

SUSSEX COUNTY SOIL CONSERVATION DISTRICT

Board of Supervisors Meeting

February 16, 2011

2:00 PM SCSCD Office – Conference Room

186 Halsey Road, Suite 2, Newton, NJ

NEXT MEETING: March 23, 2011–2:00 PM – SCSCD Office (Conference Room)

SUPERVISORS PRESENT: Barbara Rosko, Walter Ricker, Winifred Straub and James Kilduff.

SUPERVISORS ABSENT: Fred Hough

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

Chairman Rosko called the meeting to order at 2:00 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.

The members observed a moment of silence in honor of deceased SCSCD employee, Joseph Baysa and in honor of Warren Welsh and Arthur Kleindienst.

The members congratulated Mr. Kilduff on his appointment as Administrator of the Borough of Franklin.

MINUTES

On motion by Mr. Ricker, seconded by Mrs. Straub and properly carried, the minutes of the regular meeting of December 8, 2010 and Executive Session of December 8, 2010, were approved.

CORRESPONDENCE

On motion by Mr. Ricker, seconded by Mrs. Straub and properly carried, the attached two correspondence lists were reviewed and approved for the files. Special attention was given to the highlighted items.

TREASURER’S REPORT

On motion of Mrs. Straub, seconded by Mr. Kilduff and properly carried, the two sets of Treasurer’s Reports (Jan and Feb) were approved, subject to audit, by Roll Call vote as follows: Mr. Ricker – yes, Mrs. Straub- yes, Mr. Kilduff- yes and Mrs. Rosko- yes. The Treasurer’s Report included the following: Income Statement for the Seven and Eight Month Periods ending January 31, 2011 and February 16, 2011, Cash Disbursements-Check Register from December 8, 2010 to January 26, 2011 and from January 26, 2011 to February 16, 2011, Cash Receipts Journal from December 8, 2010 to January 26, 2011 and from January 26, 2011 to February 16, 2011, Cash Account Balance Reports as of January 26, 2011 and February 16, 2011, Consulting Engineers- Cash Disbursements Journal from July 1, 2010 to January 26, 2011 and to February 16, 2011, General Ledger

Trial Balance as of January 26, 2011 and February 16, 2011 and Balance Sheet dated January 31, 2011 and February 28, 2011.

The Board reviewed the financial status of the District. The District operated at a \$27,000.00 loss for the first 8 months of FY 2011. All expense items are currently under budget except auto repairs. Several recertifications are due within the next month that should improve the financial situation.

Mr. Lundin reported that the Board had received a check from the Agway Liquidation Trust. One final payment may be coming before the end of this calendar year. At that point the District must adopt a resolution recognizing the loss on the investment.

OLD BUSINESS

Chapter 251

Monthly Report. On motion by Mr. Ricker, seconded by Mr. Kilduff and properly carried the attached 251 Project Card Summary Sheets dated January 26, 2011 and February 16, 2011, the Project Status Reports dated January 26, 2011 and February 16, 2011 and the Performance Bonds Reports dated January 26, 2011 and February 16, 2011 were approved.

Quarterly Reports. The Board reviewed the Quarterly 251 Report for the District, for Andover Township and for Green Township for the period ending December 30, 2010. The reports were approved on motion of Mr. Ricker, seconded by Mr. Kilduff and properly carried.

Wantage Township. Mr. Lundin reported 14 project files were transferred from Wantage Township to the District effective January 1, 2011. To date, 4 have submitted applications, 2 have called to indicate that their project is completed and 8 remain outstanding. Warning letters have been sent to all delinquent applicants.

Problem sites. The Board also discussed the following SESC problem sites:

- 1) Eagles Nest. SP-125, SP-125B, SP-125C. Mr. Lundin reported that his December inspection revealed that Eagles Nest failed to implement many of the agreements from the September meeting. An additional small landslide has occurred. Revised plans have been submitted which are currently under review.

- 2) Jobeless site- Hopatcong. Mr. Minch has again promised to consult with the SSCC-DAG and take necessary action.
- 3) Whispering Woods- VR-748, VR-748A. The recertifications have been issued.
- 4) Falcon Ridge. HB-039. The certification has expired. Mr. Lundin met with Mr. Ambrosio last week. The applicant will recertify in phases.
- 5) Sparta Meadows- SP-555A. The certification has expired and the performance bonds have been depleted by the administrative fees. Mrs. Straub moved, seconded by Mr. Kilduff to adopt the attached Resolution closing the project and transferring the bond funds to the District treasury. Roll call vote as follows: Mr. Ricker- yes, Mrs. Straub- yes, Mr. Kilduff- yes and Mrs. Rosko- yes.

Exempt Municipalities: Mr. Lundin reported that he had met with representatives of Andover and Green Townships to review their performance during the 2010 calendar year. He recommends that the Board rate both municipalities as “satisfactory.” Mrs. Straub moved, seconded by Mr. Kilduff and properly carried to adopt Mr. Lundin’s recommendations and to submit the reports to the State Soil Conservation Committee.

Agriculture-NRCS

- a) NRCS report. Mr. Mull provided the attached report to the Board. The Board approved the report on motion of Mr. Ricker, seconded by Mr. Kilduff and properly carried.
- b) Cooperators. Requests for conservation assistance were received from Francis Bruno for a 26 acre farm in Sparta and from Salvatore Torre for a 150 acre farm in Lafayette. The Conservation Agreements were approved on voice vote on motion of Mr. Ricker and Mrs. Straub.
- c) New NJ State Conservationist. Mr. Mull reported on the appointment of Donald J. Pettit as the new NRCS State Conservationist for NJ.

