



# ALBANY CSO Pool Communities

A collaboration between the cities of Albany, Cohoes,  
Troy, Watervliet & Rensselaer and the Village of Green Island

C/O Capital District Regional Planning Commission  
One Park Place, Suite 102 | Albany, New York 12205  
(518) 453-0850 | (518) 453-0856, fax | [www.albanypoolcso.org](http://www.albanypoolcso.org)

## Minutes of the Board of Directors Meeting Thursday, August 15, 2019 10:00 am

### **Board Members Present:**

Gerry Moscinski – Rensselaer County Sewer District  
Tom Dufresne – Albany Water Board  
Mark Hendricks – City of Rensselaer  
Bill Simcoe - Albany Water Board  
Chris Wheland – City of Troy  
Jeremy Smith – City of Watervliet  
Sean Ward – Village of Green Island

### **Also Present:**

Robin King– City of Cohoes  
Jessica Carpenter- City of Albany  
Michele Bourgeois – Deputy Treasurer Green Island  
Amy Weinstock – CDRPC Staff  
Martin Daley – CDRPC Staff  
Tom White – CDRPC Staff

### **I. Call to Order/Roll Call**

Board President Bill Simcoe called the meeting to order at 10:34 am.

### **II. Reading and Approval of Minutes of July 11, 2019**

The minutes were distributed before the meeting. No changes were made.

*Action Taken*

Sean Ward made a motion to approve the July 11, 2019 Corporation meeting minutes and Mark Hendricks seconded. The motion was approved unanimously.

### **III. Appointment of Village of Green Island Board Member Designee and Alternative**

A letter was received from the Mayor of Green Island designating Sean Ward as the Village of Green Island designee with Garry F. Nathan and Maggie A. Alix as alternates.

#### *Action Taken*

Chris Wheland made a motion to nominate Sean Ward as the Village of Green Island designee to the Local Development Corporation Board with Garry Nathan and Maggie Alix as alternates. Tom Dufresne seconded. The motion was approved unanimously.

### **IV. Appointment of City of Cohoes Board Member Alternatives**

A Letter was received from the Mayor of Cohoes designating Garry Nathan as the City of Cohoes designee to the Local Development Corporation Board with Robyn King as an alternate.

#### *Action Taken*

Sean Ward made a motion to nominate Garry Nathan as the City of Cohoes designee to the Local Development Corporation Board with Robyn King as alternate. Mark Hendricks seconded. The motion was approved unanimously.

### **V. Asset Management Plans**

NYSDEC has approved the asset management plans for Albany, Watervliet, Cohoes and Green Island. Their approval letter referred to plans being enforceable under the order. Martin distributed the City of Albany' response letter to DEC's approval letter, with recommendation that each of the communities submit a similar letter to DEC. The City of Albany letter is attached to these minutes.

### **VI. Financial Report for 8/1/19**

The Communities' account balance as of 7/1/19 was \$1,232,967.88. Accounts Payable total of \$41,383.12.

Tom White summarized the cash position of the Corporation. The year-to-date expenditures have been approved for a total \$2,377,602.08; or 12.9% of the 2019 Budget for Total Expenses. Expenditures have been submitted and approved for Programmed Construction Projects of \$2,234,050.94; and Corporation Expenses of \$143,551.14.

During the ten months completed in the 2019 fiscal year, the communities have been invoiced, net of all grants and direct expenditures, \$1,831,782.68. Total payments have been received from: Albany \$193,208.26; Cohoes \$14,993.76; Green Island \$1,655.14; and Troy \$1,069,705.04 and applied. The Corporation made partial payment to Albany and Watervliet for previously submitted and Board approved construction projects in the amounts of \$217,872.02 and \$64,662.88, respectively.

Additionally, Albany has made payment of \$633,669.00 in fulfillment of its cash obligation under the IMA. The expenditures made by the host community, net of Grants anticipated are recorded as Direct Expense.

