

**SUSSEX COUNTY SOIL CONSERVATION DISTRICT**

Board of Supervisors Meeting

February 24, 2016- 4:30 PM

District Office- 186 Halsey Road, Suite 2, Hampton Township, Sussex County, NJ

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**NEXT MEETING:** March 30, 2016 – 4:30 p.m. District Office

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**SUPERVISORS PRESENT:** Barbara Rosko, Fred Hough, Matthew Fox, Philip Deacon and James Kilduff

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**SUPERVISORS ABSENT:** None

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**OTHERS PRESENT:** Clifford R. Lundin-District Manager, David Schaaf, Resource Conservationist- USDA-NRCS, Frank Minch-Executive Secretary SSCC.

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Chairman Rosko called the meeting to order at 4:31 p.m. declaring that adequate notice had been provided in accordance with the NJ Open Public Meetings Act.

**FLAG SALUTE:** The members joined in a salute to the flag.

**ROLL CALL:** A call of the roll showed that Mrs. Rosko, Mr. Kilduff, Mr. Hough and Mr. Deacon were present. A quorum was established. Mr. Fox arrived at 4:37 p.m.

**MINUTES:**

On motion of Mr. Kilduff seconded by Mr. Hough and properly carried on roll call vote, the Board approved the minutes of the regular meeting of December 9, 2015. The motion was approved on the following roll call vote: Mr. Kilduff-yes, Mr. Hough- yes, Mr. Deacon-yes, and Chairman Rosko-yes.

**CORRESPONDENCE:**

On motion of Mr. Deacon, seconded by Mr. Kilduff and properly carried, the attached correspondence list was reviewed and approved for the files. Mr. Lundin noted that approximately 10% of the correspondence consisted of e-mail communications from Mr. Thomas Caggiano in violation of Court Order. Mr. Fox arrived at this point.

**TREASURER’S REPORT:**

**Monthly Report:** On motion of Mr. Kilduff, seconded by Mr. Deacon and properly carried, the Treasurer’s Report was approved, subject to audit, by roll call vote as follows: Mr. Kilduff- yes, Mr. Hough-yes, Mr. Deacon-yes, Mr. Fox-yes and Chairman Rosko-yes. The Treasurer’s Report included the following: Income Statement for the Eight Month Period ending February 29, 2016; Cash Disbursements-Check Register for the period of December 9, 2015 to February 24, 2016, Cash Receipts Journal for the period of December 9, 2015 to February 24, 2016; Cash Account Balance Report as of February 29, 2016; Consulting Engineer-Cash Disbursements Journal for the period from July 1, 2015 through February 24, 2016; General Ledger Trial Balance as of February 24, 2016 and Balance Sheet dated February 29, 2016. The Board reviewed the financial condition of the District. For the first 8 months of FY2016, the District is showing a

positive balance of approximately \$4,200.00. No accounts are significantly over-expended at this point.

FY2015 Audit: The FY2015 Audit Report had been distributed prior to the District's meeting. The auditor had no comments or recommendations. After discussion, Mr. Hough moved, seconded by Mr. Fox and approved on roll call vote, to approve the audit and to make it part of the District file. Roll call vote as follows: Mr. Kilduff- yes, Mr. Hough-yes, Mr. Deacon-yes, Mr. Fox-yes and Chairman Rosko-yes.

Auditor's Invoice: Mr. Deacon moved, seconded by Mr. Kilduff and approved on roll call vote to pay the Auditor's invoice in the amount of \$5,355.00 per contract. Roll call vote as follows: Mr. Kilduff- yes, Mr. Hough-yes, Mr. Deacon-yes, Mr. Fox-yes and Chairman Rosko-yes.

Annual Pension Invoice: The Board reviewed the annual pension invoice received from the State of New Jersey. Mr. Kilduff moved, seconded by Mr. Fox and approved on roll call vote, to approve the payment of the same on or about April 1, 2016. Roll call vote as follows: Mr. Kilduff- yes, Mr. Hough-yes, Mr. Deacon-yes, Mr. Fox-yes and Chairman Rosko-yes.

