

**Minutes of the
Wayne County Soil & Water Conservation District
Regular Meeting— September 18, 2024
District Office, 7312 Route 31, Lyons NY 14489**

Directors in attendance:

Mark Humbert, Chair
Patricia Van Lare, Treasurer
Jim Brady
Peter Stoep

Absent:

Lynn Chatfield, Vice-chair

Staff in attendance:

Ron Thorn
Kelly Reynolds
Scott DeRue

Guests:

Brandon Martin
Victor DiGiacomo
Bill Jones, NRCS
Ariel Thoms, NRCS
Matt Everdyke, NRCS
Bruce Wadhams, FSA

- I. The meeting was called to order with a quorum at 8:31 a.m. by Chairman Mark Humbert.
- II. Acknowledgment of Guests
- III. Brandon Martin was given the floor with concerns regarding the Eastern Barrier Bar REDI project: Mr. Martin stated that his bid came in higher than that of Malone who was awarded the contract. He stated that, according to bid documents, access to the job site was the contractor's responsibility. Mr. Martin believes Malone was not a responsible bidder as he had not obtained written agreement to access the project site by Mr. Martin who purchased that access just prior to the bidding process. With access no longer available to Malone he now had to obtain another route through Shady Shores which he did, but required new permitting at additional cost. Mr. Martin now believes that, although Malone has continued to promise to do the job within bid cost, he will now be over the bid Mr. Martin submitted. While correspondence from engineers state that additional sediment has become an issue requiring new permitting, Mr. Martin believes that the additional sediment was caused by the project not being completed on time and will cost the County more due to its removal. Additional concerns were raised regarding trucking traffic on Town of Sterling roads which were recently repaved. Mr. Martin states that roads on his property's side are already in need of repair and would therefore be the logical roads to be subjected to further damage by truck traffic.

Mr. Martin stated that he has contacted council, his assemblyman, and councilman, but will not litigate the bid results and does not wish to be "black-balled" as he hopes to be awarded contracts in the future. Mr. Martin states that according to the original contract the job should have been done by now and that bid documents require \$1,500/day be paid by the contractor for every day overdue which would, by Mr. Martin's calculations, be over \$600,000. He wants to know if that is being collected. He states that permits were issued at the time of the bid and only needed to be re-permitted due to access being denied at the optimal site and requiring access through Shady Shores. Mr. Martin states that he could start the project today.

Mark Humbert stated that the Board could take Mr. Martin's concerns back to the County attorney and Barton & Loguidice as these issues are not within the District's purview. He requested that Mr. Martin put his concerns in writing by emailing them to Ron Thorn.

- IV. **A MOTION (1)** was made by P. Van Lare to approve the agenda; seconded by P. Stoep; motion carried.
- V. A Report: SWCC: Victor DiGiacomo: CAFO applications due in October; \$14M available. Round 8 CRF list has been unofficially approved from the September SWCC meeting. Round 30 AgNPS starts in October with \$25 M in funding available, \$10M is bond funding requiring structural projects & possibly prevailing wage requirements. There is robust funding at this time, a lot of training opportunities: NYACD Conference in October in Penn Yan and Administrative Conference in November in Saratoga Springs.
- VI. Report: Farm Bureau: Mark Humbert: The Farm Bill continues to languish and is not likely to pass this year as everyone is busy campaigning. Mark met the NYS Farm Bureau president Diana Fox who represents central NY with a farming background.
- VII. Report: Grange: Pat Van Lare: Grange has been extremely busy and spreading resources thinly. Recent activities include the Wayne County Fair, Harvest on the Canal, and bake sales. This coming Saturday will be Historic Huron Days which was one of the first NY Granges. October will bring the Grange Conference and bringing legislative issues to the State.
- VIII. Report: NYACD: Pat Van Lare: Pat strongly encouraged and Mark invited everyone to attend the NYACD Conference in Penn Yan October 21-22. Ron and Pat are registered.
- IX. Report: FSA: Bruce Wadhams: They are finishing their fiscal year the end of September. Due to Farm Bill not yet passing they need a contract resolution. Once bill passes there may be new programs and/or program names. Rates are going down and they are anticipating a rise in commodity loans.
- X. Report: NRCS: Bill Jones & Matt Everdyke: See attached report.
- XI. Staff Reports: Scott DeRue: Scott provided a power point of FLOWPA projects on Upper Ganargua Creek and the mussel survey and water quality surveys on Military Run and Marbletown Creek. He's also been working on various MAPs & LAPs.
- XII. Operational Business
 - A. Reading of the Correspondence folder: A thank you note was received from the Palmyra Library for funding assistance of their culvert project.
 - B. **A MOTION (2)** was made by P. Van Lare to accept the meeting minutes as presented; seconded by J. Brady; motion carried.
 - C. **A MOTION (3)** was made by P. Van Lare to accept the Treasurer's Report for as presented; seconded by P. Stoep; motion carried.
 - D. **A MOTION (4)** was made by P. Van Lare to approve the payment of the bills as presented; seconded by J. Brady; motion carried.
- XIII. Old Business
 - A. County Contracts update:
 - 1. AVC: Boats are out of the water for the season. Mike, Marlin, & Bill are working on cleaning up and putting away equipment. Using remaining contract funds to get some much needed repairs done on equipment. Staffing is likely to be an issue next season. Ron mentioned looking for a 1-ton dump truck to alleviate the need for a CDL driver.
 - 2. Drainage: Kenny is finishing up some larger projects that will likely get us close to the end of our budget for the year.

