

**Mercer County Soil Conservation District
MEETING MINUTES
For Fiscal Year 2017 (July 1, 2017 to June 30, 2018)**

(Chronological order starting July, 2017, Scroll down for other months.)

----- July 2017 -----

**MINUTES OF MERCER COUNTY
SOIL CONSERVATION DISTRICT
BOARD OF SUPERVISORS MEETING
590 HUGHES DRIVE
HAMILTON SQUARE, NJ 08690
JULY 6, 2017**

MCSCD SUPERVISORS

Scott Ellis
Ed DiPolvere
Gary Mount
Lucia Huebner
Theodora Wang

STAFF

Paul Schiariti, P.E.
Linda Sandusky

OTHERS

Clare Flanagan

The meeting was called to order by Chairman Scott Ellis at 12:01 pm. The Statement of Adequate Notice was read.

The minutes of the June 8, 2017 meeting were reviewed by the Board.

MOTION 1

A motion to approve the minutes as mailed was made by T. Wang, seconded by E. DiPolvere, carried unanimously.

The Treasurer's Report was presented to the Board. The District had an average month and was slightly in the red. 251 Revenue was down from this time last year.

MOTION 2

A motion to receive and file the Treasurer's Report pending audit was made by G. Mount, seconded by E. DiPolvere, carried unanimously.

The Director's Report was given.

NON POINT SOURCE POLLUTION PROGRAM

11 - APPLICATIONS RECEIVED
1 - PREREVIEW INSPECTIONS
26 - REVIEWS
78 - INSPECTIONS
2 - PRE CONSTRUCTION MEETINGS
38 - FINAL REPORTS OF COMPLIANCE
11 - CONDITIONAL REPORTS OF COMPLIANCE
0 - VIOLATION NOTICES
0 - STOP WORK ORDERS
0 - DENIALS
0 - CERTIFICATION DELEGATIONS
3 - 5,000 SQUARE FOOT DETERMINATIONS

EFRP

No additional requests for inspections (FSA 848's) were received during the month. No additional FSA 848B Forms were received for inspections performed by the Warren District Forester.

The District Manager prepared and submitted Form SF 425 (Federal Financial Form) through the Health and Human Services Website.

The EFRP Grant Expired on June 30, 2017. Final reports, billing and invoicing will be prepared for the last quarter to close out the Grant.

CWPP

The District Manager prepared Annual Progress Reports for both CWPP Phases II & III Grants. Form SF 425 (Federal Financial Form) for both Grants were also submitted through the Health and Human Services Website.

The District received notification that both Grants were set to expire June 30, 2017. The District Manager prepared Forms SF 424 (applications for Federal Assistance) to extend the Grant duration of both Grants. An expiration date of 12/31/17 was requested for CWPP II. An expiration date of 7/31/18 was requested for CWPP III.

Also requested for CWPP Phase II was an Object Class Change to shift money from supplies category to contract category. A new narrative and budget (SF 424A) was also required for this request.

Letters were sent to Kathleen Atkinson, Area Director, of the U.S. Forest Service in support of each request.

CWPP Phase III increase in duration request was approved. We are waiting for the determination on CWPP Phase II.

The District's Consulting Forester continued on plan preparation and outreach **efforts as**

well as gathering invoices for reimbursable expenses related to implementation of CWPP practices for Phases II & III.

HONEY AND HUNT LAKE DAMS

The District Attorney received a request from the HOA Attorney requesting documents that the Soil District wants signed.

The District Attorney responded back to Mr. Pico with copies of the Quit Claim Deed and Discharge of Deeds Easement letting Mr. Pico know that the documents are ready to record once clearances are provided by the interested parties.

The District Manager reached out to Clint Oman of the NJDEP regarding the status of the Hunt Lake hazard classification determination being reviewed by the NJDEP. Mr. Oman responded back stating the NJDEP's review has not yet commenced, but he is anticipating commencing review within the next several weeks.

