

*Stormwater Coalition of Albany County
Board of Directors*

**Friday, September 20, 2019
Town of Colonie, Public Operations Center, 347 Old Niskayuna Rd
8:30 am to 9:50 am**

MINUTES

Board of Directors Attending:

Lucas Rogers, Albany County (Liaison to County Executive's Office and Board alternate)
Neil O'Connor, City of Albany (Board alternate)
Paul Penman, Town of Bethlehem
Garry Nathan, City of Cohoes (Note Taker)
John Dzialo, Town of Colonie (Chairperson)
Sean Ward, Village of Green Island
Ken d'Arpino, Town of Guilderland (Board alternate)
Paul Reuss, Village of Menands
Doug LaGrange, Town of New Scotland
Robert Conway, Village of Voorheesville
David Dressel, City of Watervliet

Also Present:

Nancy Heinzen, Coalition Stormwater Program Director

Absent:

Frank Fazio, University at Albany-SUNY

I. Approval of June 21, 2019 Minutes

A motion to approve the June 21, 2019 Board Meeting minutes was made by John Dzialo and seconded by Ken d'Arpino. Paul Penman abstained. The motion passed unanimously.

III. Reports

A. Coalition Administration

1. 2018 Reserve (Adjustments) & 2019 Budget Report (Drop MS4Web 10/1/2019)

Nancy Heinzen explained that the Comptroller's office corrected the 2018 reserve balance. The revised balance is \$189,554.07.

Nancy Heinzen explained the status of various 2019 budget lines:

- 1) The Coalition received pro-rated 2019 Member Dues from the Village of Voorheesville (\$2331).
- 2) The University at Albany- SUNY is returning unspent grant funded intern wages (\$3594). The check is in the mail.
- 3) Paperwork has been submitted and approved to purchase a projector using encumbered funds from the Computer Equipment line (\$1600 available)
- 4) CBI submitted an invoice for annual MS4Web services (\$3917 Miscellaneous Contractual line). Nancy reminded the Board that we had agreed to replace MS4Web with our own tracking of SWMP Plan measurable goals. She will not pay this bill and SWMP plan data currently on MS4 Web will be saved.
- 5) The VHB GIS consultant contract ends 12/8/2019 and there is \$5785 remaining in the Miscellaneous Contractual for SwIM Coalition mapper services.
- 6) Weston-Sampson, the grant funded consulting firm hired to map impervious cover and analyze stormwater revenue/costs is moving along on their work, but has submitted few bills. Consequently, over \$100,000 remains in the Fees for Services line.
- 7). The Coalition has been billed \$181,117.41 for Hospital and Medical Insurance. This is an error. Nancy Heinzen will reach out and have this corrected.

2. Village of Voorheesville (IMA/MOU Signature Page)

Nancy Heinzen received the Village of Voorheesville IMA/MOU Signature Pages. All is in order for Village membership going forward.

3. Coalition Letters of Support (T/Beth WQIP MS4 Grant for Vac-Truck; Radix Sustainability-River Education)

Nancy Heinzen explained that two letters of support for grant applications were approved by the Coalition Chairperson and sent out under her signature. There were other requests for letters of support, but not all were approved by the Chair. The Board discussed criteria for approving letters of support and while some thought that all requests should be honored, others disagreed. Pros and cons were raised, but no formal policy was adopted.

4. VHB/County Contract #3705 (SwIM/GIS Support; Ends 12/2019 – 6 month extension?)

Nancy Heinzen explained that the VHB/County contract for SwIM/GIS Support services ends 12/11/2019. She discussed the contract with VHB and they agreed to extend it 6 months until June 30, 2020. At that point, budgeted funds

should be used up (\$5785). Both parties discussed the long term future of SwIM, with VHB encouraging Nancy Heinzen to look at SAMIS, an ArcGIS Online application created by VHB which could replace SwIM.

While the immediate concern is the contract end date of 12/11/2019, Nancy Heinzen agreed with VHB that before June 30, 2020 there needs to be a close look at SwIM. Funds to continue to support SwIM beyond the current contract are in the 2020 budget, but the content of a future contract is unclear.

Sean Ward made a motion to amend Contract No. 3705 of 2017 so that the term of the agreement is extended 6 months until June 30, 2020. Doug LaGrange seconded the motion, which passed unanimously.

5. Proposed 2020 Meeting Schedule

Nancy Heinzen explained the proposed Board and Working Group meeting schedule for 2020. Dave Dressel made a motion to approve the proposed meeting schedule. Paul Penman seconded the motion, which passed unanimously.

6. NYS Floodplain and SW Mgrs Assoc – Stormwater Policy Subcommittee Report

Nancy Heinzen explained that the Stormwater Policy Sub-Committee continues to focus on Stormwater Utility Districts. To that end, Ari Levine the City of Ithaca attorney who crafted their stormwater fee local law will be the keynote guest speaker at the NYSFSMA annual conference in May. The conference will be held in Schenectady, NY.

B. NYSDEC

1. WQIP Rnd 12 Grant (6/30 Qtrly Reports Narrative/MWBE; Voucher 4)

The June 30 grant quarterly reports were submitted on time. State Aid Voucher 4 will be submitted in October.

2. Village of Menands MS4 Permit Audit – NYSDEC (June 26, 2019)

The Village of Menands received their audit results from NYSDEC (Satisfactory). The report did call out potential water quality issues regarding the DPW garage and Paul Reuss, the Village Stormwater Program Coordinator is preparing the Village response which is due September 30, 2019.

