

**Stormwater Coalition of Albany County
Board of Directors Meeting**

**MINUTES
Village of Green Island
19 George Street
Thursday, March 20, 2009
8:30-9:45 am**

Board of Directors Attending:

Paul Reuss, Village of Menands
James Bulmer, City of Watervliet
Peter Gannon, Town of Colonie
John McDonald, City of Cohoes
Erik Deyoe, Town of Bethlehem
Bradford Burns, City of Albany
Carl Fleshman, Village of Colonie
Sean Ward, Village of Green Island
Alexander Gordon, Albany County

Absent:

Ken Runion, Town of Guilderland
Thomas Dolin, Town of New Scotland
Gerald Gordinier, Village of Voorheesville

Also Present:

Nancy Heinzen, Stormwater Coalition Program Coordinator
Melissa Ashline-Heil, City of Cohoes (Minutes)
Rodger Stone, Town of Guilderland
John Dzialo, Town of Colonie

I. Approval of January 15, 2009 Minutes

Chairman Sean Ward called the meeting to order at 8:30. He commented that the group in attendance constituted a quorum. The first matter of review was the minutes from the January 15th, 2009 meeting. Peter moved to approve the minutes. Paul seconded the motion which passed unanimously.

II. Reports

A. Budget Reports

Note from Stormwater Coalition Program Coordinator:

For this 2009 Budget Year, the Stormwater Coalition is simultaneously implementing activities related to the Stormwater Coalition Work Plan, financed with revenues from Coalition membership fees, and implementing activities detailed in the NYSDEC Stormwater Grant Contract C303128 Work Plan, financed with grant money. Originally budgeted for in 2007, this

grant money is embedded within the 8020 Albany County Dept of Economic Development, Conservation, and Planning Account, with unspent grant money encumbered for 2008, and 2009.

In order to keep the Board of Directors fully informed of all money currently available to the Coalition, expenditures associated with both the Coalition Account and Stormwater Grant are included in the Budget Report. This grant contract ends October 31, 2009. Any invoices submitted to NYSDEC after that date will NOT be reimbursed.

Stormwater Coalition Budget:

Money placed into the Coalition Account budget has been spent down by payroll, equipment and services. The first line, 12629, reflects pay. The last two lines, 89010 and 89030, are also payroll related. The middle items refer to equipment and services. The only item shown is postage. However, the other entries have purchases in process and will be shown on the next budget printout for the Board of Directors.

NYSDEC Stormwater Grant Budget Contract C303129:

On the reverse side of the budget is a breakdown of the expenses. An asterisk indicates a completed task. Personal Services lists the coordinator's pay (spent down as of December 31, 2008). Non-Personal Services includes equipment, supplies, materials and contractual services. Equipment is then broken down by the computer server for the map program; outfall testing kits, construction inspection kits, camcorder equipment and provision of three rain gardens in the county. So far construction inspection kits were received by all participating municipalities and the server is for the GIS mapping program that all municipalities can use. According to the budget more money is available for signage and vegetation; however, that is in the process of being spent.

Alexander asked if these numbers reflected purchase of equipment or the service. Nancy answered equipment and that cosignatories on the grant all own the equipment: hardware, battery, and the domain name on the website.

The supplies and educational materials entry has not yet been tapped. Nancy is working out a price for the educational materials. Nancy expressed a need for an assistant to develop educational materials. However, at this time she is focusing on the MS4 Annual Report rather than developing educational materials and/or hiring someone. She does, however, have a contact who would like to do the educational materials at a low price: experienced naturalist instructor. Erik asked when the assistant would be hired. Nancy replied by June she will have to show something for the educational materials and would like to have someone working on this by then. Also either the group spends the grant money, or loses it. She had extended the grant to October 31st, but would like to use it earlier, if possible.