The District Manager reached out to Clint Oman of the NJDEP regarding the status of the JBOC's review of the additional funding request by the Honey Lake HOA. The HOA has written a letter to Senator Shirley K. Turner of District 15 requesting her assistance in expediting the HOA's request. The letter was read to the Board.

SITE 8 DAM ASSESMENT

The District Manager is continuing on the Assessment Report for Site 8 (Robert G. Martin Lake). 25 hours were spent on the report preparation and evaluation of potential rehabilitation projects form to be included in the report.

STATE SOIL CONSERVATION COMMITTEE MEETING

The District Manager attended the SSCC Meeting on June 12, 2017. Topics of discussing included: 2:90 Rules, Supervisor Appointments/Re-Appointments, Supervisor Performance Standards, Soil Restoration Rules and Standards, Roadside Vegetation Laws, Exempt Municipality Reviews and H&H Data Base.

BUILDING MAINTENANCE

The Office Administrator procured services to do maintenance and re-stain the District sign along Hughes Drive. The work on the sign was completed during the week of June 26, 2017.

MOTION 3

A motion to approve the Director's Report was made by E. DiPolvere, seconded by L. Huebner, carried unanimously.

CORRESPONDENCE

The District received USDA New Jersey Farm Service Agency Newsletter for June, 2017.

A notice to attend Local Working Group Meeting to identify the greatest conservation

needs in your area and make recommendations for funding criteria of NRCS programs was received. This will be held at the Burlington Soil Conservation District on July 25, 2017.

The District received the 2017 NACD Northeast Region Meeting information being held August 13-15, 2017 in Burlington, Vermont.

A Save the Date Notice was received for the Mercer County Board of Agriculture Legislative Breakfast being held September 11, 2017 at Terhune Orchards.

CHAPTER 251

2013-4823-T	20147-5418-E	2017-5410-E	2017-5409-E
2017-5422-H	2017-5413-H	2017-5411-H	2017-5372-H
2016-5305-HT	2016-5300-HT	2017-5408-PB	2017-5417-P
2013-4747-P	2017-5415-WW	2016-5263-WW	2009-4201-WW

MOTION 4

A motion to approve the plans recommended by staff was made by G. Mount, seconded by T. Wang, carried unanimously.

NRCS

C. Flanagan discussed the Local Working Group Meeting to identify the greatest conservation needs in your area and make recommendations for funding criteria of NRCS programs. NRCS needs the support of the Supervisors at this meeting and their input. This will be held at the Burlington Soil Conservation District on July 25, 2017.

There are eleven open EQIP Applications. Five are up for District approval today. There are four open EQIP Contracts, two Conservation Reserve Programs, three Conservation Reserve Enhancement Programs, two AMA Contracts, one Conservation Stewardship Program Contract and two Conservation Agreements.

MOTION 5

A motion to approve four Conservation Plans was made by G. Mount, seconded by L. Huebner, carried unanimously.

MOTION 6

A motion to approve one Conservation Plan was made by L. Huebner, seconded by T. Wang with G. Mount abstaining and motion carried.

MOTION 7

A motion to approve one Conservation Agreement and Technical Assistance was made by L. Huebner, seconded by E. DiPolvere, carried unanimously.

EXTENSION UPDATE

Progress is being made on the farm municipal leaf issue. A statewide survey of farmers and their current and desired use of these leaves has been conducted. Jack Rabin and Dan Kluchinski have been offering their wisdom and historical knowledge on the regulatory code. NJDA has had communication with DEP who seems to be listening.

M. Melendez reviewed twelve graduate student grant proposals for SARE funding. There were a number of proposals focusing on tree fruit disease, water quality assessments for specific watersheds and others to specific crops.

Meredith attended the Center for Produce Safety National Meeting last week and was able to hear some excellent talks and had discussions with some experts.

Basil is the next crop of focus for the Ultra Niche Project. Taylor James of FlipSide Farm in Bridgewater is highlighted. The live workshop will take place on September 26, 2017 in Bridgewater, NJ at the EcoComplex and RAREC.

