

SUSSEX COUNTY SOIL CONSERVATION DISTRICT

Board of Supervisors Meeting

April 28, 2010

7:30 PM SCSCD Office – Conference Room

186 Halsey Road, Suite 2, Newton, NJ

NEXT MEETING: May 26, 2010–7:30 PM – SCSCD Office (Conference Room)

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

SUPERVISORS ABSENT: Fred Hough

OTHERS PRESENT: Clifford R. Lundin-District Manager, Dan Mull- USDA Natural Resources Conservation Service.

Chairman Rosko called the meeting to order at 7:35 p.m. declaring that adequate notice has been provided in accordance with the NJ Open Public Meetings Act.

The members joined in a salute to the flag.

MINUTES

On motion by Mr. Deacon, seconded by Mrs. Straub and properly carried, the minutes of the regular meeting of March 24, 2010 were approved. Mr. Ricker had not yet arrived at the meeting and did not vote on this item.

Mr. Ricker arrived at 7:40 p.m.

CORRESPONDENCE

On motion by Mr. Ricker, seconded by Mrs. Straub 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. Deacon, seconded by Mrs. Straub and properly carried, the Treasurer's Report was approved, subject to audit, by Roll Call vote as follows: Mr. Deacon- yes, Mr. Ricker – yes, Mrs. Straub- yes, Mrs. Rosko – yes. The Treasurer's Report included the following: Cash Disbursements-Check Register from March 24, 2010 to April 28, 2010, Cash Receipts Journal from March 24, 2010 to April 28, 2010, Income Statement for the ten month period ending April 30, 2010; Cash Account Balance Report as of April 28, 2010; Consulting Engineering- Cash Disbursements Journal from July 1, 2009 to April 28, 2010, General Ledger Trial Balance as of April 28, 2010 and Balance Sheet dated April 30, 2010. Mr. Lundin reviewed for the Board, the financial condition of the District.

OLD BUSINESS

Chapter 251 – On motion by Mr. Deacon, seconded by Mrs. Straub and properly carried the Project Card Summary Sheet dated 4/26/2010, the Project Status Report dated April 28, 2010, and the Performance Bonds Report of April 28, 2010 were approved.

On motion of Mr. Deacon, seconded by Mrs. Straub and properly carried, the Board approved the Quarterly 251 reports for the District and for Green Township and Andover Township.

Mr. Lundin reported that the SSCC had approved the District's revised fee schedule at its meeting of April 12, 20-10. The revised fee schedule was put into effect on April 15, 2010.

The Board also discussed the following SESC problem sites:

- 1) Eagles Nest. SP-125, SP-125B, SP-125C. A combined Notice of Violation/Stop Work Order was issued on April 9, 2010. The District is in receipt of a progress report from the project engineer. The District is also in receipt of a letter from counsel for the property owner asserting that the cause of the slide was a water diversion from another adjoining property owned by Blochinger. The District has also issued a NOV for the Blochinger site.
- 2) Sparta Meadows.SP-555A. The District has three bonds for various aspects of the site. Mr. Lundin and Mr. Eckert met at the site with the Sparta Township Engineer, Eric Powell. Sparta is taking action for other incomplete items under their bond. Mr. Lundin proposed to allow Sparta to take the lead role. The District will contribute to Sparta, towards the cost for final stabilization to the extent of the balance remaining on our CROC bonds. The Board approved this action by motion of Mrs. Straub, seconded by Mr. Deacon and properly carried by roll call vote: Mr. Deacon- yes, Mr. Ricker – yes, Mrs. Straub- yes, Mrs. Rosko – yes.
- 3) Farley FL-125. The District issued a Stop Work Order on January 23, 2008. The developer has apparently walked away from the site and has abandoned the two homes under construction. The developer has not responded to a District letter of March 3, 2010. The developer owes the District \$2,776 in enforcement costs. The certification has expired. The Board directed Mr. Lundin to attempt to contact the lender for the site to determine the status of the site.

- 4) 284 Aggregates- WT-057M. The certification expired on June 2009. To date, an approvable plan has not been submitted. Recent inspections show continuing problems at the site, including an uncontrolled discharge to a possible wetland and to the Wallkill National Wildlife Refuge. The owner has requested an extension until May 5, 2010 to submit all materials. On motion of Mrs. Straub, seconded by Mr. Ricker and properly carried, the Board authorized the issuance of a Stop Work Order, at any point after May 5, 2010 upon a finding by the Manager and Chairman that adequate progress is not being made. The motion was adopted on the following roll call vote: Mr. Deacon- abstain, Mr. Ricker – yes, Mrs. Straub- yes, Mrs. Rosko – yes.

- 5) Sussex County Route 620-Sparta Glen Slope Restoration Project- SP-503. Mr. Lundin outlined the current status of the slope at the Sparta Glen road reconstruction. This work was completed in 2003 but was never finally approved by the District. The District staff has continuing concerns relative to areas of minimal or no vegetation on the slope and the number of rills and gullies on the hillside. On motion of Mr. Deacon, seconded by Mr. Ricker and properly carried, the Manager and Chairman were authorized to send a letter to the Freeholder Director addressing the District's concerns.