## **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 February 23, 2016, the Project Status Report dated February 24, 2016 and the Performance Bonds Remaining Report as of February 29, 2016 were approved. The motion included authorization for the chairwoman to certify the 24 plans listed under the report heading: "Projects Certified 12/09/2015 through 2/24/2016." Since the December meeting, the District has received 15 new applications and 32 applications for recertification. The total number of active projects has decreased to 315. Since the December meeting 15 projects have been completed and 15 projects have been placed in dormant status. Much of this activity reflects the impact of the expiration of the NJ Permit Extension Act on December 31, 2015.

District Quarterly Report: On motion of Mr. Deacon, seconded by Mr. Kilduff, the Board approved the attached District Quarterly 251 report for the period of October 1, 2015 through December 31, 2015.

Exempt Municipality Quarterly Reports: The Board reviewed the Quarterly 251 Reports for the period of October 1, 2015 through December 31, 2015 submitted on behalf of

Andover Township and Green Township. The Board approved the reports on motion of Mr. Hough, seconded by Mr. Deacon and properly carried.

Annual Exempt Municipality Review: Mr. Lundin reported on his meetings with Andover Township officials on February 11, 2016 and with Green Township officials on February 17, 2016. Both towns have fully complied with the reporting requirements and have demonstrated that their municipal programs are comparable to that of the District. The Board noted that Andover Township received a total of 3 applications in 2015 and that Green Township had received a total of 2 applications. Mr. Kilduff moved, seconded by Mr. Fox to rate the performance of the two municipalities as “Satisfactory.” Roll call vote as follows: Mr. Kilduff- yes, Mr. Hough-yes, Mr. Deacon-recuse, Mr. Fox-yes and Chairman Rosko-yes. Mr. Deacon recused himself because he has a development project in Andover Township. On motion of Mr. Fox seconded by Mr. Hough and properly carried, the Board also rendered a finding of “Satisfactory” for Fredon Township, Frankford Township and Vernon Township. In those three municipalities, the District operates the program pursuant to an agreement with the municipality.

Board discussion/review of specific sites: Mr. Lundin briefed the Board on the following sites:

- 1) Uncertified Site-Vernon- 3 Silver Spruce Drive. The Stop Work Order remains in effect. The site suffered a slope failure/landslide during a rain event on or about October 1, 2015. The District sent a certified letter to the property owner on October 8, 2015 directing the owner to secure the site and retain an engineer. No response has been received. The property appears to be in the foreclosure process. Mr. Lundin has left messages for the legal counsel for the lender alerting them to the issues at the premises.
- 2) 284 Aggregates- WT-057M. The management of the operation has been changed. The operation is now in compliance.
- 3) Frankford Solar- FF-271: A CROC has been issued for 1 acre. The site is in compliance.
- 4) Beaver Run Solar- LA187: A CROC has been issued for 20 acres. The site is now in compliance.
- 5) 522 Kemah Lake Road. This site accepted excess material from the Branchville Sewers project. A follow-up inspection was recently conducted. The District will seek to enter into a consent agreement with the property owner to arrange for the site to be stabilized.

- 6) National Winter Activity Center- VR-901 and VR-904. This site is the reactivation of the former Hidden Valley ski area. A CROC was issued for 10 acres so as to allow the site to open and operate for the winter.
- 7) Cicerale Site- Hardyston. This is a complaint that was initially filed with the NJDEP Hotline and with the SSCC office in Trenton. NJDEP Freshwater Wetlands Enforcement is also involved. This is an agricultural site, where an owner brought in significant new fill material. The District will be requiring the owner to apply for a SESC certification for the fill area.
- 8) Truhan Site- Franklin. This involves the placement of fill near the entrance to the former Franklin Zinc mine.
- 9) Red Hook, LLC. - Wantage. This site is located at SC Route 565 and Roy Road. The property was previously utilized as agricultural land. The new owner has taken down several trees and brought heavy equipment onto the site. A Notice of Violation has been issued.
- 10) Permit Extension Act issues. Mr. Lundin noted that approximately 10 files that were subject to the NJ PEA have expired and were not recertified. They have all been placed in dormant status. Six of these projects were related to the Crystal Springs development. It was necessary for the District to issue Stop Work Orders for all projects where construction had commenced but had not been completed. .