NEW BUSINESS

The District handed out Supervisor Performance Standards for each Supervisor for their records.

The District Manager spoke about the Ethics Training information to be sent from the State Ethics Committee to be filled out by each employee and supervisor.

The District Manager received a request from a potential future engineering student to shadow the District Manager to see what a day at the District is like. S. Ellis requested the District Manager talk to legal counsel to see if this would be advisable.

Meeting was adjourned at 1:10 pm.

Respectfully submitted,

Paul Schiariti, P.E.
Secretary to the Board

----- August 2017 -----

**MINUTES OF MERCER COUNTY
SOIL CONSERVATION DISTRICT
BOARD OF SUPERVISORS MEETING
590 HUGHES DRIVE
HAMILTON SQUARE, NJ 08690
AUGUST 3, 2017**

MCSCD SUPERVISORS

Scott Ellis
Ed DiPolvere
Gary Mount
Lucia Huebner
Theodora Wang

STAFF

Paul Schiariti, P.E.
Linda Sandusky

OTHERS

Meredith Melendez
Katie Porter, Student at
Brown University

The meeting was called to order by Chairman Scott Ellis at 5:30 pm. The Statement of Adequate Notice was read.

The minutes of the July 6, 2017 meeting were reviewed by the Board.

MOTION 1

A motion to approve the minutes as mailed was made by G. Mount, seconded by T. Wang, carried unanimously.

The Treasurer's Report was presented to the Board. The District was in the black for the month. 251 Revenue was up from this time last year. The 4th Quarter Fiscal Year 2017 RFA (5G3 Permit) fees were received also.

MOTION 2

A motion to receive and file the Treasurer's Report pending audit was made by E. DiPolvere, seconded by G. Mount, carried unanimously.

The Director's Report was given.

NON POINT SOURCE POLLUTION PROGRAM

18 - APPLICATIONS RECEIVED
1 - PREREVIEW INSPECTIONS
25 - REVIEWS
63 - INSPECTIONS
2 - PRE CONSTRUCTION MEETINGS
12 - FINAL REPORTS OF COMPLIANCE

13 - CONDITIONAL REPORTS OF COMPLIANCE
0 - VIOLATION NOTICES
1 - STOP WORK ORDERS
0 - DENIALS
0 - CERTIFICATION DELEGATIONS
1 - 5,000 SQUARE FOOT DETERMINATIONS

EFRP

The EFRP Grant has been completed. All final reports (Quarterly Report, SF-270 & SF-425) have been completed and submitted to the U.S. forest Service for official grant close-out. The District will be receiving an official notice for the close out of the grant from the U.S. Forest Service.

The District received a final invoice from the Warren District for quarter ending June 30, 2017. The invoice was processed and payment was made to the Warren District.

The District prepared and submitted a final invoice to the U.S. Forest Service for the quarter ending June 3, 2017.

CWPP

The District Manager prepared and submitted forms SF-425 for both CWPP II & CWPP III Grants. The previous forms were submitted through the U.S. Health and Human Services website, which is no longer applicable.

CWPP II increase in duration as well as Object Class Change requests were approved by the U.S. Forest Service. The new and final expiration date for this phase will be December 31, 2017. No additional time extensions will be granted.

The approved Object Class Change shifted \$15,000.00 from supplies category to contract category, to pay the Districts' Consultant as a result of the increase in duration.

The Districts' Consulting Forester is continuing on plan preparation and outreach efforts as well as gathering Municipal invoices (Phase II) for reimbursements.

The District received an invoice from the Consulting Forester for the month of June. The invoice was processed and payment was made.

HONEY AND HUNT LAKE DAMS

The District was notified that the State Treasury closed out their design contract with French & Parello. Per the Memorandum of Agreement (MOA) Section 4.C, the District must expend all funds received from DEP under the agreement toward the rehabilitation of the dam.

The District received an email along with a voucher from Clint Oman of New Jersey DEP to transfer the remaining overage amount for design services of Honey Lake Dam to the District.

