

MONROE COUNTY CONSERVATION DISTRICT BOARD MEETING MINUTES
THURSDAY, April 18, 2019

MEMBERS PRESENT: Pat Ross, Bob Armstrong, Dave Moyer, Charlie Garris,
Roger McFadden and Randy Rice

DISTRICT STAFF: Adam Schellhammer, Barbara Bistras, Roger Spotts, John Motz
and Lori Kerrigan

ASSOCIATE BOARD MEMBERS: None

COOPERATING AGENCIES: Jen Matthews, NRCS

PUBLIC: Craig Todd, Resident; Rodney Stark, Brodhead Chapter Trout Unlimited; Drake Stinson, Borton-Lawson; Paula Heeschen, BWA; Ryan Hill, Monroe County Planning Commission; Bob Heil, BWA; Mackenzie Strunk, Rosemary Brown's office, Cory Lyon, Middle Smithfield Township; Fran Ferrari, Resident and Spirit Rutzler, Penn State Cooperative Extension.

Pat Ross called the meeting to order at 8:00 am.

Roll Call

Board Members Present:

Dave Moyer
Charlie Garris
Roger McFadden
Bob Armstrong
Randy Rice
Patrick Ross

Public Comment: Paula Heeschan posed a question to Commission Garris regarding the State Ethics Commission's investigation involving Dave Moyer and his actions involving the Dirt & Gravel Road Program and his company's contracts in Tobyhanna Township. Paula asked if the Commissioners had discussed the findings and the resulting penalties incurred by Mr. Moyer. Pat responded that he thought in regards to Mr. Garris it would be appropriate to go to the Commissioners meeting and ask them about it. Paula then re-directed her question to Mr. Ross, asking if there was any discussion with the

Commissioners and the members of this board regarding the ethics violation and whether it would have any effect on Mr. Moyer's work on the board. Pat responded that it was never discussed. Paula then asked if Mr. Moyer had any comment and he responded that he made a mistake and voted on something he shouldn't have. He didn't think about it, he settled the matter with the State Ethics Commission, took care of what needed to be taken care of and we are moving on.

Executive Session: From 8:04am to 8:10am discussion was held on personnel issues

March Meeting Minutes Approval: Pat asked for approval of the March Board Meeting minutes. Charlie Garris made the motion, Bob Armstrong seconded the motion, motion carried.

Technical Report: Lori reviewed the technical site status report for March, there are 20 plans under review right now, one individual permit issuance for NPDES in Coolbaugh and under Chapter 105 there were two acknowledged GP's. The technical staff has been prepping the schools for the envirothon and also conducting the water quality study on 36 sites with the Monroe County Planning Commission. Pat asked if these are new sites or are they sites that have been done before, Lori responded that some are new and some are long term monitoring sites. Discussion was held on the selection and frequency of sites that are tested. Lori explained in preparation of the grant for the Sand Spring Run Project additional sites were selected upstream and downstream to get an idea of what is going on there, so going forward we will have some long term monitoring to see the effects of the project. Discussion was held on the stream monitoring and well study that was done in Pocono Township in the past. Specific sites on the tech report were discussed including the potential solid waste issues where fill was being brought in and tested by DEP. Lori went over the details of how when potentially contaminated fill is being brought into a site it needs to be certified it meets clean fill standards. There was evidence that the site in question did not have clean fill; there was a petroleum smell and the location of where the fill was coming from was out of state based on the tracking the trucks had. We have had a number of issues on sites in Monroe County, Lori made everyone aware that if you are receiving fill they are required to have analyticals and tracking on that fill and should be viewed prior to dumping. There have been unsuspecting land owners that have had unclean fill put on their property who have had issues and now have to remove that and remediate the site. This issue is being addressed at a higher state level because it is an issue for our county. Adam added that all attendees should please spread the word. Charlie questioned how fast can we expect a response from DEP and Lori responded that the Solid Waste Department of DEP has been excellent and responds within a couple of hours and within a day or two they are scheduled to come out to take samples. It does take some time to get those samples back from the lab but they have been right on top of it

when they come back having contaminates, which has been the case on two or three sites now. We request that the landowner stop bringing in fill and let them know there may be an issue. Bob asked if there is a permit process for this or is it up to the landowner to talk to the township. Lori explained that whoever is transporting the fill should have a chain of custody, FP001 form (which is attached to an NPDES Permit as well) and the analyticals. If the site is permitted under DEP Solid Waste, it would go through a whole different set of permitting at that point. You can ask the driver before they dump the fill to see their paperwork. Brief discussions were held on several other items on the tech report.