**Agriculture-NRCS:**

Monthly Report: Mr. Schaaf presented the attached NRCS report for February 2016. There are currently 40 active Farm Bill contracts within Sussex County representing financial assistance in the amount of \$859,873.86 on 1,966.2 acres. These consist of 4 AMA contracts, 25 EQIP Contracts and 11 WHIP contracts. There are 3 remaining pending AMA applications, 10 RCCP applications and 26 EQIP applications currently under review for FY2016. Mr. Mull requested District approval of 2 farm conservation plans for properties in Andover and in Fredon. Mr. Schaaf also reviewed with the Board, a proposed Wetlands Enhancement Project for the Jorritsma property located in Lafayette Township. The property owner has waived confidentiality to allow this review. It will be necessary for the District to issue a Letter of Non-Applicability for chapter 251 for this project. Mr. Kilduff moved, seconded by Mr. Deacon and properly carried, to approve the report and to authorize the chairman to sign the conservation plans on behalf of the District.

Cooperators: Mr. Lundin indicated that since the December meeting, the following two new applications have been received for conservation assistance: a) VanWingeden- 22 acres in Frankford Township and b) Baker- 15 acres in Green Township. Mr. Kilduff

moved, seconded by Mr. Hough, and properly carried to approve the requests. Mr. Hough departed the meeting at this time (5:37 p.m.)

Sussex County Board of Agriculture: Mr. Lundin reported that he had attended the Sussex County Board of Agriculture meeting on February 22, 2016 and that he had briefed the Board on the District's activities. He also solicited suggestions for possible members of the agricultural community to possibly serve on the District Board.

**State Soil Conservation Committee (SSCC) Report:** Mr. Minch briefed the Board on the following matters:

- a) Soil Health/Compaction Standard: At its meeting on December 14, 2015, the SSCC preliminarily approved revisions to two of the existing standards. This is intended to implement the soil health provisions adopted by the Legislature approximately 4 years ago. The proposal is now at the Governor's office for review. It appears that the earliest that adoption could occur is early 2017. A discussion followed relative to the merits of the proposal. Mr. Deacon offered to serve on any SSCC committee appointed to further develop the proposal.
- b) Disaster Planning: Mr. Minch briefed the Board on the Department's planning efforts in the event of an outbreak of avian influenza in the state.
- c) Animal Waste Management Rules: Mr. Minch indicated that the re-adoption and amendment of the NJ animal waste management rules are also being reviewed by the Governor's office.
- d) Records Disposal: Mr. Minch indicated that the state had now automated the records disposal process. A discussion followed. On motion of Mr. Deacon seconded by Mr. Kilduff, and properly carried, Mr. Lundin was authorized to seek state authorization for the disposal of all District records in excess of 7 years of age (with the exception of stormwater basins) in accordance with state guidelines.
- e) Time Tracking system: Approximately 18 months ago the SSCC adopted a policy requiring all districts to implement by September 1, 2016, an automated data system to track employee time and to charge the same to the appropriate District chapter 251 file, Mr. Lundin is currently seeking proposals. A teleconference is scheduled for March 1 with our Sage Peachtree account representative. The cost of the Sage programs will be approximately \$725 per year. The Board expressed concern regarding the costs and asked Mr. Minch to provide specific details as to the minimum requirements. Mr. Minch indicated that the system does not need to be elaborate, but must accurately track expenditures.

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Old Business-(continued)

**Education:**

4 H Presentations: Mr. Lundin indicated that he has been invited to be a judge in the annual 4H Oral Presentation competition to be held this upcoming Friday evening, Feb 26, 2016.

2016 Conservation Poster Contest: The theme of this year's contest is "We All Need Trees." The entry deadline is March 18, 2016. The judging will be at the Board's March meeting.

Northern Jersey Envirothon Field Day: Mr. Lundin reported that the District will be again hosting the Envirothon Field Day on April 20, 2016.

New Jersey Envirothon: The 2016 NJ Envirothon is May 13-14, 2016 in Somerset County. The theme is "Invasive Species: A Challenge to the Environment, the Economy and to Society." Mr. Lundin and Mrs. Rosko have agreed to serve as judges. Mr. Fox also volunteered to act as a judge. Mr. Lundin noted that the NJACD has requested that each District consider donating \$500.00 toward the Envirothon. Mr. Fox moved, seconded by Mr. Kilduff and approved by roll call vote to donate \$500 to the 2016 NJ Envirothon. Roll call vote as follows: Mr. Kilduff- yes, Mr. Deacon-recuse, Mr. Fox-yes and Chairman Rosko-yes.

