

SUSSEX COUNTY SOIL CONSERVATION DISTRICT

Board of Supervisors' Meeting
November 1, 2017- 4:30 PM

District Office- 186 Halsey Road, Hampton Twp, Sussex County, NJ (Newton 07860)

NEXT MEETING: December 6, 2017 – 2:00 p.m.

SUPERVISORS PRESENT: Barbara Rosko, Philip Deacon, Matthew Fox, P.E., Natalie Burger and Richard Vohden

SUPERVISORS ABSENT: None

OTHERS PRESENT: Clifford R. Lundin-District Manager;

Chairman Rosko called the meeting to order at 4:33 p.m. declaring that adequate notice had been provided in accordance with the NJ Open Public Meetings Act. Mrs. Rosko noted that the meeting had been rescheduled from September 25, 2017.

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

ROLL CALL: A call of the roll showed that Mrs. Rosko, Mr. Deacon, Mr. Vohden and Mrs. Burger were present. Mr. Fox arrived at 4:38 p.m. A quorum was established.

MINUTES:

On motion of Mr. Deacon, seconded by Mrs. Burger and properly carried on roll call vote, the Board approved the minutes of the regular meeting of August 23, 2017. The motion was approved on the following roll call vote: Mr. Deacon-yes, Mr. Vohden- yes, Mrs. Burger-yes and Chairman Rosko-yes.

CORRESPONDENCE:

On motion of Mrs. Burger, seconded by Mr. Deacon and properly carried, the attached correspondence list was reviewed and approved for the files. All highlighted items were scheduled to be discussed on the agenda.

TREASURER'S REPORT-FINANCE:

Monthly Report: On motion of Mr. Deacon, seconded by Mr. Vohden and properly carried, the Treasurer's Report was approved, subject to audit, by the following roll call vote: Mr. Deacon- yes, Mrs. Burger- yes, Mr. Vohden-yes and Chairman Rosko- yes. The Treasurer's Report included the following items: Income Statement for the period ending October 31, 2017; Check Register for the period of August 23, 2017 to October 31, 2017; Cash Receipts Journal for the period of August 23, 2017 to October 31, 2017; Cash Account Balance Report as of October 31, 2017; Consulting Engineer-Cash Disbursements Journal for the period from July 1, 2017 through October 31, 2017; General Ledger Trial Balance as of October 31, 2017; and Balance Sheet dated October 31, 2017. The Board reviewed the financial condition of the District. For the first 4 months of FY2018, the District has experienced a deficit in the amount of \$21,200.00. He

noted however, that since the cutoff for the report that the District has received NRCS reimbursement in excess of \$6,000 thereby reducing the actual loss.

Mr. Fox arrived at this point.

FY-2017 Audit: Mr. Lundin indicated that the District auditors had completed the report and distributed a draft. A final report is expected in the immediate future. The auditors will be present at the December 6, 2017 meeting to answer any questions relative to the report.

District Financial Committee: At its June meeting the District established a committee to review the District's finances with the goal of reducing or eliminating the deficit. The committee consists of Mr. Fox and Mrs. Burger. The committee will meet after today's meeting to determine their next actions.

OLD BUSINESS

Chapter 251:

Monthly Report: On motion of Mr. Deacon, seconded by Mrs. Burger and properly carried on roll call vote, the Board approved the attached 251 Project Card Summary Sheet dated October 31, 2017, the Project Status Report dated October 31, 2017 and the Performance Bonds Remaining Report as of October 31, 2017. The motion included authorization for the chairwoman to certify the 13 plans listed under the report heading: "Projects Certified 8/23/2017 to 10/31/2017." Roll call vote as follows: Mr. Deacon- yes, Mr. Fox- yes, Mrs. Burger- yes, Mr. Vohden-yes and Chairman Rosko- yes. Since the August meeting, the District has received 14 new applications and 6 applications for recertification. The total number of active projects is currently at 304. Since the August meeting, 12 projects have been completed, 2 projects were withdrawn and 2 projects were placed in dormant status for failure to recertify. There is currently no backlog in administrative or technical review.

District Quarterly 251 Report: On motion of Mrs. Burger and Mr. Vohden and properly carried, the District Chapter 251 Quarterly report for the 1st quarter of FY-2018 (July 2017 through September 2017) was approved.

Exempt Municipality Quarterly Reports: The Board reviewed the quarterly chapter 251 reports for Green Township and Andover Township. On motion of Mr. Vohden, seconded by Mrs. Burger and properly carried, the Board approved the Chapter 251 Quarterly report for the two exempt municipalities for the 1st quarter of FY-2018 (July 2017 through September 2017.)