The summary of the Communities Balance Status has been adjusted for prior omissions of grants and the effect on Communities with the resulting balances, at 07/31/2019, as follows:

| Community    | Balance<br>10/01/2018 | Communities Share of<br>Expenditures Invoiced - Oct 2018<br>to Date |            | IMA - Cash<br>Obligation | Communities'<br>Obligations<br>Paid Through | Funds Paid to<br>Communities | Direct<br>Expense<br>Applied net of<br>grants | Balance           |
|--------------|-----------------------|---|------------|--------------------------|---|------------------------------|---|-------------------|
|              |                       | Albany CSO Corp   |            |                          |   |                              |   |                   |
|              |                       | LTCP Projects   | Expenses   |                          |   |                              |   |                   |
|              | +                     | -   | -          | +                        | +   | -                            | +   | =                 |
| Albany       | \$ 856,592.28         | 990,654.40  | 84,235.69  | (633,669.00)             | 826,877.26                                  | 217,872.02                   | 1,452,306.34                                  | \$ 1,209,344.77   |
| Troy         | \$ (1,356,534.30)     | 586,829.34  | 49,898.31  | (271,653.00)             | 1,069,705.04                                |                              | -   | \$ (1,195,209.91) |
| Cohoes       | \$ 292,836.80         | 46,257.55   | 3,933.30   | 262,304.00               | 14,933.76                                   |                              | 62,641.75                                     | \$ 582,525.47     |
| Rensselaer   | \$ (128,601.61)       | 35,959.34   | 3,057.64   | 464,438.00               |   |                              | -   | \$ 296,819.42     |
| Watervliet   | \$ 104,906.80         | 19,583.49   | 1,665.19   | (49,022.00)              |   | 64,662.88                    | 115,534.47                                    | \$ 85,507.71      |
| Green Island | \$ 9,481.74           | 8,947.63  | 760.82     | 227,602.00               | 1,655.14                                    |                              | 24,950.00                                     | \$ 253,980.43     |
| TOTALS       | \$ (221,318.30)       | 1,688,231.74  | 143,550.94 | -                        | 1,913,171.20                                | 282,534.90                   | 1,655,432.56                                  | \$ 1,232,967.88   |

### Status of IMA cash "catch up" payments

In effort to begin the settlement of long-standing credit obligations between communities, staff proposed the following two actions. First, to proportionately settle the IMA Cash obligations made possible by the IMA cash settlement payment made by the Albany Water Board as follows:

| Community    | IMA - Cash<br>Obligation | Receipts   | Distributions | IMA - Cash<br>Obligation Balance |               |               |
|--------------|--------------------------|------------|---------------|----------------------------------|---------------|---------------|
|              |                          |            |               | Receipts                         | Distributions | Due To (From) |
| Albany       | (633,669.00)             | 633,669.00 |               |                                  |               | -             |
| Troy         | (271,653.00)             |            |               |                                  |               | (271,653.00)  |
| Cohoes       | 262,304.00               |            | (174,165.62)  |                                  |               | 88,138.38     |
| Rensselaer   | 464,438.00               |            | (308,379.33)  |                                  |               | 156,058.67    |
| Watervliet   | (49,022.00)              |            |               |                                  |               | (49,022.00)   |
| Green Island | 227,602.00               |            | (151,124.05)  |                                  |               | 76,477.95     |
| TOTALS       | -                        | 633,669.00 | (633,669.00)  | -                                | -             | -             |

The above payments to Cohoes, Rensselaer and Green Island will result in a cash balance of \$599,298.91.

Second, staff recommends that an additional \$350,000.00 be disbursed in a similar, proportionate share of the communities' balances, exclusive of the IMA Cash obligation, remaining as of July 31, 2019.

