

*Stormwater Coalition of Albany County
Board of Directors*

**Friday, June 21, 2019
Town of Colonie, Public Operations Center, 347 Old Niskayuna Rd
8:30 am to 10:05 am**

MINUTES

Board of Directors Attending:

Dennis Feeney, Albany County
Scott Siegel, Albany County (Board alternate)
Lucas Rogers, Albany County, Liaison to County Executive's Office
Neil O'Connor, City of Albany (Board alternate)
Garry Nathan, City of Cohoes (Note Taker)
John Dzialo, Town of Colonie (Chairperson)
Sean Ward, Village of Green Island
Peter Barber, Town of Guilderland
Paul Reuss, Village of Menands
Doug LaGrange, Town of New Scotland
David Dressel, City of Watervliet

Also Present:

Nancy Heinzen, Coalition Stormwater Program Director
Jeremy Smith, City of Watervliet
Robert Conway, Village of Voorheesville
Richard Straut, Village of Voorheesville

Absent:

Paul Penman, Town of Bethlehem
Frank Fazio, University at Albany-SUNY

I. Approval of March 15, 2019 Minutes

A motion to approve the March 15, 2019 Board Meeting minutes was made by Doug LaGrange and seconded by Paul Reuss. The motion passed unanimously.

III. Reports

A. Coalition Administration

1. 2018 Reserve & 2019 Budget Report (SW Program Tech Assistant line)

2018 Reserve

Nancy Heinzen reviewed the 2018 reserve balance which according to the County Comptroller's office has a balance of \$200,921.57. She pointed out some confusion regarding the status of two encumbrances totally \$11,637.50. They were recorded as Accounts Payable and included in the Expenditures total. This ran counter to her own paperwork showing they were encumbered funds.

She asked staff from the Comptroller's office for clarification, who after careful review agreed they were encumbered funds. While the categorization will not immediately affect the current reserve balance, it could going forward. She will monitoring the necessary adjustments by the Comptroller's office.

2019 Budget

Nancy Heinzen explained the status of various budget lines. Beginning with the Stormwater Program Technician Assistant budget line she explained that Jared Flagler's last work day is June 28, his termination date is July 12 and that he will use up his vacation hours in the interim. An estimated \$21,924 will remain in that budget line until the end of 2019.

Various grant items have been purchased. From the Office Supplies line, \$7101 covered the cost of 9 ArcGIS Online subscriptions and multiple ESRI ArcGIS for Desktop licenses. From the Miscellaneous Equipment line, \$2004 was spent on monthly cell phone coverage embedded in the 12 Apple iPad tablets. From the Fees for Services line, Weston and Sampson received \$6310.65 for their services.

Of concern is the current contract with VHB for GIS/SwIM related services which ends August 4, 2019. There is an estimated \$7000 remaining in the Miscellaneous Contractual line, all encumbered funds from 2018. In the current year budget there is \$7610 budgeted for additional services, but not under contract. What to do?

Nancy Heinzen contacted the County Law Department about options, but has yet to hear back. Most likely the contract will need to be amended and extended as these services are still necessary. Unclear is whether or not the contract itself should be amended further to take advantage of 2019 funds. With Jared's departure the Coalition may need additional GIS support.

The Board discussed amending our contract with VHB, but no action was taken. Instead the discussion was deferred for later in the agenda when discussing the proposed 2020 budget.

The County terminated their contract for leased Ricoh copiers and the Coalition will receive a new copier sometime in July. According to County Purchasing the

quarterly lease is slightly less expensive. There should be no impact to what is budgeted now in the Equipment Repair and Rental line.

2. Village of Voorheesville (Rejoin Request 6/2019 IMA Sec 3.2-Joint; 5.1-Rep; 12.5-Fee; Budget RLA)

Since the last Board meeting Nancy Heinzen has been in contact with the Village of Voorheesville and various emails confirmed their interest in rejoining the Coalition effective June, 2019.

To expedite the process, she discussed with officials paperwork associated with rejoining; a likely pro-rated fee to join mid-year; and encouraged Village officials to attend the June Board meeting.

Nancy Heinzen reviewed with the Board key sections of the Coalition Intermunicipal Agreement and Memorandum of Understanding pointing out the process of re-joining the Coalition; governance and representation requirements; and the formula used to calculate dues.

She then reviewed the specifics of this formula, pointing out that similar to the Village of Green Island, based on population size and square miles in the urbanized area; there were “0” points for the Village of Voorheesville.