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

- a) Wallace- Uncertified Site-Vernon-3 Silver Spruce Drive. The District has filed a Complaint with the Vernon Municipal Court. The hearing date is set for November 14, 2017
- b) 522 Kemah Lake Road. This agricultural site remains in non-compliance. The SSCC has expressed concern relative to the lack of action on this site (See letters attached.) Mr. Lundin sought board guidance as to the next step. The Board by consensus directed Mr. Lundin to seek relief before the Sussex County Agriculture Development Board (SCADB).
- c) Kelly Farm- 98 Beemer Church Road. The District is withholding action pending resolution of the negotiations between Mr. Kelly and the NJDEP.
- d) MEM Holding, Inc. - Vernon. Mr. Lundin met with the agricultural operator and inspected the site. The site is fully stable and the enforcement file is closed.
- e) Lubbers Run Stream Restoration- HC-080. The disturbed area has been stabilized. The District continues to monitor the Lake Lackawanna inflow point after all major rainstorm events. No recent incidents have been noted. Although the site is probably ready for an ROC, the property owner and District have agreed to defer the final inspection until the spring.
- f) 17 Upper Plateau Drive- Vernon. The disturbance is less than 5,000 square feet. The enforcement file has been closed.
- g) Lafayette Village Renovations: Adequate soil erosion and sediment controls have been installed and an application filed. The enforcement file is closed.
- h) Northern NJ Veteran's Cemetery- SP-733. The site is operating pursuant to a CROC. Phase I of the site is stable except for the final paving course on the parking lot. Phase II has been deferred for several years. The file is about to expire. The operators have requested a refund of their remaining bond. After discussion, Mr. Deacon moved, seconded by Mr. Vohden to authorize the refund of the remaining bond. Roll call vote as follows Mr. Deacon- yes, Mr. Fox- yes, Mrs. Burger- yes, Mr. Vohden-yes and Chairman Rosko- yes.

Inquiry from Senator Oroho's office. Mr. Lundin indicated that he had been contacted by Senator Oroho relative to a complaint filed with the NJ Red Tape Commission by Joseph

Retz of Wantage. Mr. Retz was objecting to the soil erosion program in general and to the fees charged. At Senator Oroho's request, Mr. Lundin prepared a table of the fees for a single family home development in each of the 15 districts. The table is attached.

Possible EPA Site Inspections. Mr. Lundin noted that the District had been contacted by NJDEP seeking suggestions for possible sites to be inspected by the USEPA Region II as part of their annual audit of the RFA/5G3 program. There were no sites within the county that met the criteria provided.

Citizen complaints re a pending Hampton Site. Mr. Lundin briefed the Board on a proposal approved by the Hampton Zoning Board for a 450+ parking lot for an auto dealership. There is no pending application before the District at this time.

Agriculture-NRCS:

Monthly Report: Mr. Mull was not in attendance due to the change in meeting dates.

Cooperators: Since the August 23, 2017 meeting, the District has received one application for conservation assistance. This was from Richard Kawese for a preserved property located at 1339 Route 23 in Wantage. The applicant has a 72 acre site and is seeking assistance in developing a farm conservation plan. Mr. Deacon moved, seconded by Mr. Fox to approve the application and to forward the request to NRCS.

SC Board of Agriculture: Mrs. Burger reported on the activities of the SCBA. This included the annual dinner and election of officers on October 23, 2017.

SC Agricultural Development Board: No report.

FRPP Program: Mr. Lundin reported that the District has been fully reimbursed by NRCS for the 2017 work under this contract. He requested Board approval of his voucher for mileage associated with the program. Mr. Deacon moved, seconded by Mrs. Burger to approved payment of the voucher in the amount of \$248.99. Roll call vote as follows: Mr. Deacon- yes, Mr. Fox- yes, Mrs. Burger- yes, Mr. Vohden-yes and Chairman Rosko- yes.

Brodhecker/Hampton dispute. Mr. Lundin reported that the SADC has directed the SC ADB to conduct additional hearings on the Brodhecker application for Right to Farm protection. The District had been involved in this issue several years ago when one of the objectors sued the District seeking to compel enforcement of certification requirements on a previously constructed barn structure.

Conservation Cost Share Grants The NJ Legislature has recently provided \$500,000 in funding to the SADC to reactivate the conservation cost share program. Mr. Lundin

indicated that Board approval will be required for all applications. Lands preserved with a permanent agricultural easement are the proposed priority target for the program.

Letter from William Gettler. The Board is in receipt of a letter from Mr. Gettler seeking an update relative to use of soils data to determine productivity for us in farmland assessment. There have been no changes at the state level. Legislative action is required.

State Soil Conservation Committee (SSCC) Report: Mr. Minch was not in attendance. Mr. Lundin reported on the following items.