| Community         | Balance<br>10/01/2018  | Communities Share of                        |                   | Communities'<br>Obligations<br>Paid Through | Funds<br>Previously<br>Paid to<br>Communities | Direct<br>Expense<br>Applied net of<br>grants | Balance              | Distribution         | Adjusted<br>Balance  |
|-------------------|------------------------|---|-------------------|---|---|---|----------------------|----------------------|----------------------|
|                   |                        | Expenditures Invoiced - Oct<br>2018 to Date | 2018 to Date      |   |   |   |                      |                      |                      |
| <b>Albany CSO</b> |                        |   |                   |   |   |   |                      |                      |                      |
|                   |                        | LTCP Projects                               | Corp Expenses     | 7/31/2019                                   |   |   | 7/31/2019            | \$ 350,000.00        | 8/15/2019            |
|                   | +                      | -   | -                 | +   | -   | +   | =                    |                      |                      |
| Albany            | \$ 856,592.28          | 990,654.40                                  | 84,235.69         | 193,208.26                                  | 217,872.02                                    | 1,452,306.34                                  | \$ 1,209,344.77      | 250,385.73           | \$ 958,959.03        |
| Troy              | \$ (1,356,534.30)      | 586,829.34                                  | 49,898.31         | 1,069,705.04                                |   | -   | \$ (923,556.91)      |                      | \$ (923,556.91)      |
| Cohoes            | \$ 292,836.80          | 46,257.55                                   | 3,933.30          | 14,933.76                                   |   | 62,641.75                                     | \$ 320,221.47        | 66,299.45            | \$ 253,922.02        |
| Rensselaer        | \$ (128,601.61)        | 35,959.34                                   | 3,057.64          |   |   | -   | \$ (167,618.58)      |                      | \$ (167,618.58)      |
| Watervliet        | \$ 104,906.80          | 19,583.49                                   | 1,665.19          |   | 64,662.88                                     | 115,534.47                                    | \$ 134,529.71        | 27,853.36            | \$ 106,676.35        |
| Green Island      | \$ 9,481.74            | 8,947.63                                    | 760.82            | 1,655.14                                    |   | 24,950.00                                     | \$ 26,378.43         | 5,461.46             | \$ 20,916.97         |
| <b>TOTALS</b>     | <b>\$ (221,318.30)</b> | <b>1,688,231.74</b>                         | <b>143,550.94</b> | <b>1,279,502.20</b>                         | <b>282,534.90</b>                             | <b>1,655,432.56</b>                           | <b>\$ 599,298.88</b> | <b>\$ 350,000.00</b> | <b>\$ 249,298.88</b> |

After these two actions, the funds remaining in the checking account would be \$249,298.88; to relied upon for corporation invoices, such as those distributed at the 8/15/19 meeting. Staff recommends that additional IMA cash settlement payments be made as IMA contributions come in. Then, as additional contributions are made by the communities, staff recommends the corporation begin to settle more recent obligations by the communities.

Staff recommends the board move to authorize the distribution of funds as outlined above to begin settling long standing financial obligations in a manner that will expedite the settlement and will also bring the Corporation balance within the FDIC threshold.

The oldest debts will be paid first, and each part will be voted on independently.

#### *Action Taken*

Chris Ward made a motion to approve the IMA payments to Cohoes, Green Island and Rensselaer and Jeremy Smith seconded. The motion was approved unanimously.

#### *Action Taken*

Sean Ward made a motion to approve the obligation disbursement to the proportionate share of the communities' balances, exclusive of the IMA Cash obligation, remaining as of July 31, 2019. Tom Dufresne seconded. The motion was approved unanimously.

### **VII. West and Co. engagement letter**

The Board selected West and Co. as the Corporation's audit firm for the next three year cycle of one year engagements. The engagement letter was received and is ready for signature. The Board needs to approve the President to authorize the acceptance of the engagement letter.

#### *Action Taken*

Sean Ward made a motion authorizing the President to execute the West and Co. engagement letter

and Jeremy Smith seconded. The motion was approved unanimously.

### **VIII. Vendor Invoices**

Two invoices were presented to the Board for approval. The one from Beveridge and Diamond was pertaining to the review of language of the asset management plan. The Board has previously approved up to 5 hours of work related to the review, and 3 were billed.

#### *Action Taken*

Jeremy Smith made a motion to approve payment of the 2 presented invoices and Sean Ward seconded. The motion was approved unanimously.