Agriculture-NRCS – Mr. Mull provided the attached report to the Board. The Board approved the report on motion of Mr. Deacon, seconded by Mrs. Straub and properly carried. The Board and Mr. Mull discussed various aspects of solar energy and financial assistance to agricultural producers.

SSCC Report: Mr. Minch was not present. In his absence Mr. Lundin provided the following report:

- a) Soil Stewardship Week. Governor Christie has proclaimed April 25-May 2, 2010 as Soil and Water Stewardship Week.
- b) Letter from Secretary Fisher. The District is in receipt of a letter from NJDA-Secretary Douglas Fisher relative to several legislative proposals. The Secretary is urging the Districts to coordinate their comments on the various items of legislation.

Education

- a) Envirothon Training: Mr. Lundin reported on the North Jersey Training Session for the 2010 Envirothon on April 21, 2010 at Swartswood State Park. Mrs. Straub coordinated the session and Mr. Lundin and Mrs. Rosko participated. Three schools, six teams and thirty students were present.

- b) Envirothon: Mr. Lundin reported that the 2010 NJ Envirothon is scheduled for May 7-8 in Gloucester County. Mrs. Straub, Mrs. Rosko and Mr. Lundin have agreed to act as judges for the oral presentations and will be attending at district expense.
- c) New Supervisor Training. Mr. Lundin reported on the training session for new supervisors that was held on April 17, 2010. 20 supervisors were in attendance representing 10 districts. Mr. Lundin taught a number of the sessions.
- d) SC Farm and Horse Show/NJ State Fair- August 7-15. The Board is in receipt of a letter from the Sussex County Administrator inviting us to participate in the Fair through a display. In the past the District has had a display in the County Building as well as at the greenhouse The Board debated the merits of the display and determined to have one display at the County Building.
- e) Hampton Cub Scouts. Mr. Lundin reported he made a presentation to a den of 15 Cub Scouts at the McKeown School in Hampton on April 26, 2010.

Meetings

- a) NJACD Northern Regional Meeting- April 6, 2010. Mr. Hough, Mrs. Rosko, Mrs. Straub and Mr. Lundin participated in the Northern NJ Regional Supervisors meeting in Mountain Lakes, NJ.
- b) NACD Regional Meeting. The 2010 Northeast Regional NACD Meeting has been scheduled for August 8- August 11, 2010 in Portland Maine.
- c) NACD – Urban Committee. August 1-3, 2010. Mr. Lundin has been invited to attend the NACD Urban and Community RPG meeting in Columbus, Ohio from August 1-3, 2010 at NACD expense. The Board approved his participation on District time. The District will not provide travel costs.

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

Supervisor Reappointments: Mr. Lundin reported that the State Committee at its meeting of April 12, 2010 had reappointed Mrs. Rosko and Mr. Ricker for an additional 3 year term. The terms are being converted to a calendar year cycle so the new terms will run from July 1, 2010 through December 31, 2013.

Supervisor Vacancy: Mr. Lundin reported that the SSCC at its April 12, 2010 meeting took no action on the appointment for the un-expired term created by the resignation of

Supervisor vacancy continued:

Mr. Deacon. This was due to the disagreement between the District Board and the District Nominating Committee as to the preferred nominee. The SSCC returned the nomination to the Board and its Nominating Committee to reach agreement on a preferred nominee. Mr. Lundin and Mr. Minch (of the SSCC) spoke with the Nominating Committee chair, Donna Traylor. Ms. Traylor polled the Nominating Committee and the Committee has determined to change its preferred candidate to James Kilduff. A letter from the Nominating Committee confirming that recommendation has been forwarded to the SSCC. It is unclear if the SSCC Executive Committee can act on the nomination or if the nomination must wait until the next SSCC meeting on July 12, 2010. Mr. Deacon indicated that he could remain on the Board until the nominee was approved.

Pierson v. SCADB and SCSCD Mr. Lundin visited the site with the attorney retained by the District's insurance carrier. The attorney has filed a Motion to Dismiss based upon Mr. Pierson's failure to comply with Tort Claims Notice Act. The Motion is scheduled for action in Superior Court on April 30, 2010. Mr. Lundin was also interviewed by the attorney retained by the insurance carrier for Sussex County.

NEW BUSINESS

Cooperators – The Board is in receipt of a three requests for assistance from the following property owners:

- a) Donald Weiss- Vernon Township
- b) Eric Brex- Sandyston Township and
- c) Charles Featherstone- Wantage Township

The requests were approved on motion of Mr. Deacon and Mr. Ricker and properly carried.

PUBLIC SESSION

Ms. Rosko opened the meeting to the public at 8:35 p.m. Having no one come forward the meeting was closed to the public.

ADJOURN:

The Meeting was adjourned at 8:36 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