The Office Administrator opened a new and separate account at Grand Bank to accept the funds for disbursement to the HOA. The payment voucher (in the amount of \$295,926.00) was signed and re-submitted to the New Jersey DEP per their instructions.

The District Manager completed the regular inspection report for Honey Lake Dam and submitted the same to U.S.D.A. NRCS.

DAM SITE 8 ASSESMENT

The District Manager spent 16.50 hours working on the assessment report and evaluation of potential rehabilitation projects form.

EMPLOYEE HANDBOOK

The Office Administrator met with a representative of Paychex regarding putting together an Employee Handbook which would provide up to date and current employment policies and practices within the District.

TREE TRIMMING

The Office Administrator contacted Mercer County Parks regarding a tree limb that appeared to be hanging on the main electrical power supply line for the building. A crew from Mercer County Parks arrived at the office and elevated all of the pine tree limbs within the front and side of the building.

However, due to safety concerns they could not address the limb in conflict with the main power supply. The Office Administrator contacted P.S.E. & G Co., who immediately came to the office and removed the limb.

MOTION 3

A motion to approve the Director's Report was made by G. Mount, seconded by E. DiPolvere, carried unanimously.

CORRESPONDENCE

The District received a notice from the Mercer County Ag Development Board, advising the District that Mercer County has acquired an agricultural development easement located on Woosamonsa Road.

A request was received from the South Jersey RC&D to sponsor the Annual South Jersey Tour des Farms. The Board agreed to send a donation of \$200.00.

MOTION 4

A motion to approve a donation of \$200.00 to the South Jersey Tour des Farms was made by E. DiPolvere, seconded by G. Mount, carried unanimously.

The New Jersey Farmer Periodical was received by the District and passed around at the meeting.

A notice was received by Liberty Mutual Insurance Co. notifying the District earthquake damage coverage is available.

CHAPTER 251

2017-5425-T	2017-5247-EW	2017-5428-E	2017-5423-E
2017-5420-E	2017-5419-E	2017-5356-E	2016-5321-H NJG0265764
2017-5426-HPB	2017-5429-HT	2016-5296-PB	2017-5444-P
2017-5432-P	2017-5431-P	2017-5380-P	2017-5361-R
2016-5279-R	2017-5438-WW	2017-5435-WW	

MOTION 5

A motion to approve the plans recommended by staff was made by G. Mount, seconded by T. Wang, carried unanimously.

NRCS

Clare Flanagan was very grateful for all the Board Members attendance at the Working Group Meeting on 7/25/17.

EXTENSION UPDATE

The Extension has a new hire in Hunterdon County, Megan Muehlbauer. She started August 1st, 2017.

Meredith is still working with the Dept. of Ag and DEP on Municipal Leaf issue associated with leaves on farms. They are making progress with dialog and the Municipal Leaf Regulatory Code will hopefully be changed.

Meredith had a farm visit at Resilient Farm. They are doing a diverse vegetable farm operation on a small scale. This is an organic farming operation.

A family in West Windsor is growing Asian lemons in their living room. They are selling them to Chefs in Princeton.

The Ag Agents Conference in Salt Lake City was very good this year. There were 22 States represented at the Food Safety Session conducted by Meredith & Wes, to keep the Ag Agents up to date on the resources available to help with Federal Regulation.

SSCC

Frank Minch is continuing work on the soil restoration rules. They have an operational date of December 7th, 2017. The rule language should be in the latest NJ Register. They are meeting on August 4th, 2017 at Freehold to discuss implementation procedures.

The SSCC staff is working on changes to the entire 2:90 rules. They are scheduled to sunset in December and are in the process of making amendments.

Sandra Howland is working with DEP solid waste on revising rules on leaf mulching/leaf composting. This matter was brought up at one of your prior meetings. The DEP seems open to making some changes based on our suggestions. The next step is pre-proposal stakeholder meetings.

A fiscal subcommittee meeting is scheduled for next week to discuss District reserves and their use.

There are a number of animal waste issues the Department is involved in, but none are in Mercer County. We are in the process of hiring a field staffer to take Frank Wu's position and hope to have someone on board shortly.