### **IX. CDRPC Grant Application**

A resolution supporting CDRPC to apply for NYSDOS Local Government Efficiency Funds through the NYS Consolidated Funding Application was presented. CDRPC will apply for \$640,000 to cover four (4) years for CDRPC's CSO LTCP program administration on behalf of the Pool Communities. CDRPC contracts with the Albany Pool Communities Corporation to provide administrative services for the program. If the application is successful, the NYSDOS Local Government Efficiency grant will fund ninety percent (90%) of the project, \$576,000. The Albany CSO Pool Corporation will be responsible for the program's required ten percent. (10%) match, \$64,000. The grant's application deadline is July 26, 2019.

#### *Action Taken*

Garry Nathan made the motion to support the application and Mark Henrick's seconded. The resolution was passed unanimously.

### **X. Communications**

None.

### **XI. Other Business**

Staff urged that the City of Albany utilize a press event upon the completion of the Floatables project, a major milestone – this would provide an opportunity to tout to program and its success. The Orange St. and Quakenbush St. projects will be substantially complete on or around September 13 and the Livingston part will be done after National Grid energized the facility. The entire project should be done by October 11, 2019. Albany will reach out to their press contacts and see what can be planned. Staff urged that DEC, EFC and Riverkeeper be part of the event.

For the Beaver Creek Clean river project, the County Legislature approved the agreement between the Water Board and the County, and now the County Executive needs to sign it.

For Troy's 123rd St project, the contractor is ready to go and just needs to wait for the right time to be able to work on the trees to remove the bats. Should be complete in advance of the December

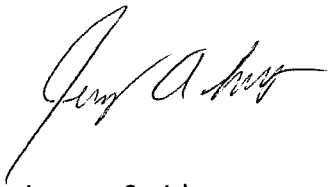
15<sup>th</sup>, 2020 Order deadline.

The substantial Starkbuck Island to separate Hudson Avenue segment is in work, and the sewer separation portion is being paid by the developer and should be started within weeks.

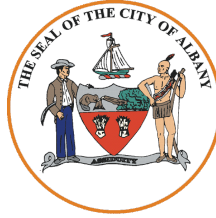
**IXV. Adjournment**

Jeremy Smith made a motion to adjourn the meeting at 10:43 and Sean Ward seconded. The motion was approved unanimously.

Respectfully submitted,  
Amy Weinstock, CDRPC Office Manager

A handwritten signature in black ink, appearing to read "Jeremy Smith", written in a cursive style.

Jeremy Smith  
Albany CSO Pool Communities Corporation Secretary



CITY OF ALBANY DEPARTMENT OF WATER & WATER SUPPLY  
10 NORTH ENTERPRISE DRIVE  
ALBANY, NY 12204  
TELEPHONE (518) 434-5300

KATHY M. SHEEHAN  
MAYOR

JOSEPH E. COFFEY, JR., P.E.  
COMMISSIONER

July 8, 2019

Ryan Waldron, P.E.  
NYSDEC  
625 Broadway, Albany, NY 12233-3505

Re: The City of Albany Asset Management Plan, Albany Pool LTCP  
SPDES ID: NY0025747, CO 4-20120911-01

Dear Mr. Waldron,

In response to your letter of May 21, 2019, we are submitting a revised version of our Asset Management Plan incorporating all of the comment responses, and noting that the February 2019 Comment Responses are part of and incorporated into the Asset Management Plan.

We are not expressing an opinion in regard to the first sentence of paragraph 3 of your letter of May 21, 2019. We will provide updates on the implementation of the City of Albany Asset Management Plan, which will include the amount of sewer system inspected annually, as a supplement to the Annual CSO BMP Report required by our SPDES Permit NY0025747, due on January 31st of each calendar year.

Sincerely,

A handwritten signature in blue ink, appearing to read "W Simcoe".

William Simcoe, PE  
Deputy Commissioner

Ecc: Joseph E. Coffey, Jr, P.E., Commissioner  
Bonnie Starr, NYSDEC R4  
Derek Thorsland, NYSDEC R4  
Michelle Schwank, NYSDEC Central Office  
Carol Conyers, NYSDEC OGC  
Kaitlin Penner, NYS EFC  
Martin Daley, CDRPC