Reforest NJ Project: The District has agreed to once again act as a distribution point for over 5,000 seedlings to be distributed to Sussex County municipalities and residents. The trees are to be delivered to the District on April 21 and will be distributed on April 22, 2016.

NACD Urban Webinars- Mr. Lundin reported that he had participated in the NACD webinars in December, January and February. The next webinar is scheduled for March 17, 2016. Mr. Lundin urged Supervisors to participate. Supervisors can earn ½ point for their continuing educational requirements for each webinar.

**Meetings:**

NACD Urban and Community Conservation Committee: Mr. Lundin reported on his continuing participation on the NACD national policy advisory committee. He participated in teleconferences on December 18, 2015, January 15, 2016, January 30, 2016 and February 19, 2016.

Common Waters: Mr. Lundin reported that he participated in the Common Waters conference call on January 7, 2016. The next meeting is scheduled for April 7, 2016.

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Meetings (continued)

NJ District Liaison Meeting: Mr. Lundin reported on the District Liaison meeting held in Freehold on January 26, 2016.

ANJEC Trustee Retreat: Mr. Lundin reported on the ANJEC Trustee retreat held on February 20, 2016 in Pennington, NJ.

Northern NJ Supervisors Regional Meeting: Mr. Lundin reported that the Northern NJ Regional Supervisors meeting has been scheduled for April 7, 2016 in Totowa. The Supervisors expressed consternation with the location. At this point it appears that Mrs. Rosko, Mr. Fox and Mr. Kilduff will attend.

NACD Northeast Regional Meeting: The NJ Association of Districts will be hosting this meeting to be held from August 14-17, 2016. All Supervisors are being urged to attend.

North Jersey RC&D: Mrs. Rosko reported on the RC&D meeting on February 9, 2016. The Affiliation Agreement with the Musconetcong Watershed Association will probably be adopted in the near future.

**Other:**

Hough Seat: The Board briefly discussed additional options to identify a possible replacement for Mr. Hough. Mr. Lundin will attend the next SC Agricultural Development Board to seek suggestions.

Personnel Policy Manual: Mr. Lundin reported on the status of amendments/updates to the District's Personnel Policy Manual. He is using an NACD Model as a basis. He will continue to distribute draft sections for comments.

Issue re Farmland Assessment and Soil Classifications: The Board discussed the ongoing issue relative to the use of the NRCS soil maps in the determination of the tax assessment of agricultural properties. Mr. Minch and Mr. Schaaf provided the state and federal perspectives. It appears that state law requires the use of data that is over 100 years old. The current District procedure is not geared toward the use of the historical data. Legislative action will be necessary to allow the use of the modern soil survey data. After discussion, Mr. Deacon moved, seconded by Mr. Kilduff and properly carried, to suspend the District's services relative to soil productivity mapping, until such time as the Legislation is amended or additional guidance is issued by the SSCC.

February 24, 2016  
Old Business (continued)

District vehicles: Mr. Lundin reported that the District's aging vehicles had incurred over \$1,200 in repair cost since the most recent meeting. The Board reviewed the age and mileage of each of its vehicles. No action was taken.

**NEW BUSINESS:**

2015 Annual Report: Mr. Lundin noted that the 2015 Annual report had been posted on the District's website.

Eric Snyder Retirement: The Board noted the retirement of Sussex County Planning Director Eric Snyder. The current Farmland Preservation Coordinator and Open Space Coordinator, Autumn Sylvester, has been appointed as Acting SC Planner. A dinner will be held to honor Mr. Snyder on March 2, 2016. Mr. Lundin and Mrs. Rosko will represent the District.

Vacation: Mr. Lundin noted that he will be on vacation from March 18 through March 27.

**PUBLIC SESSION:**

Chairman Rosko opened the meeting to the public at 6:57 p.m. There being no one desiring to speak, the meeting was closed to the public at 6:58 p.m.

**EXECUTIVE SESSION:**

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

**ADJOURN:**

The Meeting was adjourned at 700 p.m. on motion of Mr. Deacon seconded by Mr. Kilduff and properly carried.

Respectfully submitted for Matthew Fox, Secretary/Treasurer

By Clifford R. Lundin, District Manager