UNFINISHED BUSINESS

HONEY LAKE DAM

Since we are nearing the end of Honey Lake Dam issues, our attorney wrote a memo discussing the five items required by the District per the consent order and memorandum of agreement. Below is what was written in that memo:

Section 4.A. requires the District to obtain surveying, hydrology, and hydraulic information for the benefit of the successful RFP bidder for the engineering design. This requirement has been satisfied;

Section 4.B. requires the District to provide the templates and assist in updating the required dam safety documents. This requirement has been satisfied;

Section 4.C. requires that the District in coordination with DEP and the HOA expend all funds received from DEP under the Agreement toward rehabilitation of the Dam. This requirement will be satisfied – the only proviso is that the District has requested that DEP provide the District with specific written instructions concerning the disbursement of the funds;

Section 4.D. requires the District to transfer to the HOA its easement rights, or discharge or release such easement rights, and any ownership interest in the Dam and associated areas prior to the start of the Dam rehabilitation. The legal documents have been prepared; approved by the HOA Attorney; and executed by the District. They will be filed with the County Recording Office once the funds are received and the Division of Law advises in writing that the release will be provided to the District; and

Section 4.E. requires that the District continue to inspect the Dam until construction begins for the rehabilitation and repair of the Dam and the District transfers its easement rights and any ownership right for the Dam to the HOA. The District has complied with this requirement and is poised to file the legal documents with the County Recording

Office as outline above.

This discussion gets us back to the HOA's Release of the District which is addressed in Section 3.H. of the Agreement and which provides: "Said Release has been executed by the Association and will be held by the New Jersey Division of Law on behalf of NJDEP until such time as the NJDEP determines in writing that the District has fulfilled its obligations under Section 4 below. Upon making such determination, the NJDEP shall provide the executed Release to the District and the District may record the Release in the Office of the Mercer County Clerk."

The bottom line here is that the District wants to be cooperative and assure that this matter is concluded as expeditiously as possible. But to put this in context – the District was locked in useless and extremely costly litigation commenced by the DEP (by DAG Reese's predecessor) against the District and the homeowners for approximately two years. The District needs to be assured that once DEP confirms that the District has complied with its obligations under the Agreement this matter will be finally concluded. That explains why the District needs to be extremely careful and precise about the next steps and why we want written instructions and a paper trail from DEP.

FEE SCHEDULE ADJUSTMENTS

The District Manager has a meeting with Frank Minch to discuss fee schedule changes for Residential Multi-Family: Townhouses & Condominiums. The inspection part of the fee calculation is based on per Unit costs. The Manager would like to change this to per Building costs at a reasonable fee. This would have to be approved by the State Soil Conservation Committee to be implemented.

PICNIC MEETING

The next meeting is scheduled for September 7, 017 at 3:00 pm. This is the Districts' Annual Picnic Meeting.

NRCS ENGINEER HIRE

Chad Cherefko, Assistant for Field Operations from NRCS contacted the District Manager to see if the District would be interested in hiring an Engineer under our payroll (as a NRCS Employee) and be reimbursed by NRCS with a stipend of \$7,500.00 over a two year period to cover the District's costs. The District Manager declined this offer due to the expedited timing, administrative requirements and reimbursement concerns.

Meeting was adjourned at 6:37 pm and opened Executive Session.

Executive Session was closed at 7:05 pm and the Board reconvened the regular meeting.

MOTION 6

A motion to approve Office Administrators salary increase to step eight, add eight additional increments to employee's salary ranges and end the cost of living adjustments to employee's salaries was made by G. Mount, seconded by T. Wang, carried unanimously.

The Board requested that staff raises be reviewed annually prior to raises being given, noting that fiscal considerations may have an effect on increased salaries. The District Manager will provide this information to the Board two months prior to raises being given for Board review/approval.

Meeting was adjourned at 7:10pm

Respectfully submitted,

Paul Schiariti, P.E.
Secretary to the Board

----- **September 2017** -----