SSCC Report: In the absence of Mr. Minch, Mr. Lundin briefed the Board on the following matters

- a) Fertilizer Bill. The NJ Legislature has adopted and Governor Christie has signed legislation establishing statewide fertilizer regulations. Districts at their option can act as enforcement agencies. The SSCC must adopt standards for fertilizer for new construction projects.

- b) Soil Restoration Bill. The NJ Legislature has adopted and Governor Christie has signed legislation requiring all Soil Erosion and Sediment Control Plans to include a component to restore the health of soils under development to pre-development conditions. The SSCC has a 13-month time period to develop regulations to implement the new law.
- c) Tort-Liability Issue. Mr. Lundin distributed two Attorney General Memos dealing with tort liability of District Supervisors. District Supervisors are considered employees of both the State and the District. The State tort claims law protects District Supervisors as long as they are acting within the scope of their duties. This applies regardless of whether or not they are compensated.
- d) White Paper. Mr. Lundin distributed a White Paper prepared by the SSCC that provides talking points as to the benefits of Districts to NJ.
- e) Single Family Exemption. Mr. Lundin reported that he has been appointed to a committee to review the implementation of the Single Family exemption provisions of the Soil Erosion and Sediment Law.
- f) NJ Transparency Report. Mr. Lundin summarized a report by the State Comptroller evaluating the On-Line Transparency of NJ's Local Authorities and Commissions. This included all 15 Districts. The SSCC is expected to issue guidance to Districts at its March meeting. The District can probably expect a requirement to expand the information posted on its website. This will probably include: budgets, audits, minutes, and agenda.
- g) Outside Activity Questionnaires. The Board reviewed the Outside Activity Questionnaires for all employees. By motion of Mr. Ricker, seconded by Mrs. Straub and properly carried, the Board authorized Mr. Lundin to submit the same to the SSCC.

Education:

- a) 2011 North Jersey Envirothon Training. The North Jersey training session has been moved to Liberty State Park to facilitate review of this year's theme of Estuaries. The Envirothon competition remains scheduled for May 7, 2011 in Bergen County.
- c) Dirt-The Movie. Mr. Lundin reported that the USDA-NRCS has supplied each District with a DVD called "Dirt- The Movie." The District sent a letter to all Sussex County School Districts advising of the availability of the movie. To date, five schools have requested to use the DVD.

- d) NJACD Education Council. Mr. Lundin reported that Mrs. Rosko has been appointed as Chairman of the Educational Council.
- e) Flower Show: Mr. Lundin indicated that the NJACD is sponsoring a display at the Flower Show to be held February 18-21 in Edison.

Meetings

- a) NACD Leadership Training. Mr. Lundin reported that he and Mrs. Rosko had attended the NACD Conservation Partnership Leadership Training session in Louisville, Kentucky from December 13-15, 2010. Mrs. Rosko represented the RC&D. Mr. Lundin represented the NJCDEA.
- b) Partnership Meeting- December 17, 2010. Mr. Lundin briefed the Board on the NJ Conservation Partnership meeting held on December 17, 2010 in Freehold.
- c) NACD Annual Meeting- Nashville. Mr. Lundin provided a report to the Board on his participation at the NACD National Meeting held in Nashville from January 28 to February 3, 2011.
- d) Northern NJ Supervisors Meeting. Mr. Lundin reported that the Northern NJ Supervisors meeting has been scheduled for April 20, 2011 in Mountain Lakes.
- e) Northeast Regional NACD Meeting. Mr. Lundin reported that the 2011 Northeast NACD meeting is scheduled for August 7 through August 9, 2011 in Plymouth Massachusetts.

Other Old Business:

- a) Clean Waters Initiative. Mr. Lundin distributed a press release relative to a Forestry Initiative funded by the Pinchot Institute. The District will provide local resources for the project. A contract providing for reimbursement to the District will be forthcoming.
- b) NACD Urban Policy Group. Mr. Lundin provided the Board with a summary report of his activities with this group during calendar year 2011. He has been reappointed to the group to represent the National Conservation District Employees Association. (NCDEA) for 2011.

NEW BUSINESS

Forestry Grant. Mr. Lundin briefed the Board on a grant application to enhance District Forestry Capacity. The grant applicants are the Nature Conservancy, the Warren County SCD and the Sussex County SCD. The application was submitted to NJDEP for pass-through funds available from the US Forest Service. The proposed grant would allow the District to hire a part time forester to provide services to private woodland landowners in the county. Mr. Kilduff moved, seconded by Mr. Ricker and properly carried, to authorize the submission of the application.

Memorial Donations. On motion of Mr. Ricker, seconded by Mrs. Straub and properly carried by roll call vote, the Board authorized a \$125.00 donation to the NJACD Conservation Scholarship Fund in memory of Joseph Baysa, Warren Welsh and Arthur Kleindienst. Roll call vote as follows: Mr. Ricker- yes, Mrs. Straub- yes, Mr. Kilduff- yes and Mrs. Rosko- yes.

RC&D Funding. Mrs. Rosko reported that both the House Budget for FY 2011 and the President's proposed budget for FY2012 eliminate funds for the RC&D program. On motion of Mr. Kilduff, seconded by Mr. Ricker and properly carried, the Board directed Mr. Lundin to send a letter to the District's federal legislators urging the continuation of the RC&D program.

PUBLIC SESSION

Chairman Rosko opened the meeting to the public at 3:30 p.m. Having no one come forward, the meeting was closed to the public.

EXECUTIVE SESSION

Mr. Lundin indicated that there was no need for an executive session.

ADJOURN:

The Meeting was adjourned at 3:30 p.m. on motion of Mr. Kilduff seconded by Mr. Ricker and properly carried.

Respectfully submitted for Walter C. Ricker, Secretary

By Clifford R. Lundin