

**DUTCHESS QUARRY SITES NATIONAL REGISTER DISTRICT MANAGEMENT COMMITTEE
MINUTES**

**TUESDAY, SEPTEMBER 26, 2023
2:30 P.M.**

PRESENT: Leigh J. Benton, Chairman
Barry J. Cheney, Michael D. Paduch, Travis Ewald, Johanna Porr,
Barry D. Kass, Stephanie Benson

ALSO

PRESENT: Katie Bonelli, Chairwoman
Thomas J. Faggione, Majority Leader
Mike Anagnostakis, Legislator
James D. O'Donnell, Legislator
Betsy N. Abraham, Esq., Legislative Counsel
Richard B. Golden, Esq., County Attorney

Chairman Benton opened the committee meeting at 2:33 p.m. by asking everyone to stand for the Pledge of Allegiance. All committee members were present.

I. Notice of Committee Vacancy

Mr. Benton stated that Mr. Ron "Animal" Hughes passed away three weeks ago. Mr. Hughes kept things very private. The news came as a shock to everyone.

Dr. Kass commented that Mr. Hughes was an interesting character.

Mr. Benton concurred and noted that Mr. Hughes had his friends as well as people who sometimes disagreed with him because he kept everybody's "feet to the fire" in his own way. He was extremely smart and educated in many different fields.

Ms. Porr commented that Mr. Hughes did a lot of good for the community as he was very community oriented.

Mr. Cheney commented that his heart was always in the right place, and one had to respect him because of where he was coming from.

Mr. Benton agreed and pointed out that there is now a vacancy on the committee "resident at large member, appointed by the Chairwoman." There has been one submittal of interest from Dave Johnson, a representative of the Paleolithic and Archaeological Society. The position is open to anyone who is interested. Mr. Hughes will be sorely missed.

II. Discussion: NYS DEC Foil Response (previously sent to committee members)

It took quite some time for Mr. Benton to get the paperwork which is an issue when dealing with the NYS DEC and their foil requests because you are dealing with one person. If you do not have the exact terminology, you may not get what was requested. The very first time he submitted the request was at the end of December, early January, and by February he received a response saying that it would take another four to six weeks. When it finally came through, they sent him the original submission from 1994 which did not do any good. He stated that he was fortunate enough to speak with someone at an event who was the former director, Helena Duda. He explained the problem and asked that she advise him on what to ask for. She gave him the correct titles, dates, etc. for the documentation he was requesting which led him to the new director who submitted the request correctly. Besides the renewal and modification of the application, the Mitigation Avoidance Plan was provided. Mr. Benton noted that it is back-up information for the committee to have and asked if anyone has any questions or comments.

Mr. Cheney indicated that the permit sent is valid until December 31, 2023, so the process for re-application should have been in back in June because it is a requirement to submit it six months ahead.

Mr. Benton stated that he is unsure of whether the application is currently available, but he will reply in January.

Mr. Cheney commented that from the County's point of view, it would be nice to be involved in the permitting process, so once we are aware of the steps the DEC is taking, the committee can decide on how to engage in the process.

Mr. Benton responded that he would check with the DEC manager and get a copy of the resubmittal application.

Ms. Benson asked how long the new application would be good for.

Mr. Cheney replied that it would be good for five years.

Mr. Benton pointed out that you must apply six months before and the DEC does not have to act, the applications need to be in on time for review. Due to the statutes, one can work under the old permit while the application for permit renewal is being reviewed.

III. Discussion: Update on RFP Proposal

In Mr. Ewald's previous position, he completed the necessary paperwork for the RFP to be sent out which included the site review from the town. Mr. Benton stated that as of now, the plan for sending out the RFP has been put on pause by the County Executive's Office.

Mr. Golden indicated that at this point in time, nothing is being held up, but there has been a request to hold it, so the RFP is not going out.

Mr. Paduch asked if there is a reason why it is being held.

