued a Stop Work Order on April 11, 2013 that is applicable to all lots and rights-of-way. The District is continuing to coordinate its actions with the Township.
- 3) Crystal Springs Office Building. HY-254. An ROC was issued in 2008 for the building. A CROC was issued simultaneously for the parking lot. The final course has not been installed. The matter was listed for the agenda because the performance bond had been depleted. The performance bond was replenished earlier this date and the site is now in compliance.
- 4) Wantage Solar Farm- WT-145. The site was not constructed as shown on the approved plan. There are significant problems with runoff volume and sedimentation. This issue is directly related to the legislative determination that solar fields are not to be considered as "impervious" cover. A Notice of Violation has been issued. Mr. Lundin has requested the assistance of the state engineer. A meeting is scheduled at the site for Friday August 30, 2013.
- 5) Mountain Creek Snow Tubing Site- VR-872. The site remains in non-compliance. The site is operating under a Conditional Report of Compliance. A meeting is scheduled at the site on September 3, 2013.
- 6) Non-filers. Mr. Lundin outlined issues at two sites in Wantage owned by parties named Wright and Coulson. There have been several complaints re both sites. The District is working with the property owners to return to compliance.

Agriculture-NRCS:

- 1) NRCS Report: Mr. Mull provided the Board with the attached report dated August 2013. There are currently 56 active Farm Bill contracts within Sussex County involving assistance valued at \$1,418,509.67 on 1,969.9 acres. Mr. Mull requested Board approval of 11 conservation plans involving properties in Green, Sandyston, Hardyston, Wantage, Montague and Stillwater. Mr. David Schaaf has been appointed as the Resource Conservationist to replace Mr. Wick. The Board approved the NRCS report on motion of Mr. Kilduff, seconded by Mr. Deacon and properly carried.
- 2) Cooperators: Since its last meeting, the District is in receipt of four applications for Conservation Assistance from the following:
 - a. Ernest and Marilyn Cosh for a 110.93 acre parcel in Wantage Township;
 - b. Marilyn Cosh for a 188.04 acre parcel in Wantage Township;
 - c. Jeff VanderGroef for a 392 acre parcel in Wantage Township; and
 - d. Miriam Rogers for a 122 acre parcel in Stillwater Township.

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

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. One of the measures proposed will require the District to have a 5-year Strategic Plan, an Annual Work Plan and to prepare an Annual Report. These requirements will impact staff time.
- 2) Readoption of SESC Standards: The SSCC at its meeting of July 8, 2013 took action, pursuant to a request from the Governor's office to re-propose two of the standards with modifications. It is now projected that the current standards will remain in effect through first quarter of 2014.

H&H Grant: The District reviewed a letter from NJDEP dated August 5, 2013 as well as SSCC guidance contained in an e-mail dated August 20, 2013. The SSCC will consider this issue at its meeting on September 9. Mr. Lundin will defer action on the request until after the SSCC meeting. Discussions are still underway between the SSCC and Rutgers relative to the reimbursement to the Districts for the cost of the data lost in the collapse of the Rutgers data system.

Education:

- 1) Sussex County Farm and Horse Show/NJ State Fair. Mr. Lundin reported that the District had an exhibit in the Sussex County Building from August 2 through 11. The District also participated in Green Day held on August 5 in the Performing Arts Tent. Approximately 550 people, including Congressman Scott Garrett toured the Soil Tunnel.
- 2) Sussex County Harvest, Honey and Garlic Festival- October 12, 2013. Mr. Lundin indicated that the District has been invited to display the Soil Tunnel on October 12, 2013. He is currently investigating the availability of the soil tunnel for use on that date.
- 3) 2014 Envirothon: Mr. Lundin reminded the Board that the District will be the sponsor of the 2014 Envirothon to be held at the NJ School of Conservation on May 2 and 3, 2014.

Meetings:

- 1) 2013 NACD Northeast Regional Meeting. Mr. Lundin reported that this annual meeting will be held in Dover, Delaware from September 15-September 17, 2013. After discussion, the Board, by consensus, determined not to send a delegate at District expense due to the current cash flow position within the District.
- 2) 2013 NJACD Meeting. Mr. Lundin reported that annual meeting is scheduled for October 27-28 in Avalon. District participation will be determined at the September meeting of the Board.
- 3) 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: No new developments at this time.

North Jersey RC&D: Chairman Rosko and Mr. Lundin reported that the next meeting will be on September 4, 2013. Due to funding issues, the Council is considering:

a) Collaboration with other non-profit entities; b) Merger with similar non-profits; or c) Disbanding.

Other Old Business: None at this time.

NEW BUSINESS: None at this time

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PUBLIC SESSION:

Chairman Rosko opened the meeting to the public at 6:10 p.m. There being no one desiring to speak, the meeting was closed to the public at 6:11 p.m.

EXECUTIVE SESSION: There was no need for an executive session at this time.

ADJOURN:

The Meeting was adjourned at 6:12 p.m. on motion of Mr. Kilduff, seconded by Mr. Hough and properly carried.

Respectfully submitted for Fred Hough, Secretary/Tres.

By Clifford R. Lundin, District Manager