3. Town of Bethlehem MS4 Permit Audit – EPA (September 11 & 12, 2019)

Paul Penman described their audit experience which according to EPA went very well. Nancy Heinzen who participated in the audit shared additional observations.

The Town has yet to receive the official report, but at the closing meeting EPA noted water quality and compliance concerns which if addressed quickly would not be included in their report. The Town intends to complete these, in particular outfall inspections as soon as possible, otherwise they'll need to be completed over the next five years. The Town would like to address all items named by EPA before they issue the report. Staff are working hard to make that happen.

Paul Penman mentioned that Coalition municipalities were very helpful when preparing for the audit. He thanked everyone for their suggestions and guidance.

C. Coalition 2019 Work Plan – Implementation

1. Coalition Staff /Member Activities

NOT GRANT: IMA/MOU Amendments; Audit Support; WAVE 2019 – Locations/Participation; Training Blitz 10/23; Points-C/Wvliet (ORI's), C/Cohoos(Procedures-Org Chart), V/Menands (Audit Follow-Up DPW Garage BMPs & Self Audits); NYS Floodplain & SW Mgrs Asso. SW Policy Sub Committee

GRANT: Reports/Vouchers; Weston & Sampson Contract - Phase 1 (Impervious-Bldg Footprint Map'g), Phase 2 (Stormwater Revenue Calculations), Phase 3 (Stormwater Cost Estimates); Vz Wireless bills

Nancy Heinzen provided a quick overview of Coalition Activities, mentioning in particular WAVE 2019 volunteer stream monitoring events (70 participants, 4 monitoring locations) and point work in the City of Watervliet (ORI Inspections).

Weston and Sampson completed the impervious/building footprint mapping and continue to make progress with the Stormwater Revenue/Cost Analysis. They anticipate sending us their completed stormwater revenue/cost analysis for review by the end of October.

IV. Discussion/Decisions

A. Proposed 2020 Budget – Adjustments

Nancy Heinzen reminded the Board of what they had decided at the June 21 meeting, then explained subsequent decisions and related adjustments to the budget.

On the revenue side, there are no changes in dues for each member and all current members submitted Statement of Intent Forms committing to the Coalition for 2020. The available reserve was reduced to \$189,554.07 as corrected by the Comptroller's office and of that \$34,483 will be transferred into the 2020 budget.

Four MS4/municipalities will pay additional dues to fund a part time, dedicated staff person with the job title Stormwater Program Technician. The travel line was increased

slightly to cover Technician expenses and state retirement benefits were added in for the part time Technician and Coalition Stormwater Outreach Specialist.

While all four staff positions are Civil Service, three have existing approved job classifications (Stormwater Program Coordinator, Geographic Information Systems (GIS) Coordinator, and Coalition Stormwater Program Technician), while the fourth (Coalition Stormwater Outreach Specialist) is currently in draft form pending final approval by County Civil Service.

The Board reviewed the four job descriptions, with one Board member asking about the status of exams and lists. There was an exam offered years ago for the Stormwater Program Coordinator position and a previous Coalition employee was hired provisionally as a Stormwater Program Technician, but no exams have been offered. The Outreach position would be provisional hire and exam/list details regarding the GIS Coordinator position still need to be researched. It was generally agreed that the Stormwater Program Coordinator job description was outdated.

To address staff turnover issues, Lucas Rogers announced that the County Executive has committed \$90,000 to help boost Coalition salaries. This is an ongoing commitment, not limited to one year, thus providing some salary certainty for future Coalition employees. These funds are noted as County Share in the budget.

After some discussion Garry Nathan made a motion to approve the adjusted 2020 budget and John Dzialo seconded the motion. The motion passed unanimously.

B. Coalition IMA/MOU Amendments

1. Why? Proposed text
2. Deadlines – County, Municipalities, UAlbany and Paperwork (Muni resolutions/SEQR)
3. Finalizing the text – October Board meeting?

Nancy Heinzen then went on to explain that the 2020 budget includes assumptions about how the Coalition is funded which are not written into the current Coalition IMA-MOU Agreement. For this reason, given the decision to approve the adjusted budget, the Coalition IMA-MOU needs to be amended and fully executed before the County budget goes into effect January 1, 2020.

Nancy Heinzen then presented the Board with proposed amendments prepared in anticipation of budget approvals. Thomas DeBose, an attorney from the County Law Department helped draft the amendments with Lucas Rogers from the County Executive office, Nancy Heinzen from the Coalition, and John Dzialo, Coalition Chairperson reviewing and adding suggestions. The Board then reviewed all of the amendments and suggested a few edits.

In particular, the wording, “non-union” was added in Section 6.3; Section 6.3 from the existing Agreement which states that “All such employees will be deemed employees of

the County of Albany...etc.” was restored as Section 6.6; and better wording in Section 7.5 pertaining to the concept, “Staffing Support Supplement” was requested, with the final wording to be determined by the County attorney and Management and Budget staff if necessary.

Sean Ward made a motion to approve the amended Coalition IMA-MOU as discussed. This was seconded by Lucas Rogers and the motion passed unanimously.

All committed to securing governing board approvals to amend the Agreement by December 20 and Nancy Heinzen agreed to send out the corrected Coalition IMA-MOU for a final review. Assuming no objections, she would then provide Board members with the final amended Coalition IMA-MOU Agreement, along with directions for submitting signature pages, and sample resolution language for interested municipalities.

Sean Ward made a motion to adjourn which was seconded by John Dzialo. The motion passed unanimously.

These minutes were approved at the January 17, 2020 Board of Director’s meeting.