

**SUSSEX COUNTY SOIL CONSERVATION DISTRICT**

Board of Supervisors Meeting

February 17, 2010

2:00 PM SCSCD Office – Conference Room

186 Halsey Road, Suite 2, Newton, NJ

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**NEXT MEETING:** March 24, 2010–2:00 PM – SCSCD Office (Conference Room)

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**SUPERVISORS PRESENT:** Barbara Rosko, Phillip Deacon, Fred Hough, Walter Ricker, and Winifred Straub

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**SUPERVISORS ABSENT:** None

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**OTHERS PRESENT:** Clifford R. Lundin-District Manager, Frank Minch- State Soil Conservation Committee, Jim Wick- Natural Resource Conservation Service, Michael Morel.

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Chairman Rosko called the meeting to order at 2:00 p.m. declaring that adequate notice has been provided in accordance with the Open Public Meetings Act.

The members joined in a salute to the flag.

**MINUTES**

On motion by Mr. Hough, seconded by Mr. Deacon and properly carried, the minutes of the regular meeting of January 20, 2010 were approved with minor corrections.

**CORRESPONDENCE**

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

**TREASURER’S REPORT**

On motion by Mr. Ricker seconded by Mrs. Straub and properly carried, the Treasurer’s Report was approved, subject to audit by Roll Call as follows: Mr. Deacon- yes, Mr. Hough – yes, Mr. Ricker – yes, Mrs. Straub- yes, Mrs. Rosko – yes. The Treasurer’s Report included the following: Cash Disbursements Check Register from January 20, 2010 to February 17, 2010, Cash Receipts Journal from January 20, 2010 to February 17, 2010, Income Statement for the eight month period ending February 28, 2010; Cash Account Balance Report as of February 17, 2010; Consulting Engineering Journal- Cash Disbursements Journal from July 1, 2009 to February 17, 2010, General Ledger Trial Balance as of February 17, 2010 and Balance Sheet dated February 17, 2010. Mr. Lundin reviewed for the Board, the financial condition of the District.

**OLD BUSINESS**

**Chapter 251** – On motion by Mr. Hough, seconded by Mrs. Straub and properly carried the Project Card Summary Sheet dated 2/17/2010, the Project Status Report dated

February 17, 2010, and the Performance Bonds Report of February 17, 2010 were approved.

The Board also discussed the following 251 matters:

- a) Problem sites.
  - 1) Branchville Properties: The Stop Work Order remains in effect.
  - 2) Conti Property- Hopatcong. The Hopatcong Zoning Officer requested our assistance concerning an uncertified site in Hopatcong located at 18 Lakeside Boulevard. A Stop Work Order has been issued.
  - 3) Haubrich site- Branchville. Another Notice of Violation has been issued. The project contractor has been changed. The District continues to monitor the site on a weekly basis.
  - 4) Fairclough Farm- Hampton. A neighbor has complained relative to large soil stockpiles on this preserved farm. The owner has submitted a letter to certifying that the material is for agricultural use.
  - 5) Underground Tank Remediation- Wantage. The District inspection staff discovered this uncertified site, funded through federal stimulus remediation funds. The contractor initially anticipated that the area of disturbance would be less than 5,000 square feet. The actual area of disturbance is much larger. After consultation with Mr. Minch, the project may continue, but the contractor will be directed to submit an application for certification.
  - 6) Jobeless site- Hopatcong. This uncertified site was initially discovered as part of the District's exempt municipality review in January 2008. The disturbance was reported to the Borough Engineer and Construction Official who promised action. No action was undertaken and the disturbance continues. The disturbance appears to be in a freshwater wetland area. A District Notice of Violation was issued on January 22, 2010. The applicant has responded by challenging the District's jurisdiction and claiming that Manager Lundin has a conflict of interest because he owns property in the area. Mr. Lundin's property is more than 200 feet from the site. The District has also reported the fill to NJDEP-Coastal and Land Use Enforcement. To avoid any appearance of impropriety, Mr. Minch agreed that the SSCC would assume enforcement jurisdiction over the site.
  
- b) Fee Schedule revision. The amended fee schedule adopted at the January meeting was submitted to the SSCC. Some members of the SSCC have expressed concern relative to the language of the footnote relative to the Administrative Fee. On motion of Mrs. Straub, seconded by Mr. Ricker and properly carried, the Board adopted a revised fee schedule with minor language amendments as attached hereto.

- c) Performance Bonds. Mr. Lundin indicated that over the past month, he had reviewed all active performance bonds. All remain in an incomplete status. He is working with the Sparta Township Engineer in relation to the three bonds at the Sparta Meadows site.
- d) Performance Bond language. Mr. Lundin distributed a proposed Agreement for use with bond requests. The revision addresses several vague areas of the current language. The Board was asked to review the language and provide comments by February 24, 2010.
- e) Exempt Municipalities. Mr. Lundin reported that he has scheduled appointments with Andover Township for February 24, 2010 and with Green for March 4, 2010. He has not yet scheduled the meeting with Wantage Township.
- f) Notice to RFA Permittees. Mr. Lundin discussed the ongoing USEPA inspection program for RFA sites. Mr. Deacon reported one of his building sites in Montague had been inspected. The District has prepared a letter to all RFA permittees informing them of the possibility of EPA inspections and reminding them that the RFA contains requirements above and beyond the requirements of the chapter 251 Soil Erosion and Sediment Control plans.