- a) Soil Health/Compaction regulations. The proposed regulations were adopted by the SSCC at the June 12, 2017 meeting. The effective date is December 7, 2017. The SSCC is expected to discuss the implementation in detail at its meeting on November 2, 2017. Training sessions for municipal officials (exempt municipalities) and for consulting design engineers have been scheduled for November 8 and 29 in Freehold. The Board agreed to pay the cost (\$40.00) for Supervisor Fox to attend the training session.
- b) NJAC 2:90 regulations. The regulations governing the Chapter 251 program are due to expire. The SSCC had originally intended to seek several minor revisions. Due to time restraints, the SSCC is now expected to vote on November 2, 2017 to authorize the extension without change. Included with the reauthorization are the procedural regulations for the conservation cost share program previously discussed.
- c) Time Tracking System. Mr. Lundin indicated that he is still awaiting a proposal from the District's website manager to establish a time tracking system using an Excel spread sheet.
- d) Liaison meeting. Mr. Lundin noted that the SSCC had postponed the October 19 liaison meeting. All topics are expected to be discussed at the NJACD Annual Conference to be held on November 2, 2017.
- e) NJACD Annual Awards Program: Mr. Lundin noted that the District had joined with the Morris District in nominating PSE&G for the Developer of the Year award for work in connection with the 500 line power transmission facility. The award is expected to be presented at the NJACD Annual Conference on November 2, 2017.

Education:

2018 NJ Envirothon: The 2018 NJ Envirothon has been scheduled for May 4-5, 2018 at Camp Grice within Camp Roosevelt in Elmer NJ. The 2018 Northern NJ Envirothon Training program has been tentatively set for April 24, 2018 at Swartswood State Park.

2018 Conservation Poster Contest: Mr. Lundin noted that the theme is Watersheds-Our Water, Our Home. A copy of the announcement bulletin is attached. Mr. Deacon moved, seconded by Mr. Vohden and properly carried, to authorize the District to participate in the contest.

Other:

Mr. Lundin participated in a Webinar on 9/19 on “Forest Management in a Changing Climate” sponsored by the Common Waters project.

Mr. Lundin attended a Rutgers Extension Course relative to the NJ Stormwater Regulation held on 9/22/2017. His certificate of completion is attached.

Mr. Lundin attended a course in Cyber Security held on 10/16/2017

As previously discussed, Mr. Fox will attend the training session on the Revised Standards on behalf of the District. The session will be held on 11/8/2017 in Freehold.

Meetings:

NACD Urban and Community Conservation Committee: Mr. Lundin reported on his participation in the National Association of Conservation Districts (NACD) Urban and Community Conservation (UCC) Resource Policy Group (RPG.) The group most recently met by teleconference on September 15 and on October 20. The group is currently overseeing 72 national grants to improved District capacity in urban areas.

Common Waters: The next meeting has been scheduled for November 30, 2017 at Grey Towers. Mr. Lundin invited Board members to participate in the meeting.

Hyper Humus Site Restoration: Mr. Lundin was unable to attend the site hike on October 21, 2017.

NJACD Annual Meeting: Mr. Deacon, Mr. Vohden, Mrs. Burger and Mr. Lundin are scheduled to attend the meeting to be held on November 2, 2017.

2018 NACD Annual Conference: Mr. Lundin advised the Board that the 2018 NACD National meeting is scheduled for Opryland outside of Memphis TN.

North Jersey RC&D: The Technical Advisory Committee (TAC) met on October 12, 2017. Mrs. Rosko and Mr. Lundin attended. The next meeting will be scheduled in January. The group has determined to hold quarterly meetings.

Other Old Business:

Office Maintenance. Mr. Lundin noted that the District has purchased two used lateral filing cabinets to replace older damaged units. Mr. Lundin also noted that he has arranged for the replacement of all lights bulbs and the cleaning of all light fixtures. The work will be done on Saturday November 4, 2017.

NJACD Dues: On motion of Mr. Fox seconded by Mr. Vohden, and approved on a roll call vote of 4-1, the Board approved the payment of the invoice of the NJACD for the District's 2017 dues in the amount of \$750. Roll call vote as follows: Mr. Deacon- no, Mr. Fox- yes, Mrs. Burger- yes, Mr. Vohden-yes and Chairman Rosko- yes.

NACD Dues: On motion of Mr. Fox seconded by Mrs. Burger, and approved on a roll call vote of 5-0, the Board approved the payment of the invoice of the NACD for the District's 2017-2018 dues in the amount of \$775.00. Roll call vote as follows: Mr. Deacon- no, Mr. Fox- yes, Mrs. Burger- yes, Mr. Vohden-yes and Chairman Rosko- yes.

NEW BUSINESS:

December Meeting: The December meeting typically consists of a Holiday Luncheon. By consensus the Board agreed to hold the meeting at 12:00 p.m. on Homer's Restaurant in Andover Township.

PUBLIC SESSION:

Chairman Rosko opened the meeting to the public at 5:52 p.m. There being no one desiring to speak, the meeting was closed to the public at 5:52 p.m.

EXECUTIVE SESSION:

Mr. Deacon moved, seconded by Mr. Vohden to go into executive session for the purpose of discussion of personnel matters. Roll call vote as follows: Mr. Deacon- yes, Mr. Fox- yes, Mrs. Burger- yes, Mr. Vohden-yes and Chairman Rosko- yes. The Board returned from Executive Session at 6:15 p.m.

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(Continued)

The Meeting was adjourned at 6:16 p.m. on motion of Mr. Deacon seconded by Mr. Vohden and properly carried.

Respectfully submitted for Philip Deacon, Secretary/Treasurer

By Clifford R. Lundin, District Manager