Using the Village of Green Island 2019 Annual Member Dues as a starting point (\$4,661) she suggested charging the Village of Voorheesville half that (\$2,330) to join mid-year (July 1 to December 31).

A motion inviting the Village of Voorheesville to join the Coalition was made by Doug LaGrange and seconded by Dennis Feeney. The motion passed unanimously.

A motion was made by Garry Nathan to set the Village of Voorheesville member dues for 2019 at \$2330 covering 6 months, July 1 to December 31. The motion was seconded by Sean Ward and passed unanimously.

3. Board and Working Group Reps – Updates?

Nancy Heinzen explained that for some of the MS4/municipalities there were vacancies in the Board alternate position and possibly other changes. She would like to update the list and reviewed a hand out to fill out and return with updated information regarding representation to the Board. She will follow-up as needed.

4. Coalition Letters of Support? (NYSDEC WQIP MS4 Grant for Vac-Truck)

Last year at this time, Nancy Heinzen received requests to write Coalition support letters for various grant applications. These were sent as approved by John Dzialo,

Coalition Chair but without any formal approval by the Board.

In anticipation of possible requests coming in after the Board meeting, she asked if any municipalities were submitting an application for NYSDEC WQIP funds to purchase a vacuum truck. None of the municipalities present at the Board meeting expressed an interest in this funding.

5. New York State Stormwater and Floodplain Managers Association (NYSSFMA) Stormwater Policy Subcommittee

In April, Nancy Heinzen and Jared Flagler presented the Coalition storm system mapping work at the New York State Stormwater and Flood Plain Managers Association conference located in Suffern, NY. There she learned of the recently formed Stormwater Policy Sub-Committee which is interested in developing a NYSSFMA position on funding stormwater management.

She participated in one on-line Stormwater Policy Committee meeting and believes that the Coalition would benefit from participation. She asked if the Coalition would like to join the Association and for her to continue participating in these meetings. There's a nominal member fee of \$50 which gives access to organization members to various NYSSFMA services.

Sean Ward made a motion to join NYSSFMA, which was seconded by Garry Nathan. The motion passed unanimously. Nancy Heinzen confirmed with the Board that she will continue to participate in Stormwater Policy Sub-Committee meetings.

B. NYSDEC

1. WQIP Rnd 12 Grant (6/30 Qtrly Reports Narrative/MWBE; unspent grant funds)

There will be an estimated \$23,000 in unspent grant funds and Nancy Heinzen asked NYSDEC staff, Willard Earley to explain our options. They are to have NYSDEC roll the unspent funds into future WQIP grants or the Coalition can use these funds for a purpose related to the current grant, if approved by NYSDEC Central Office. According to DEC, the process of modifying our grant work plan and budget is relatively simple using Grants Gateway.

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

Not discussed, but noted in the agenda.

3. DRAFT MS4 Permit –NYSDEC Presentation (CDRPC Local Gov't Wkshop 5/29)

Nancy Heinzen distributed excerpts of the May 29 NYSDEC presentation at the

CDRPC Local Government Workshop which described changes to the 2016 Draft MS4 Permit, now included in the 2019 Draft MS4 Permit under review within NYSDEC. The presentation which was delivered by Ethan Sullivan and Christina Chiappetta focused on a sub-set of proposed permit requirements discussed previously with the NYSDEC Stakeholder Workgroup. The Stormwater Coalition of Albany County, along with several other Coalition groups participated in these day-long workgroup sessions which took place in 2018.

While limited in scope, the presentation provided some insight into the overall direction of the 2019 Draft MS4 Permit. Nancy Heinzen described in more detail the following items:

- Proposed mapping requirements and the phased completion timeline;
- The criteria used to prioritize outfalls as either high priority to be inspected twice each permit cycle or low priority where 20% of the outfalls are inspected each year;
- The criteria for initiating an illicit discharge track down and re-inspection;
- The criteria used to identify high priority municipal facilities subject to implementation of a facility specific stormwater pollution prevention plan;
- Documentation and planning requirements related to catch basin inspections and clean outs; and the
- Mandated frequency of street sweeping twice per year April 1 through October 31.

Both John Dzialo and Nancy Heinzen attended the May 29 presentation with John Dzialo adding that while NYSDEC had clarified some of the requirements, in his opinion the proposed 2019 requirements were still significant and a potential reach for many municipalities.

Regarding the mapping requirements, thanks to the storm system mapping grant, Coalition members had already completed various requirements with the challenge now to maintain and update the existing database. Nancy Heinzen mentioned that bringing the Village of Voorheesville up to speed on all mapping requirement is a new consideration.