Contractual services, the last category in the grant budget, includes the design of the GIS system and mapping training sessions which took place at 112 State Street – the County offices; the SUNY ESF training sessions; and attorney services. Every municipality except Guilderland attended the most recent GIS internet map training session. The project is finished even though there are lingering issues to work out, in particular uploading some remaining map layers into the system. There is also \$5,000 left in the budget to put towards GIS support to create the ability to add data as changes occur. The SUNY ESF training provided the opportunity for every

municipality to attend the conferences. The item came \$3,000 over budget, but that money can be pulled from underutilized line items.

Nancy and the Working Group are also planning a session on porous concrete. Erik asked who the target audience would be. Nancy left that to the Working Group. She explained that porous asphalt reduces the need to salt because it is a warmer surface. She hopes to engage an expert on the topic who teaches at the University of New Hampshire. She hopes that other tangential communities and agencies would help coordinate the event to help coordinate and populate the program. The budget has \$2,000 available for such a program.

Attorney services include the intermunicipal agreement for the MS4 Stormwater Coalition and agreement with SUNY Albany. The intermunicipal agreement is completed and the budget expenditure of \$15,018 covers that agreement, plus subsequent phone calls from Nancy to Bob. Bob Feller is also working with attorneys representing SUNY Albany to draft an agreement. John made the motion to accept the Budget. Peter seconded the motion which passed unanimously.

Bob offered to remain available to the Coalition for \$500 per year. Sean pointed out that \$500 only guarantees he will be available. It would not cover the cost of phone calls to Bob, which would be charged at the regular hourly rate.

Nancy indicated that \$5,000 remains in the attorney services budgeted grant money to complete the SUNY Albany contract and cover phone calls and questions to Bob. Sean commented that we should let Bob know that the work stops once we reach that cap. The Coalition can use municipal attorneys primarily and contact Bob with special environmental issues that come up. Nancy suggested that we could document those restrictions in a retainer agreement. Also, she has constantly reinforced the monetary constraints to Bob throughout the drafting of the two agreements. Alex added that the group should not overburden any one municipal attorney.

B. Work Plan

1. Sub-Committee Reports

The Coalition has money to purchase literature and brochure stands. Josh from Town of Bethlehem worked with Clough Harbor to develop a Construction/Post-Construction form. Copies have been distributed to all of the participating municipalities. Bethlehem has used the forms and will provide a training session to share the contractors' feedback on the forms. This would provide an interactive piece for Stormwater Management Design. The forms help prevent problems by honing everyone's attention to the important issues. The follow-up meeting is tentatively scheduled for April 30th, 2009.

2. Staffing Update

Currently Nancy uses the County administrative staff for support. She also indicated that her contact at SUNYA, Gary Kleppel, SUNY Albany Biology professor mentors Master's level interns who may be available to work for the Coalition. She would need to outline the price, time and tasks in order to use the interns.

Nancy also has a contact who would like to do the educational materials at a low price with a flexible schedule: a naturalist instructor. Erik asked about the timing of hiring interns. The

report needs administrative help now. He recommended hiring interns to assist with the report preparation. He pointed out that the narratives were done for last year's MS4 Annual Report and can be copied into this year's report. The number will change and an intern could help with the quantitative analysis.

Nancy replied that she has the purchasing burden behind her and that the tasks before her are easier. Those tasks in order of importance are:

1. complete the Joint MS4 Annual Report
2. complete all remaining grant purchases
3. tackle educational component in June when the report is done

She also pointed out that the MS4 Annual Report is in a new, longer form this year. In addition, this is the first joint report. Therefore, she would rather maintain some control over it in order to gain the experience and to work faster.

Sean and John recommended reassigning county staff to the job. However, Nancy has been limited by the County on which staff she can tap. Those with the talent that she needs are off limits to her.

C. Press Release

Some follow-up from PR; article written in The Spotlight (January 28, 2009) and Empire State News.net

D. MS4 Annual Report

Nancy asked that municipalities let her know what they need in order to complete the MS4 Annual Report. She is meeting with each municipality's Working Group representative in the next few weeks to determine needs. Those who did not select a time, Nancy selected a time for them.

