



# 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 from IMA Board of Directors Meeting Thursday April 9, 2020 10:00am

Meeting held via GoToMeeting and Phone

### **Board Members Present:**

Garry Nathan – City of Cohoes  
Sean Ward - Village of Green Island  
Chris Wheland – City of Troy  
Joe Coffey- City of Albany  
Mark Hendricks – City of Rensselaer

### **Also Present:**

Gerry Moscinski - RCSD  
Bill Simcoe – City of Albany  
Martin Daley – CDRPC Staff  
Mark Castiglione – CDRPC Staff  
Gerry Moscinski – Rensselaer County Sewer District  
Mike Miller - APJVT

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

Chairman Joe Coffey called the meeting to order at 10:05am. Due to the Emergency changes to Open Meetings Law in Response to COVID-19, Executive Order 202.1 was issued by Governor Cuomo on March 7, 2020. This Order relaxed the Open Meetings Law to allow meetings to be held remotely by conference call or via online teleconferencing software. All members listed above as in attendance were in the GoToMeeting video Conference. The public meeting

notice and agenda, distributed the week before the meeting, provided a URL and a dial in number to provide the public the opportunity to attend the meeting either online or on the phone.

## **II. Reading and Approval of Minutes of October 17, 2019**

The minutes were distributed before the meeting. Sean Ward noted that Garry Nathan was also representing the Village of Green Island for the October 17, 2019 meeting and that needed to be reflected in the minutes.

### *Action Taken*

Garry Nathan made a motion to adopt the minutes as amended and Chris Wheland seconded. The motion passed unanimously.

## **III. District IMAs**

Martin summarized a memo to NYSDEC outlining the District IMA renewal process and reasons a slight delay was encountered in this process.

The Albany Pool Communities and each of the two Districts entered into Agreements pursuant to the Consent Order, in order to allow the communities and the District to implement the LTCP and to establish the Parties' respective responsibilities with regard to the implementation of the LTCP. Per the District IMAs, the initial term of the Agreement continued through April 14, 2020. The Agreement contained a provision that allows for renewal upon its expiration or earlier termination, by written agreement of the Parties. On January 9, 2020, the Albany CSO Pool Communities Corporation Board, made up of representatives of each of the Pool Communities, passed a resolution accepting the language of the IMA renewal mechanism. This instrument was distributed to the communities. Each of the Pool Communities has executed the renewal agreement for the Rensselaer County Sewer District (RCSD) and the Albany County Water Purification District (ACWPD).

Whereas the Albany County legislature's committee meetings for March and April were both cancelled due to the COVID-19 crisis, the ACWPD IMA renewal has taken longer than expected. The IMA renewal is on the agenda for the Legislature's committee meeting on April 28, 2020. It is expected to be on the agenda for the legislature on May 11. We expect it to be approved. After approval we expect a signed copy within two weeks, at which time it will be sent to DEC.

The board briefly discussed the memo and Sean Ward requested the dates of the legislature meetings be corrected. Martin will submit the memo and the executed RCSD IMA to the DEC.

#### **IV. Albany CSO SPDES Permit letter to NYSDEC**

Bill Simcoe shared that the City of Albany is working with Mike Miller to draft a memo to NYSDEC outlining the Pool's concerns about a timely SPDES permit mod that would allow Albany to meet their October 1, 2020 plan and spec deadline and ensure cash flow from financing and grants for the Beaver Creek Clean River Project.

At the Pool's last quarterly status meeting for the CSO LTCP with DEC, it was discussed that the Albany Water Board's CSO SPDES Permit will need to be modified for operation of "Big-C" as a disinfection facility. Per EFC, the permit modifications will need to be in-place prior to being able to apply for disbursement of funds from their IMG grant and EFC financing for the screening and disinfection facility. The Albany Water Board is currently proceeding with development of detailed design plans for all phases of the work and is proceeding with implementation of proposed project elements for improvements on Third Avenue and the connection at South Pearl Street and the screen improvements at the ACWPD's South Plant.

The Albany Water Board will not be able to authorize the bidding of the Project until the permit modification is completed so that construction phase costs are disbursable under the EFC IMG grant and financing.

Bill and Mike will prepare a memo to the Department, outlining these concerns about a timely and expeditious Permit Mod as it affects milestone dates, financing and grants. The impacts of COVID-19 are also potentially harmful in limiting the opportunities to meet and have in person discussions with the Department and EFC on this matter. A draft of the memo will be distributed to the Pool for comments. Mike will have a conversation with DEC prior to submittal of the memo. When the memo is completed, it will be reviewed by special council as per the requests of the communities and it could involve a modification to the Order's milestone dates.

#### **V. Other Business**

No other business was discussed at this time.

## **VI. Adjournment**

### *Action Taken*

Sean Ward made a motion to adjourn the meeting at 10:30 and Mark Hendricks seconded. The motion was approved unanimously.