3. Recycling: a Household Chemical Waste collection is scheduled for November 9.
 4. Septic: Clarification needs to be made between County and Drew/state on available funding for Sodus Point area. Three projects were approved last week. Mailing going out next week.
 5. REDI: BSB Western Bluff is nearing completion with roadwork finishing up, Port Bay is waiting for permits, BSB East BB has the Army Corp. permits, waiting on OSG. Towns have concerns over road repair at completion. The aim is to begin construction by the end of October.
- B. Construction/Implementation Updates: Harpers are finishing a WASCOD, Hohenboken is getting bids, 3 AEM projects are complete and in closeout mode the other three are getting set-up, Strickland was almost done, then concrete had to be torn out and redone, Bailey irrigation is done and in close-out.
 - C. EFLC: Still moving along with another meeting in October.
 - D. District Technician position: Ron had to re-write the job description, it was approved by Civil Service.

XIV. New Business

- A. **A MOTION (5)** was made by J. Brady, seconded by P. Stoep with M. Humbert abstaining to make final payment to Humbert Farms/ Rose Farm Orchard for the Irrigation Water Management System Round 1 cost-share grant contract #T00203GG for \$21,700 once funding from the state arrives. Project close-out has been AEA and Grant Administrator approved. Motion carried.
- B. **A MOTION (6)** was made by P. Van Lare, seconded by P. Stoep to make final payment to CHance Farms for the Round 2 Grown & Certified cost-share grant, Agrichemical Handling & Storage System Project contract #T00188GG for \$35,000 to be taken from the Special Projects account that will be replenished when monies from the State arrive. Close-out is AEA approved. Motion carried.
- C. **A MOTION (7)** was made by J. Brady, seconded by P. Van Lare to make final payment to Van Acker Farms for Round 3 Grown & Certified cost-share grant Agrichemical Handling & Storage System Project contract #T00343GG for \$35,000. Motion carried.
- D. **A MOTION (8)** was made by J. Brady, seconded by P. Stoep to make final payment to Hidden Meadows Ranch/Scott Flowers for the AEM Round 18 Tier IV Implementation Waste Storage & Transfer System Project contract #C012540 for up to \$25,000 once close-out has been AEA approved. Motion carried.
- E. **A MOTION (9)** was made by P. Stoep, seconded by J. Brady to make final payment to Morgan Farms/Ned Morgan for the AEM Round 18 Tier IV Implementation Irrigation Water Management System Project contract #C012540 for up to \$25,000 once close-out has been AEA approved. Motion carried.
- F. **A MOTION (10)** was made by J. Brady, seconded by P. Stoep to make final payment to BC Ameele Fruit Farm/Ben Ameele for the AEM Round 18 Tier IV Implementation Agrichemical Handling & Storage System Project contract #C012540 for up to \$50,000 once close-out has been AEA approved. Motion carried.

- G. **A MOTION (11)** was made by J. Brady, seconded by P. Van Lare to approve payment to Scootin' Thru Farm/William & Emily Smith for \$4,500 for Roof Runoff BMP/Barnyard Water Management System to be funded through FLOWPA 22 Ag Implementation Project. Motion carried.

- H. Eastern Bay Barrier Bar Discussion: Mark Humbert: the project and circumstances are complicated. Lindsey and Ron have done all that has been required including consulting with our council on this project which is the County attorney. The permitting is almost complete.

XV. Adjournment

- A. **A MOTION (13)** was made by J. Brady to adjourn the meeting at 10:22 a.m.; seconded by P. Van Lare; motion carried.

- B. The next Board of Directors Meeting will be on Wednesday, October 16, 2024, at 8:30 a.m. at the District Office 7312 Route 31, Lyons NY, 14489.