**Agriculture-NRCS** – Mr. Wick was present on behalf of NRCS. The new District Conservationist, Dan Mull will commence work in Hackettstown on March 1, 2010. Mr. Wick provided the attached report to the Board. He requested approval of 3 Conservation Plans and one reimbursement under the State Cost Share Program. The Board approved the report on motion of Mr. Ricker, seconded by Mr. Hough and properly carried.

**SSCC Report:** Mr. Minch reported on the following matters.

- a) State Budget. There have been no new developments. He anticipates that additional cuts may be forthcoming.
- b) Standards Committee. The SESC Standards are currently under review. The SSCC must readopt the standards by no later than June. There have been extensive comments submitted relative to soil health and soil compaction.
- c) Chapter 251 Regulations. The overall program regulations are schedule to “sunset” next year. Mr. Lundin has agreed to serve on a Committee to review the current regulations.
- d) Permit Extension Act. Mr. Lundin distributed to the Board a copy of Mr. Minch’s guidance memo relative to the Permit Extension Act. The Board on motion of Mr. Ricker and Mrs. Straub and properly carried, determined that for 2010, applicants falling under the PEA will be charged the full inspection

portion of the District fee, subject to a file audit confirming all prior fees had been exhausted.

- e) Outside Activities Form. All District employees have been required to submit updated "Requests for Outside Activity" forms. The requirement does not apply to Supervisors. On motion of Mr. Deacon, seconded by Mrs. Straub and properly carried, the Board approved the forms for all 5 district employees.

### **Education**

- a) No Net Loss. Mr. Lundin reported that Mr. Eckert had attended the "No Net loss" training on February 9, 2010 and is fully certified.
- b) Flower Show. The NJACD is participating in the Flower Show to be held on February 18-21 in Edison, NJ.
- c) Envirothon Training: Mr. Lundin indicated that the North Jersey Training Session for the 2010 Envirothon will be held on April 21, 2010 at Swartswood State Park. Mrs. Straub has agreed to coordinate the training session.
- d) Envirothon: Mr. Lundin reported that the 2010 NJ Envirothon is scheduled for May 7-8 in Gloucester County. The District is in receipt of a letter from Louise Davis, President of the NJACD requesting each District to donate \$500.00 to the Envirothon. On motion of Mr. Deacon, seconded by Mr. Hough, and properly carried by a roll call vote, the District agreed to a \$500.00 donation toward the 2010 NJ Envirothon.
- e) New Supervisor Training. The NJACD is sponsoring a training session for new supervisors on April 17, 2010. Mr. Lundin will be teaching a number of the sessions.
- f) Project Soil. The District is in receipt of a RFP from the NJACD seeking a coordinator to pilot the use of the soil curriculum. The District determined not to submit a proposal due to personnel limitations.

### **Meetings**

- a) NACD National. Mrs. Straub and Mr. Lundin attended the 2010 NACD Annual Meeting in Orlando, Florida from January 30 to February 3. Mrs. Straub reported on the Envirothon sessions and the general meeting sessions. Mr. Lundin reported that he had presented two papers at the conference.
- b) NACD Regional. The 2010 Northeast Regional NACD Meeting has been scheduled for August 8- August 11, 2010 in Portland Maine.
- c) Soil Health. Mr. Lundin has been previously approved to attend the NJACD Soil Health Conference on March 9, 2010 in Burlington County.

**Lake Owassa Property:** Mr. Lundin reported that he is preparing comments on the draft Agreement for consideration by the Board.

**Nominating Committee:** Mr. Lundin indicated that he had spoken to the members of the Nominating Committee and all have agreed to serve. He requested guidance from the Board for advertising the vacancy. The Board directed him to prepare a press release for publication in area newspapers.

### **NEW BUSINESS**

**Cooperators** – The Board is in receipt of a request for assistance for the property of Raj Sinha in Sandyston Township. The request was incomplete. The Board approved the request contingent upon the applicant's submission of a complete application.

**NACD Urban and Community Conservation Resource Policy Group.** Mr. Lundin reported that he had been appointed to the NACD Urban Committee to represent the National Conservation District Employee's Association.

**Open Public Records Act** Mr. Lundin reported on a recent lawsuit involving Sussex County that invalidated the standard OPRA photocopy fees and instead imposes a requirement for a governmental agency to annually evaluate its photocopy costs and to establish OPRA fees in relation thereto. Mr. Minch took a copy of the opinion for referral to the Attorney Generals Office.

### **PUBLIC SESSION**

Ms. Rosko opened the meeting to the public at 4:20 PM. Having no one come forward the meeting was closed to the public.

**EXECUTIVE SESSION.** An Executive Session was not necessary

### **ADJOURN:**

The Meeting was adjourned at 4:25 p.m. on motion of Mr. Deacon seconded by Mr. Ricker and properly carried.

Respectfully submitted for Walter C. Ricker, Secretary

By Clifford R. Lundin