

ALBANY CSO POOL COMMUNITIES CORPORATION

C/O Capital District Regional Planning Commission
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www.cdrpc.org

Minutes of Board of Directors Meeting Tuesday, February 14, 2017

Board Members Present:

Rich Lyons – Albany County Sewer District
Gerry Moscinski – Rensselaer County Sewer District
Bill Simcoe – City of Albany
Chris Wheland – City of Troy
Mark Hendricks – City of Rensselaer
Garry Nathan – City of Cohoes

Also Present:

Martin Daley – CDRPC Staff
Mark Castiglione – CDRPC Staff
Donna Reinhart – CDRPC Staff
Magdy Hay – CDRPC Staff
Tim Murphy – Albany County Sewer District
Mike Miller – APJVT (CHA)

I. Call to Order/Roll Call

Rich Lyons called the meeting to order at 1:25pm

II. Reading and Approval of Minutes of January 12, 2016

The minutes were distributed prior to the meeting. No changes were made.

Action Taken

Garry Nathan made a motion to approve the January 12, 2016 meeting minutes and Mark Hendricks seconded. The motion was approved unanimously.

III. Reports from Committees

a. Report from Governance Committee

The Governance Committee met prior to the Board of Directors meeting. At the January Corporation Board meeting, concern was voiced over the Corporation letting bids (can you reference the specific project?). Staff looked into additional insurance and contract review requirements to determine preparedness. It became apparent that while streamlining design and grant administration realized cost savings, there would be unanticipated additional costs such as construction insurance and counsel review that may increase the cost and complexity of a joint project. The Governance Committee discussed these concerns about Corporation letting projects and recommended to the Board that the communities individually let bids, and that the corporation take no formal action to let construction contracts at this time.

b. Report from Finance Committee

The Finance Committee met prior to the Board of Directors meeting and reviewed the first quarter financials, presented in detail by Magdy Hay. The recommendation from the Finance Committee was to close out the first quarter of FY2017 ending 12/31/16.

Action Taken

Based on the recommendation of the Finance Committee, Garry Nathan made a motion to approve the financials of the first quarter of FY2017 and close out the quarter and Bill Simcoe seconded. The motion was approved unanimously.

The Finance Committee reviewed a program developed by CDRPC staff to assess and assign credits for LTCP projects completed up to and during FY2015. After review of the Credit Verification Sheet, methodology, and determination timeline, the Committee recommended the Full Board accept the process and schedule.

Action Taken

Garry Nathan made a motion to accept the recommendation of the Finance Committee and accept the credit process and schedule and Bill Simcoe seconded. The motion was approved unanimously.

VI. STCF-03, "Big C" Begin SEQRA and Eminent Domain Process milestones

The February 1, 2017 Order Milestones for this project require certification as to being met. There have been developments since execution of the

Order that require the Pool to memorialize actions taken that the communities believe satisfy meeting the "begin SEQRA and Eminent Domain Process" Milestones in the Order.

In January 2015, after careful review of the applicability of SEQRA to Long Term Control Plan (LTCP) projects undertaken pursuant to the Order on Consent, counsel to the Albany Pool Communities has advised that no review of the LTCP Projects is required under the provisions of SEQRA and its implementing regulations at 6 N.Y.C.R.R. Part 617, because they are Type II projects that are specifically required to be undertaken pursuant to that order. Because "Big-C" is excluded as a Type II project, there is no SEQRA process associated with it and it is Respondents' understanding the milestone as it relates to such process is satisfied without further action.

On August 1, 2016 The City of Albany submitted to DEC the complete Preliminary Design Report for the proposed facility. The purpose of the report was to obtain Department consensus in regards to the proposed disinfection and screening technologies to be employed on the project; as well as to identify two alternate sites under consideration and to discuss construction and operational issues, permitting and environmental justice issues, environmental benefits and potential impacts, and construction and long-term operational costs with respect to each candidate site. The second of these sites was not under consideration at the time of the execution of the Order on Consent, and would not require eminent domain proceedings because it is owned by the City.

The Milestone Certificate conveys the community's belief that, given the active current assessment of an alternate site that would not require eminent domain proceedings, the Albany Water Board is proceeding in a manner that satisfies the intent and objectives of the Order on Consent Milestone. The Board has underway a process that will ultimately determine the necessity for Eminent Domain. Additionally, regardless of which site ultimately is selected, we believe that the existing milestone for the completion of any required eminent domain proceedings by February 1, 2021 will be achieved. The City has taken steps necessary to select the most beneficial site for the facility, and if Eminent Domain is necessary, the deliberative process to engage in the effort has begun to move forward.

VII. Vendor Invoices

Staff requested approval of the following invoices:

- Barton and Loguidice through November 16, 2016 in the amount of \$85.00
- West and Co., CPA PC through December 7, 2016 in the amount of \$3,325.00. Costs include expenses for FY2016 financial audit and tax preparation

Action Taken

Chris Wheland made a motion to approve payment of all consultant invoices and Mark Hendricks seconded. The motion was approved unanimously.

Bill Simcoe requested that when the Corporation sends invoices to the communities, that the invoices be split between disburseable expenses and non-disburseable expenses to simplify and expedite the EFC disbursement process.

VIII. EFC Update

Martin informed the Board that City of Albany has a closing date with EFC of March 16, 2017. Martin will work the technical team to begin the next listing on the IUP, considerations of project schedule and terms. It is not too early to start outreach with EFC for funding of the next tranche of projects.

IX. Green Infrastructure ILF and Credit Banking Study

There is a meeting today at 2pm at CDRPC to go over the draft study and review findings and discuss how to move forward. The deadline for the study is August 1, 2017. Community comments on the Draft Report and additional data are sought so the plan can be submitted to DEC long enough before the April 13 quarterly meeting so that a presentation can be made to the Dept. at that time.

XI. Other Business

There was no other business at this time.

Adjournment

Garry Nathan made a motion to adjourn the meeting and Bill Simcoe seconded. The motion was approved unanimously. The meeting adjourned at 1:45pm

Respectfully submitted,

Donna Reinhart
CDRPC Office Manager


Reviewed and Approved by
Gerry Moscinski, CSO Board Vice President