



St. Lawrence County Environmental Management Council
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MEETING MINUTES

Wednesday November 16, 2022 at 6:00 PM
2nd-Floor Conference Room, Public Safety Complex and Zoom
49½ Court Street, Canton, NY

- 1. Call to Order.** Chair Cat Bennett opened the meeting at 6:07 pm. She then agreed to allow John Tenbusch to run the meeting.
- 2. Land Acknowledgement.**
John Tenbusch read a Land Acknowledgement, provided by Tony David, SRMT Environment Division, and used with permission:
“As we meet today, let us first give thanks and acknowledge that the land upon which we are gathered is part of traditional indigenous territories, including the Rotinoshionni (Low-dee-no-SHOO-nee), the People of the Longhouse, also known as the Iroquois Confederacy; and the Kanienkehaka (Ga-nyun-geh-HA-gah), the People of the Land of Flint, also known as the Mohawk Nation.”
- 3. Comments from the Public / Speaker.** There were no comments from the public; there was no speaker at this meeting. Deb Christie, SLC Trails Coordinator, had been scheduled to present, but had a scheduling conflict. John Tenbusch will try to re-schedule her for a future EMC meeting.
- 4. Roll Call, Determination of Quorum.**
Members present: Catherine Bennett, *Chair*; Herb Bullock; Lucas Hanss; Rick Marshall; Sue Rau, *Vice Chair*; Lance Rudiger; Tiernan Smith; Nicole Terminelli, *BOL Liaison*; Brian Washburn. **A QUORUM WAS NOT OBTAINED (EMC members were in and out of the room).**
Members absent: Dustin Bowman, Secretary; Joe Brant; Sean Cunningham; William Stephens III; Rod Tozzi. *There are two vacancies.*
Staff: John Tenbusch.
Guests: None.
- 5. Acceptance of Order of Business, Items for New Business, Items for Unfinished Business.**
Accepted by consensus.

EMC: Everybody Must Care!

6. **Approval of the Minutes of the September, October 2022 EMC Meetings.** Due to lack of quorum, Minutes from the September and October EMC meetings were NOT approved.
7. **Report by Nicole Terminelli, Representative of the Board of Legislators.**
 - The BOL Operations Committee has approved a resolution to hold Lead Renovator training for workers on County housing rehabilitation projects.
 - General discussion about peoples' experiences with lead-based paint
 - The BOL Operations Committee will ask NYS to open eligibility for the Septic Tank Replacement Program to residents along waterways across the County.
 - Solar project are being proposed at several locations across the County. The BOL has opposed siting new solar projects on prime farmland.
 - The names of Lance Rudiger, Herb Bullock and Sue Rau are under consideration by the BOL for another 2-year term on the EMC.
 - Nicole did not submit the EMC's resolution to the BOL requesting BOL action regarding work done by advisory boards. This resolution will be on the agenda for December Operations Committee meeting.
8. **Report of the Committees.** *Due to staffing constraints, Standing Committees have been suspended. The EMC will operate as a committee-of-the-whole.*
9. **Report of the Staff.** Tenbusch reported that he has been working on:
 - Community development programs (CDBG; EFC Septic; HUD Lead-Based Paint Hazard Reduction program).
 - Fair Housing Task Force: series of meetings with landlords, other stakeholders.
 - Working on project reviews for the County Planning Board.
 - General discussion about land-use regulations.
10. **Unfinished Business.**
 - Report by Ad Hoc Committee on Bylaws of the meeting held 11/15/2022. (Sue Rau, Tiernan Smith, and Brian Washburn). **See attached.**
 - One idea under consideration is to change the quorum requirement: the proposal would make a quorum to be 50% + 1 of those serving on the EMC. In this case, vacancies on the EMC would not be counted against quorum. (Currently, quorum is 50%+1 of the total slots on the EMC; since there are 16 slots on the EMC, quorum is set at 9 persons present. There is no allowance for situations where there are vacancies on the EMC.)
 - o Such a change in quorum could be instituted first; this would help with conduct of business at EMC meetings.
 - General discussion about revising quorum. No decisions were made.
 - There was discussion about by what authority the EMC can change its Bylaws. Sue Rau explained that Article VII allows the EMC to amend its Bylaws by a two-thirds vote of the membership.
 - Tenbusch reported that he had sent out a copy of the EMC Bylaws, and the several BOL Resolutions that have modified EMC operations.

11. New Business.

- Sue Rau proposed that the EMC conduct a new Visioning process, like what had been done in 2013. The purpose of this would be to provide focus and direction for EMC activities moving forward. The last Visioning document can be found at <https://stlawco.org/sites/default/files/Planning/EMC%20Visioning%20Process%202013%20-%20approved%2011.20.13.pdf>
 - General discussion about the last Visioning process in 2013, and about the advisability of doing another Visioning process.
 - There was general agreement about the need for a current Vision statement, current Goals and Objectives, Roster, etc., in addition to updating the Bylaws.
- Sue Rau reported that the Town of Potsdam has unanimously approved a resolution to draft a local law to protect the Rights of Nature for the Raquette River. See <https://www.informnny.com/abc50-now/potsdam-passes-resolution-giving-raquette-river-legal-rights/>
- Brian Washburn reported on a recent presentation by DEC staff on the Elm Zigzag Sawfly (EZS). Brian noted that the EZS has been found at Wilson Hill, Brasher State Forest, and Lost Nation State Forest. He also reported that St. Lawrence County has the highest population of elm trees in the State. See <https://www.dec.ny.gov/press/126222.html>
- Proposed Activities for 2023. John Tenbusch had asked EMC members to consider what activities they want the EMC to pursue in 2023.
 - Herb Bullock reported that several persons have talked to him about solar projects consuming prime farmland.
 - Herb also proposed keeping abreast of the several River Advisory Councils, and progress concerning invasive species at Black Lake.
 - Sue Rau proposed coordinating and listing various environmental organizations in the County.
 - Sue also proposed updating the County's Climate Action Plan, which had been developed by the EMC, and presented to the BOL in 2011. It was never adopted.
 - Sue also supported continuing Earth Day activities, and Household Hazardous Waste events.
 - Lucas Hanss suggested construction of additional wildflower gardens, and doing more to protect turtles from being killed as they cross local roads.
 - Rick Marshall reported that, as St. Lawrence County becomes better known as a "Climate Refuge", it will affect development patterns as more people begin to move here. He cited Lamoille County VT as an example.
 - Rick also proposed that the EMC might be a conduit for environmental education programs for local schools.
 - Brian Washburn reported that Cat Bennett had proposed that the EMC should serve as a conduit to direct concerns and issues about the environment to the Board of Legislators.