John discussed the Dirt Gravel & Low Volume Road Program. The QAB met on Tuesday, April 9th and made the following recommendations to the board:

1. Middle Smithfield, Firestone Lane D&G project 3800ft of road with stream crossings, total cost of the project is \$179,036.00, the grant request is \$124,143.80. A motion was made to fund this project by Charlie Garris and seconded by Roger McFadden, motion carried.
2. Game Commission D&G project, 1550ft of road starting at Selfice Swamp Tributary to Wagners Run towards Brady's Lake, the project is being bid out, the grant request \$50,180.00. A motion was made to fund this project by Randy Rice and seconded by Roger McFadden, motion carried.
3. Chestnuthill Township, County Park Road LVR project to replace a dual pipe stream crossing on Weir Creek, total cost of the project is \$231,000.00 the grant request is \$120,000.00. A motion was made to fund this project by Charlie Garris and seconded by Roger McFadden, motion carried.

John discussed how the representative from the Center for Dirt & Gravel road came out with members of TU to evaluate the County Park Road project. They toured the recently completed Haney Road project and it was mentioned that it was the best project seen to date by the center's representative.

John requested approval on the following extensions:

1. Middle Smithfield Township: We have been waiting on the Park Service's archaeological review for the subsurface excavation work for the pipes, they currently only have one archaeologist and she is booked till July. Middle Smithfield is requesting an extension to September, 2019 to complete that project.
2. Chestnuthill Township: The Hypsie Gap Road project never got off the ground due to the Game Commission doing a timber harvest, leaving 60 acres left to do by June. The Township doesn't want to start the road project in the mist of that logging traffic, they are requesting an extension to October 2019.

3. Polk Township: Hell Hollow East project, they are on track to complete the project in the next few weeks, they are requesting an extension to May 17, 2019.

A motion was made to approve the above three extensions by Roger McFadden and seconded by Bob Armstrong, motion carried.

Charlie asked about the future funding for the program and discussion was held stating that the funding comes from the transportation bill and is pretty much guaranteed. It is a showcase program at the state level and the Center for Dirt & Gravel Road Studies goes all over the world to share this information on how to build roads, fix roads and how to keep the dirt out of the stream, it is a well-known and well regarded program.

EE Report: Roger S. highlighted our spring school schedules, all four county school districts were scheduled with their typical programs and there were additional outside groups coming to the bog. We have contracted services lined up along with technical staff lending support for some of the programs that we are a little short on.

Earth Day is Saturday, April 27th at Northampton Community College. There are 31 exhibitors signed up along with entertainment, speakers and the Pocono Arts Council's art show is also happening that day.

Roger reported that the boardwalk at the bog has been repaired. The Nature Conservancy got some new barrels and designed a new system to tie them into the existing boardwalk. Two full days were spent with TNC staff, TNC volunteers, and some of our staff and replaced a total of 14 barrels. All the money for this repair came from The Nature Conservancy's account.

Roger S. noted that Magdalen Trunfio was picked as the Becker Scholarship recipient. The award will be given at the HS Envirothon on Friday, May 3, 2019, hopefully generating more interest.

Adam asked the board for approval to move forward with the hiring of Matthew Giambra as our new Environmental Educator, moving him from the technical department to the EE Center. Motion was made by Dave Moyer and seconded by Bob Armstrong, motion carried.

Roger S. asked the board for approval of the summer work crew from last year to be re-hired for this year. Kenny Dougher as Supervisor, Kieran Dougher and John Gilroy as the laborers. A motion was made by Dave Moyer and seconded by Charlie Garris, motion carried.

District Managers Report: Adam noted several things:

The locations for the BMP tour on April 30th have been finalized, we will be visiting the Cherry Valley Wildlife Refuge, Ray Price Auto off the Snydersville exit, Northampton Community College and Mountain View Vineyards. All of these have pretty outstanding green infrastructure BMP's.

Commended John & Barb on getting the old DGLVR money out before we lost the opportunity to get the next years funding. There were many hours spent going back and forth with the Center, a lot of leg work, John found several projects we could do quickly and because of that we will get our full allocation next year.

We had our topics based training at DEP in State College about three weeks ago, a lot of it was based on our delegation agreements, Chapter 105, Post Construction Stormwater Management and the enforcement process.

We conducted our multi-function riparian buffer site tour with potential applicants.

Peters Consultants, Inc. came in on Tuesday to look at our ramp and do their preliminary evaluation. They will have their surveyors here within a couple weeks to take measurements and come up with a game plan.

Thanks to Barb and Phil at Risk Management we were able to get approval for a PCORP Loss Prevention Grant, for \$8,200.00 which will cover the engineering cost for Peters Consultants for the ramp.