When asked how soon the revised MS4 Permit might go into effect, based on the presentation information, no specific date was provided. Currently the 2019 Draft

MS4 is under review internally within NYSDEC. This includes a close look by division level staff, regional staff, attorneys, and probably others. Once completed, the 2019 Draft MS4 Permit will be released for public comment; these comments will need to be reviewed and addressed; then the final MS4 Permit is released.

The presenters did mention that one goal of presenting some 2019 Draft MS4 Permit now is to prepare MS4 for the proposed changes, setting the stage for acceptance and potentially fewer public comments down the road.

C. Coalition 2019 Work Plan – Implementation

1. Coalition Staff /Member Activities

NOT GRANT: Joint Annual Report/Joint SWMP Plan; Presentation at Land Use Training Pace University; Point Requests: C/Cohoes; W/Vliet

Nancy Heinzen provided an update of activities, as follows:

- The Joint 2019 Annual Report was submitted to NYSDEC by 6/1/19
- The Joint SWMP Plan was completed and posted on the Coalition website on 5/3;
- Nancy Heinzen presented an “MS4 Permit Basics” powerpoint at the Pace University Land Use Training program attended by 9 Town of Bethlehem staff (mostly from the Planning Dept), one Town of Guilderland staff person (planner); one City of Albany Water Department staff; one County planner; and representatives from other non-MS4 municipalities in Albany County;
- Jared Flagler completed ‘point’ work for the City of Cohoes (mapping)
- Nancy Heinzen completed ‘point’ work with/for City of Watervliet (outfall inspections)

GRANT: J. Flagler wrap up priorities; Weston & Sampson Contract Update (Phase 1, 2, 3)

Nancy Heinzen provided an update of activities, as follows:

- Jared Flagler has been wrapping up all of the outstanding mapping work and writing up what he did; describing how the storm system mapping is conducted; where all the mapping data is saved; how the files are organized internally; and describing in detail how the ArcGIS Online forms were created and can be used into the future. This “Tome” serves as the institutional memory of all of his work and the collective mapping work of Coalition staff since 2016.
- Weston and Sampson is moving along completing Phase 1, the

impervious and building footprint mapping and is on schedule, according to their project manager to complete Phase 3, the stormwater program cost analysis.

2. Future Activities – Priorities July to December?

No report.

IV. Discussion/Decisions

A. Proposed 2020 Budget

- 1. County Support/Work’g Group Responses** (tablets, Svy123, GIS, ArcGIS Online, staffing)
- 2. Mapping Tasks for Coalition** (Flagler/Heinzen Assessment)
- 3. Options, Decisions, and Next Steps** (County MUNIS 6/28 & Statement of Intent)

Nancy Heinzen reviewed various items in the Board packet related to the proposed 2020 budget. In particular she explained a handout describing CRITICAL FEEDBACK from members which was distributed at the May 23, 2019 Working Group meeting. This short survey included a range of questions and while the answers were often sparse, they were informative.

To better understand the value of tablets and the Survey123/Collector inspection forms created by Jared Flagler, members were asked if they had touched their tablets in the last two weeks; if they had conducted any outfall, municipal facility, or construction site inspections using the tablet; whether or not in general the Coalition should invest in this ArcGIS Online technology; and how committed members were to using the same inspection forms for all members.

Other survey questions asked if the Coalition should dedicate one staff person for 4 or 5 municipalities; if the Coalition should fund a dedicated Water GIS Coordinator; and if members were willing to change the IMA-MOU dues method and County dollar contribution. The survey also asked members to review the Maximum Dues they were willing to contribute for 2020.

Nancy Heinzen shared the results of this survey with Board members and also mentioned that she, along with Lucas Rogers from the County Executive’s office met with the County Department of Management and Budget in May to discuss the 2020 budget.

Ongoing issues regarding Coalition staff retention; the challenges presented post grant to sustain our use of GIS/ArcGIS Online; plus the significant dues contribution of municipalities towards the Coalition budget over multiple years were discussed with Management and Budget. Recognizing that municipalities had clearly defined their own maximum dues contribution, with that maximum consistently resulting in a budget shortfall, Management and Budget staff agreed to help stabilize Coalition staffing by contributing \$90,000 towards the Coalition

budget. While the County Legislature ultimately approves the County budget, this support from the County Executive's office via the Department of Management and Budget is an important first step.