Elm leaves in Brasher State Forest, in St. Lawrence County, show evidence of infestation by the elm zigzag sawfly, an invasive insect from East Asia named for the pattern left behind as the sawfly larvae feeds on elm leaves. Photo by NYSDEC

- Cat Bennett proposed additional co-ordination with other environmental groups; continuing to construct wildflower gardens.
- Nicole Terminelli reported that the EMC create a calendar for events. This will assist in planning activities.
 - o Herb asked whether the EMC should ask the BOL for their ideas about activities to pursue.
- Tiernan Smith proposed that the EMC delete or complete outstanding activities before starting new activities.
 - o Tiernan also reported that he has recently spoken to Jim McKenna of Tunison Laboratory of Aquatic Science. McKenna has been on track to make a presentation to the EMC.

12. Announcements. None.

13. Adjournment. The meeting adjourned at 8:03 pm by consensus.

Minutes prepared by John Tenbusch



St. Lawrence County Environmental Management Council Ad Hoc Committee on Bylaws Meeting Tuesday, November 15, 2022

The meeting started at 3:35 pm. Present were Sue Rau, Brian Washburn. Tiernan Smith did not attend. John Tenbusch attended as staff.

Tenbusch explained that the purpose of this meeting is to discuss how we want to approach revising the EMC Bylaws; we will report that plan to the EMC at their meeting on 11/16.

Brian had worked on a draft revision of the Bylaws. In it he included statements about EMC Powers and Duties that were not included in the existing Bylaws, but that had been specified by one or another BOL Resolutions regarding the EMC.

After some discussion, the Committee was not sure whether these Powers and Duties should be included in the Bylaws, or if they should be in a document separate from, but closely related to, the Bylaws. That topic was tabled until a later time.

John Tenbusch will make sure that every BOL Resolution mentioned in the Bylaws is made available to all Committee members.

There was discussion about the need for a better system of orientation for EMC members, including new EMC members. Some new EMC members may not have received a current Roster of EMC members; others may not have seen the Bylaws. Still others have not seen one or another or any of the BOL Resolutions.

Tenbusch will update the “EMC History” before he retires next July.

The Committee agreed to recommend that the EMC make an initial change to its Bylaws, regarding Quorum.

Currently, Article IV Section 1 reads “Quorum. For the transaction of business at regular and special meetings of the Council, nine (9) members shall constitute a quorum. A majority of the Council, nine (9) members shall constitute a quorum. A majority vote of the membership (9) shall be necessary for the adoption of any matter, unless otherwise stated in these bylaws. Voting by proxy is not allowed.”

The Committee recommends that this Section be amended to say: “Quorum. For the transaction of business at regular and special meetings of the Council, ~~nine (9) members shall constitute a quorum~~ **a majority of the membership, not counting vacancies, shall constitute a quorum.** ~~A majority of the Council, nine (9) members shall constitute a quorum.~~ A majority vote of the membership ~~(9)~~ **not counting vacancies** shall be necessary for the adoption of any matter, unless otherwise stated in these bylaws. Voting by proxy is not allowed.”

(NOTE: Items ~~struck through~~ are intended to be deleted. **Items in bold italics** are intended to be added.)

In practice, this proposed change in quorum requirements would mean that, since current membership (not including vacancies) = 14 members, a quorum would = 8 members. Come January 2023, when two EMC members will have ended their terms, membership would = 12 members; a quorum would then = 7 members.

The Committee intends to follow the current procedure for Amendments, as provided in Article VII, Section 1:

“Amendments. These bylaws may be amended by a two-thirds vote of the membership. No change to these bylaws shall be made unless notice in writing shall be filed with the Council no later than the regular meeting preceding the meeting at which the motion change is to be proposed, and the staff shall cause a notice to be sent to each member ten days prior to the date of the next meeting indicating the exact wording of the proposed amendment(s).”

The Committee understands the above section on Amendments to mean that:

1. The proposed change to quorum requirements can be introduced in writing at the EMC meeting in November 2022;
2. Notice must be sent to all EMC members concerning the exact wording of the proposed change to quorum requirements by Friday, January 6, 2023;
3. The proposed change to quorum requirements can be approved at the EMC meeting on January 18, 2023 by an affirmative vote of two-thirds of the membership.

(**NOTE:** At present, a “two-thirds majority of the membership” equals 11 votes, since $2/3$ of $16 = 10.6 = 11$ votes.)

The meeting ended at 4:40 PM.

Meeting report prepared by John Tenbusch