Charlie asked about the status of a quarterly report on the relationship between the Conservation District and PennDot and trade-offs. Adam said we don't have the report yet, the best update I have is we were able to get the signs on 611 and Rimrock for the District and the EE Center. Our first official work meeting will actually be on May 9th so by the next board meeting we should have a report for you.

Financial Report: Pat asked if there were any questions, there were none. A motion was made by Roger McFadden, seconded by Bob Armstrong to accept the financial statement balance sheet as of March 31st, motion carried.

Adam noted several items on the invoice list: the first three were the large expenditures that were just approved for the Dirt & Gravel, Low Volume Road Projects. Some of the other larger items are Earth Day expenditures for Sherman Theater equipment rental, the entertainment and the outgoing expenses for the rain barrels. Discussion was held on the pricing, quantity of rain barrels for sale along with the advertising. Pat asked for a motion to approve the invoice list as presented. Roger McFadden made the motion and Randy Rice seconded, motion carried.

Other Business:

Out of County Travel: Pat asked for a motion to approve the out of county travel expense, Charlie Garris made the motion, Bob Armstrong seconded, motion carried.

Staff Advertisement: Pat confirmed that the staff advertisement was to replace Matt. Pat asked for a motion to place an ad for applicants for the Resource Conservation Specialist position, Dave Moyer made the motion and Bob Armstrong seconded, motion carried.

Copier Maintenance Agreement: Agreement is due to renew before next meeting, a new agreement has not been sent to us yet, Adam asked if we could get board approval via email before the next meeting. Pat said we can make a motion to enter into the agreement if Adam and Barb find it acceptable. Barb mentioned it was about \$1600 or \$1800 this past year and it covers all parts, service, toner and staples. Charlie suggested that when we get a new machine, we make sure the hard drive is removed and wiped clean, Barb responded that the last time we got a new machine, IT came out and took care of that before they took our old copier away. Pat asked for a motion to give them the authority to approve the maintenance agreement, Roger McFadden made the motion, Randy Rice seconded, motion carried.

Bid Review and Selection: Adam explained that we conducted a site visit for the ESSA multi-functional buffer project from the PACD Grant we received. Only one entity submitted a proposal, Strausser Nature Helpers, although we had received several calls. We felt Strausser met all the criteria of the project, they have a very thorough understanding of our constraints of funding, it met the environmental concerns and took into consideration an existing easement there for a potential trail. It also included the maintenance we needed and they provided all the documentation we required. Staff is recommending that we award the contract in the amount of \$29,818.00 to Strausser Nature Helpers for the ESSA multi-functional riparian buffer project pending receipt of the funding from PACD. Motion was made by Robert McFadden, seconded by Randy Rice, Charlie Garris abstained since Mr. Strausser is married to Charlie's second cousin, motion carried.

Cooperating Agency Reports:

NRCS: Jen Matthews went over her report indicating that they are finishing writing contracts for the first round of obligations. Jen gave her annual review of their cooperative working agreement, the agreement that was signed in 1997.

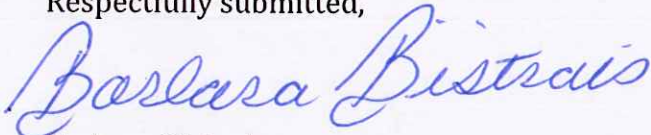
BWA: Bob spoke on the county water quality study, finding balance with sites and funding. He also mentioned the upcoming Earth Day event including electronic recycling and tire amnesty. Adam added that we are adding Pocono Township Police's Drug Take Back to the event this year.

Public Comment: Craig Todd reiterated the discussion about the solid waste importing. The counties that border New Jersey are in harms way since Jersey, in Craig's view, has better regulations in monitoring and analyticals. Since PA deregulated about 20 years ago, it created a market here in Monroe County, it would be great if the board could both promote and support any legislative initiatives to tighten up those regulations so we are not such an easy target for haulers in Jersey to come over and dispose of that material. He continued by saying the public cost for mitigation and restoration when it happens here, are tremendous. Discussion was held on the Yuhas site. Pat agreed with Craig and offered to come up with some kind of resolution by the next meeting.

Pat mentioned that Janet Weidensaul resigned as an associate board member, he would like to thank her for her many years of service at the Conservation District, she was always a positive contributor.

Meeting adjourned at 9:09 am by Pat.

Respectfully submitted,



Barbara Bistras
Administrative Coordinator

**THE NEXT MCCD BOARD OF DIRECTORS MEETING WILL BE HELD ON THURSDAY,
May 16, 2019 AT 8:00 AM AT THE MONROE COUNTY CONSERVATION DISTRICT OFFICES
STROUDSBURG, PA.**