Mr. Golden replied the reason is that there did not seem to be a real desire to sell it as there are a lot of competing voices arguing against the sale. This Legislature authorized the sale and

authorized the County Executive to move forward, but the way that Real Property works, and the Transfer of Interest under the Charter is that it requires both the Executive Branch and the Legislative Branch to agree on doing something. The property must be sold to the highest responsible bidder if it is being sold to the public or a private company. It does not have to be sold to the highest bidder if it is a municipality. He added the RFB was prepared and ready to go out, but there was a request to put it on hold for further consideration and determination. The current lease is on a month-to-month basis and will continue that way until notice is given.

Mr. Cheney asked that the committee go back to Agenda Item No. II (NYS DEC Foil Response), because there needs to be a correction made. The one document received is a signed permit that will allow them to operate from July 11, 2022, through July 10, 2027, so there is nothing pending that Mr. Benton would need to request.

Mr. Benton thanked Mr. Cheney for the correction.

For clarification purposes, Mr. Golden stated that the document does not give the go ahead to mine on the property if the county does not want them too.

Mr. Benton stated that is correct, the permit allows them to stay within the boundaries that they currently have.

Mr. Cheney asked how much royalties were received in 2022 and so far, this year.

Mr. Golden replied he does not know, but he can contact the Department of Finance.

Mr. Benton stated that they will find that out next month because it is budget hearings, so they will find out then.

Ms. Benson asked if the recommendations have changed overtime or if they are still going on the plan from 1993/1994.

Mr. Benton replied that he is unsure because he has not reviewed the documents specifically to see if changes have been made but he does not think much has changed.

Mr. Cheney noted that in the DEC Citation for Permit Conditions, there are five or six new plans that were dated 2021 or 2022. He suggested that they look at the plans that are cited.

Mr. Benton agreed and stated that he will look at the plans as well. He also indicated that the next committee meeting will be in November because budget hearings are held in October. Before moving on to the next agenda item, he asked that Mr. O'Brien introduce himself to the committee and the public who are watching via livestream.

Mr. O'Brien stated that he is a geologist and taught at Orange County Community College for 43 years.

IV. Discussion: Site Property Archaeological Investigation

Mr. Benton reported that he received permission from the County Executive to investigate the property. Mr. Johnson could not be here today to describe the process, but the dates to be on site are Saturday, October 21st and Sunday, October 22nd. At this time, they will investigate, document, and see what they find. Committee members are invited to observe or assist if asked to do something. He will be attending because it is interesting and the one time he went this past spring, Mr. Johnson was an expert at pointing out the surroundings and where to look as he is very experienced. The committee will be notified of the time and how long they will be on site each day as Dr. Johnson and his team are in charge.

Ms. Benson asked what they are hoping to find with Mr. Johnson's research.

Mr. Benton replied he is unsure of what will be found, and the Legislature has a copy of a book he published which has a lot of information on markers that he found around the world. He stated that Mr. Johnson found a marker the last time they were on site, and it was amazing.

Ms. Benson stated that with no disrespect to Mr. Johnson, it may be speculative and considered controversial in some ways and that is why she is curious as to what he would like to find.

Dr. Kass commented that Mr. Johnson is a well-known "dowser" on using dowsing sticks to find sources of water under the ground and that is extremely controversial.

Mr. Benton stated he is looking for signs of human activity.

The committee further discussed how this will be an exploration not archaeology.

Mr. Benton reiterated that Mr. Johnson is a published author and has found markers around the world.

Mr. Cheney asked Mr. Ewald if the County has a contract to do ground penetrating radar magnetometers surveys.

Mr. Ewald replied not that he is aware of, but he can look and see what they have.

Ms. Porr stated that if they go to the next level, they will need to involve an institution with students. As a side update, she mentioned that for ten years, she has been searching for the Mastodon bones that the County used to have on display. She recently found a piece of paper in the archives that was misplaced, and it identified a loan of the artifacts to Museum Village, so she went there and spoke to the director to find out if he would like to renew the loan since they lost track of it. Museum Village is under new leadership, so they will be renovating all their exhibits on Natural History and would be happy to give the Mastodon bones back. She will pick them up in early November and is hoping to get a display case to put in this building with a few of the bones and something related to the bones.

Mr. Benton asked if anyone has any further questions or comments and reiterated that the next meeting will be held in November.

The meeting adjourned at 3:13 p.m.