Nancy Heinzen then proceeded to explain how the survey results, the County contribution, and her own observation of Coalition needs were incorporated into the proposed 2020 budget. She provided an overview of the budget, then asked Board members to weigh in with specific decisions regarding certain budget lines.

REVENUE

Member Dues budget line

- At the outset Member Dues for 2020 were set at the base level for Basic Services. There were no additional dues for additional services. This was done to simplify the budgeting process. Some MS4s were concerned, explaining they were prepared to pay more, willing to fund a position for dedicated services and that buy in for additional Coalition services was important to continue going forward.

Nancy Heinzen explained that at most, given the ceiling on Maximum Dues, currently only \$26,434 in extra funds could be generated that way, not enough to fund a full-time position as hoped. It was proposed to instead fund a part time position dedicated to the needs of four municipalities (City of Cohoes; Village of Menands; Town of New Scotland; and City of Watervliet). Nancy Heinzen agreed to re-work the budget to match the cost of a part time position. The amount available would match the Maximum Dues described in the CRITICAL FEEDBACK survey for each of these municipalities.

NOTE by N. Heinzen subsequent to Board meeting: Creating a part time Coalition position for a subset of smaller Coalition MS4s, committed to funding a dedicated staff person matched to dedicated funds is a conceptual variation of the 'points' methodology detailed in the current Coalition IMA-MOU. As such, if the variation is of sufficient concern it may require amending the existing IMA-MOU to better capture the purpose and underlying mechanism to fund such a position.

Other Unclassified Revenue budget line

- The County contribution of \$90,000 was categorized as

Unclassified Revenue, with the exact positioning of these funds to be determined by County Management and Budget

NOTE by N. Heinzen subsequent to Board meeting: The infusion of funds from the County to stabilize Coalition staffing is significant. The Stormwater Coalition of Monroe County has wording in their Intermunicipal Agreement related to their own dedicated County funding for staffing which should be considered and possibly incorporated into an updated Stormwater Coalition of Albany County Intermunicipal Agreement/Memorandum of Understanding.

- The UAlbany contract to provide student interns, all funded with grant funds involved UAlbany setting up a dedicated budget line to pay students. The student intern hired to complete the mapping project (map soil boring data) dropped out of the project, consequently there is \$3594 remaining in that budget line. NYSDEC has already reimbursed the Coalition for these funds and approved our own decision to drop this deliverable from our work plan. To settle accounts, it's proposed here to have UAlbany write the Coalition a check for that amount to be deposited January, 2020. The specifics need to be worked out with the UAlbany Office of Sustainability, our grant partner.

MS4 Mapping Project – DEC WQIP Grant budget line

- There will be an estimated \$23,000 in unspent grant funds. If possible, it's proposed to have NYSDEC continue to support our emerging use of tablet and forms technology by paying for continued cell phone coverage for 12 tablets for 12 months (\$5772) and nine ArcGIS Online subscriptions (\$4050). The Board agreed to have NYSDEC pay for as many budget items as possible related to this technology. Nancy Heinzen already reached out to NYSDEC regarding these options and a decision is pending. The Coalition budget will be adjusted as needed.

Transfer from SW Reserve budget line

- There is \$200,921.57 in the Stormwater Coalition Reserve. In the budget presented, there is a shortfall of \$26,434 roughly matched to the shortfall created because dues revenue at the outset did not include additional dues from members potentially requesting additional Coalition services. Board members discussed

transferring funds from our reserve to cover this shortfall. After some discussion, all agreed to using the reserve in this way.

NOTE by N. Heinzen subsequent to Board meeting: It was not clear from the discussion if using the reserve in general to cover any shortfalls was acceptable, nor how much could be transferred. Given unknowns regarding NYSDEC approvals to use unspent grant funds; the budget consequences of creating a part-time dedicated staff position for four municipalities; and other potential changes to the proposed budget, this initial approval was interpreted as a general approval to transfer reserve funds as needed.

EXPENSES

Personnel budget lines – full time

- Coalition Director - this position remains the same. A 2% pay increase is included in case that becomes a County wide 2020 budget decision for all non-union employees. No specific comments from the Board.
- Water GIS Coordinator – this is a proposed new position. It is an outgrowth of the survey responses and multiple conversations with Jared Flagler regarding what it would take to sustain mapping work completed to date and use of ArcGIS Online-Survey123-Collector technology for multiple Coalition members.

To clarify the position, Nancy Heinzen reviewed with the Board the handout titled, “Mapping Tasks for Coalition” prepared by Nancy Heinzen and Jared Flagler which lists in detail GIS/ArcGIS Online mapping tasks and associated water infrastructure well matched to the capabilities of this technology and potentially within the purview of a Water GIS Coordinator.