Nancy issued a calendar of tasks and due dates for the municipalities to submit information to her. Municipalities who fail to meet the drop dead date will not be included in the joint report. The drop dead date is April 17th. If any of the interim due dates are missed by any municipalities, the joint report will fall behind schedule. Therefore, it is important to meet all of the due dates listed on the schedule.

Erik asked if any one municipality does not participate in the joint report, does it negative impact the remaining municipalities in the coalition. Nancy answered "No." John asked if one municipality slacks off whether that would impact the others. Nancy again replied "No." She explained that the report is a snapshot whereas the audits will provide the complete picture. The audits are where the municipalities would receive sanctions for failure to comply with requirements.

John then asked how municipalities should garner public comment. Does it suffice to post it on the website? Should municipalities hold additional public meetings? Sean indicated that he set the date for his Village Board to review, placed it on the Board's agenda and posted the information as he does any other agenda item. Erik suggested publishing it in a newsletter. Carl places it on the website. Alex offered that Nancy attend the County's legislative forum.

Erik asked whether the Board needed to authorize the Coalition signing the joint report. Nancy replied that each municipality must sign separately.

II. Discussion

A. IDDE Program Implementation

Training took place March 9th, 2009 in the County offices located at 112 State Street. Anya of Fountain Spatial provided an overview of the project and a demonstration. Nancy handed out the “real life scenarios” used during the training and the attendance list. She pointed out that Fountain Spatial led three training sessions. She noticed that different staff attended: code officials, engineers, network administrators, etc. The program will prove useful in messy areas shared by municipalities by giving the municipalities a common map and the ability to discuss by phone while viewing the same information.

Nancy gave passwords out to the Working Group representatives. Those representatives can give out the password. She cautioned against giving it out to too many people due to sensitive information on the private map layers such as the tax parcel ID number data. However, she can change the password if it is abused. Nancy recommended giving the password to municipal and county staff and board members.

Nancy pointed out that the first page has a disclaimer that the maps should not be relied upon for engineering purposes.

Until August 31, 2010 the Coalition has a maintenance agreement with Fountain Spatial. The group needs a technical person to maintain it and upload new information.

B. SUNY Albany Membership Contract

Bob Feller has drafted an agreement to give to SUNYA attorney John Reilly. The contract gives SUNY the right to attend and participate in meetings, but not to vote or be a part of the governing board. This is because of the legal status of SUNY Albany with regard to Article 5-G of the General Municipal Law. It is possible, however, as stated in the Coalition Intermunicipal Agreement (Section 3.4) for the Coalition Board of Directors to contract with a Non-Traditional MS4s Not Eligible for Membership.

The Base Fee for Non-Traditional MS4s outlined in the intermunicipal agreement is \$1750. Sean commented that the contract cost \$5,000. He also added that SUNY will bring more than just additional fee payments.

Erik asked who SUNY will send to the meetings. Nancy guesses that SUNYA will send Vinnie Franconere. He handles all environmental permits for SUNYA and participates in SUNYA’s Sustainability Committee. Alex mentioned that Garry Kleppel might attend too. Nancy added that either he or his graduate students would prove helpful to the Coalition.

C. Coalition 2010 Budget and Work Plan

Nancy explained that we will need a rough 2010 Coalition Budget. The County requires a budget by June 30th. Sean added that a rough budget could be changed at a later date.

Nancy asked if the fee should be changed. Sean suggested making the fee affordable since municipalities are all struggling right now due to economic constraints. Alex recommended at least capping the fee. Erik asked that we emphasize what the municipalities gained from membership in the Coalition. The municipal boards approve the membership and payment of the fee. If Board of Directors could show deliverables that justify the \$15,000 cost, then the local Board is more likely to approve participation in subsequent years.

Nancy described the evidence of success as the joint report and training opportunities that would not have happened without the Coalition. Therefore, even though the events were paid for by grant opportunities, the Coalition made it happen. Furthermore, Nancy likens the Coalition to growing a business. Each year the Coalition will become stronger and provide even more resources and opportunities.

John moved to adjourn at 9:45. Peter seconded the motion which passed unanimously.

Minutes approved by the Board of Directors on June 11, 2009