

**Kent Conservation Advisory Committee, Town of Kent,  
Meeting Minutes, March 19, 2014**

**Attendees**

Committee members: Anne Balant-Campbell, Marty Collins, Dave Ehnebuske, Beth Herr, Phil Tolmach. Visitors: Jean Ehnebuske.

The meeting was called to order at 7:10 PM.

**1. Chairperson's report**

Reappointments

Chair Beth Herr reported that at their meeting on January 28, 2014, the Kent Town Board reappointed CAC members Anne Balant-Campbell, Bill Buck and Dave Ehnebuske for 5-year terms ending 12/31/18.

Meeting with the Town Supervisor

Beth plans to contact Town Supervisor Maureen Fleming once again to set up a meeting.

Recognition of CAC member

At their Annual Benefit Dinner and Auction on April 5, the Putnam County Land Trust will honor their past board member Bill Buck as an Emeritus Trustee.

Correspondence and notices

Beth shared information from the Putnam County Soil and Water Conservation District about their upcoming opportunity to buy tree and shrub seedlings. She noted that there are many new and interesting plants this year. Orders must be placed by March 26. Call 878-7918 to order.

She recommended stopping by the [Front Street Gallery](#) in Patterson to view the "Natural Camouflage" show currently on exhibit. It's presented by the Greater New York Chapter of the Guild of Natural Science Illustrators.

She thanked Marty Collins for her press about the CAC's Valentine's Hike for Nature Lovers scheduled for February 15. She expressed regret that the hike had to be canceled due to poor conditions resulting from deep snow.

Beth reminded CAC members of the FrOGS hike she is leading on newly-acquired property in South Hollow in Patterson on Saturday, March 23, from 1 – 3 PM. Those interested in attending should contact her for details.

She announced that the Family Amphibian Hunt at Clearpool scheduled for Sunday, March 23, from 10AM – noon has been canceled. It has been rescheduled for Sunday, April 6, from 1 – 3 PM.

**2. Kentcac.info**

Dave Ehnebuske reported that there had been 120 visits to the website within the last month. He commented that it is likely the number of visits is down somewhat because there have been no CAC events lately. Still, he notes that there have been one or two new subscribers to our e-mail lists each month, probably due to current subscribers sharing their copy of the Kent Nature Almanac with their friends.

**3. Kent Nature Almanac**

Beth said she is happy to report that there are several new contributors to the Kent Nature Almanac. She added that she will be glad when winter is over because there will be a greater number of more interesting observations to report.

**4. Natural Resource Inventory**

The Chair reported that she is still working with Clearpool on plans to place an unpaid intern there to

help conduct a natural resource inventory. Dr Robert Naczi of The New York Botanical Garden would oversee the project, and Beth and Bill Buck would help out.

## **5. Hikes and trails**

### Planning ahead

The Chair reminded members of her idea to find two CAC members to volunteer to lead each hike the CAC sponsors. That way, if it turns out one person cannot lead the hike, the other can step up and the hike will not have to be canceled or postponed. She will be contacting CAC members to enlist their help with the hikes.

CAC members agreed that the CAC should try sponsoring one hike per month on the second weekend of each month, some on Saturdays and some on Sundays.

### Upcoming hikes

*Annual hike to Hawk Rock.* After some discussion, it was decided to schedule the hike for Sunday, May 11, from 11 AM – 1 PM.

*Mountain Laurel Hike at Clearpool.* The hike will be Sunday, June 8, from 1 – 3 PM.

## **6. Fire Tower Committee**

### Meeting with/recommendation from pro bono lawyer

Beth stated that she and Dave met with pro bono lawyer Stephen Repsher recently to discuss the CAC's options in determining plans that would result in a non-profit organization managing the entire process of renovating the Mount Nimham Fire Tower. She shared the most relevant parts of a follow-up letter (attached) that she received from him. He advised that even though it would be more expensive, the CAC might want to encourage local interested individuals to form a new non-profit rather than trying to encourage former board members and others to revitalize a now-defunct PLAN Kent. But he also advised that people interested in establishing a non-profit to raise money for tower renovations write to the IRS to understand what the current status of PLAN Kent is in regard to its IRS filings.

Discussion ensued, and Beth stated that she would contact George Baum to ask him to contact former PLAN Kent members to see if there is any interest among them to revitalize the organization solely to take on the Mount Nimham Fire Tower renovation. Marty said she would talk to Bob Bradley, since he was once involved with PLAN Kent.

### Updates and other news about the Fire Tower

The anti-graffiti plexiglass is ready to be installed. Dave picked up the braces and has them stored in his garage, ready to go. The contractor who is installing the cabin floor is ready to take on that work once the weather allows. Before the work can begin, the CAC has to apply for and receive a Temporary Revocable Permit from the DEC. Sal Tripi has confirmed that PLAN Kent is funding the \$2,000 cabin floor replacement.

At some future meeting, a representative of the Mount Beacon Fire Tower will join us to share advice and experiences. Bill V. will contact him to make arrangements.

Dave reported that Bill V. told him that when the weather allows, he will measure the dimensions of the current defaced CAC sign that needs to be replaced. He will send that information to Dave who has volunteered to design a new sign. Dave said he will send his idea/s to CAC members for comments.

## **7. Environmental Leaders Learning Alliance (ELLA)**

Beth reported that she has not been involved in any ELLA activities lately. Phil Tolmach said the same.

## **8. Clearpool Model Forest**

The Chair stated that she had attended a recent committee meeting, and observed that there has been a lot of energy put into planning programs, exhibits and activities. For example, she noted that Clearpool has posted signs designating the wetland areas so visitors will be able to recognize wetlands and know

what and where they are. Clearpool has also installed a deer exclosure on the property with the goal of educating the public about the profound and lasting impact deer can have on the environment.

**9. Other**

There was no other business.

The meeting was adjourned at 8:05 PM.

**The next meeting of the Kent CAC will be at 7 PM on Wednesday, April 16, 2014, at the Kent Town Hall.**

Respectfully submitted,

Jean Ehnebuske,  
ex-officio recording secretary

**Attachment:** Correspondence from Stephen Repsher

**Subject:**Re: Kent CAC questions

**Date:**Wed, 12 Mar 2014 21:12:37 -0400

**From:**Stephen Repsher <srepsher@gmail.com>

**To:**Beth Herr <herrszer@comcast.net>

**CC:**David Ehnebuske <dehne1@comcast.net>, Phil Tolmach <bestscapes@verizon.net>

Hi All,

Sorry for the lapse, and for the length of the epistle to follow. Things got very busy for a while and then, to be honest, I didn't really know where to start figuring out an answer to the issue at hand, partly because I don't have access to the resources I had when I was still working at a firm. At any rate, recently I've been able to devote a little time.

Disclaimer: this is not legal advice, but a very lay opinion after consulting a few sources and trying to synthesize a picture of the situation.

My understanding is that under federal tax law, and possibly NY law as well (less sure about the latter), tax-exempt status is revoked automatically after three years if the necessary reports are not filed with the IRS. This would suggest that it might be better to create a new 501(c)(3), since tax might be due on any assets PLANKent still holds, for the period following revocation, on top of whatever bureaucratic hurdles are entailed with: 1) justifying the lack of reporting to the necessary agencies; 2) squaring up with them financially, if necessary; and 3) requesting reinstatement of non-profit status.

However, it is also my understanding that starting a new non-profit organization is a lot more costly and involved in practice than in theory, and that the best step to take next is probably to write a letter to the IRS politely explaining the circumstances and inquiring as to whether tax-exempt status has in fact been revoked. It is apparently possible that depending on who reads the letter, leniency may be shown and exempt status may be kept.

I don't know to whom exactly the letter should be sent, or what exactly it should say, but at least to start with, it seems like this would be the simpler route, rather than forming a new corporation, especially if PLANKent has no significant assets anyway, and this can be demonstrated to the satisfaction of the IRS.

Hope this helps. Happy upcoming St. Patrick's Day...

Stephen