While GIS services related to storm system and stormwater program infrastructure is prioritized, over the years other water infrastructure has been mapped by Coalition staff (combined and sanitary wastewater). By listing the full range of water infrastructure potentially associated with the services of a Water GIS Coordinator, the position itself takes on additional dimensions worth considering.

The Board approved this budget line.

Temp Help budget lines

- Public Participation and Education Coordinator – this is a new position (3 days/wk, \$15/hr, 52 weeks). The purpose is to address short comings promoting, organizing, and executing Coalition-wide public participation events focusing on water quality. The Board approved this budget line.
- U Albany Intern – this is to have staffing in place when it is most needed (spring and summer) for interested MS4s. Some Board members commented about the need to train interns and potential issues related to that.

NOTE by N. Heinzen subsequent to Board meeting: Given the decision to create a dedicated part time position for 4 MS4s, given limitations in available Coalition computers; possible redundancy; and costs, the paid UAlbany intern position was dropped. The County also has a robust summer internship program which may be an alternative going forward.

Computer Supplies budget line

- The itemized ESRI ArcGIS Desktop licenses describe software needed to support 2 FT staff (Water GIS Coordinator and Coalition Director) and 2 part time staff. The listed costs are for software maintenance and ArcGIS Online subscriptions. No comments from the Board.
- All current Coalition MS4 ArcGIS Online subscriptions are listed. The cost may be covered by NYSDEC pending their decision regarding unspent grant funds. Voorheesville is not listed and Nancy Heinzen asked if we should include an ArcGIS Online subscription, plus tablet for Voorheesville. Representatives from Voorheesville said that was unnecessary and would instead rely Frank Fazio's dual role to fill in the gaps.

Conferences/Training/Tuition budget line

- Funds were allocated to pay for in-house training organized by the Coalition and joining the Center for Watershed Protection which routinely archives their webcasts making them available to CWP

members. Multiple Coalition MS4 would have access to the archived webcasts, typically a source of valued, varied stormwater information.

Additional funds were budgeted for the NYSDEC Stormwater Training courses hosted by Blue Neils, Saratoga Cooperative Extension and membership in the New York State Stormwater and Flood Plain Manager Association, also a source of training services. All budget lines approved by the Board.

Miscellaneous Contractual budget line

- The budget proposes continuing to fund VHB/GIS related services; website maintenance, with that budget line increased somewhat for website updates; and funding Albany County Water Purification Services for ORI Kit maintenance. The budget proposes dropping CBI/MS4 Web (\$3917) as the document it generates is not necessarily what either NYSDEC or Coalition MS4's need. Alternative documents based on EXCEL spreadsheets may be more useful. The Board approved these changes.

State Retirement budget line

- The budget did not include state retirement costs for part time employees as it was unclear if part time County employees were entitled to this benefit. Board members clarified that while it is optional for part time employees, if they choose to pay for State Retirement, it needs to be available to them and included in the Coalition budget. Nancy Heinzen agreed to add this cost to the budget.

After reviewing, discussing, and approving specific budget items, Sean Ward made a motion to approve the proposed budget modified to include a dedicated part time position funded using additional fees provided by the City of Cohoes; City of Watervliet; Village of Menands; and Town of New Scotland with those additional funds as itemized in the Maximum Dues less Basic Member Dues column of the proposed budget. John Dzialo seconded the motion, which passed unanimously.

B. Proposed 2020 Work Plan

1. Assumptions and Content

Nancy Heinzen reviewed the proposed 2020 Work Plan pointing out that the Basic

Services named in the Coalition IMA-MOU were prioritized differently compared to last year. “*Apply for, administer, and implement grants*” was now at the bottom of the list (#12 of 14 Basic Services), while “*Support shared mapping efforts across municipal boundaries*” and “*Implement MS4 Permit requirements collaboratively for the purpose of individual MS4 Permit compliance*” were at the top of the list (positions #3 and #4 respectively).

Various collaborative MS4 Permit implementation tasks were listed in the work plan, all dependent and based on staffing the Coalition as proposed in the 2020 budget. These tasks include reviewing and updating educational material; organizing more and more varied public participation activities; updating the ORI outfall kits; and organizing a wide range of training activities associated with using the tablets; conducting effective inspections; sponsoring DVD training sessions; and preparing for the updated MS4 Permit.

Familiar work plan tasks were included as well, such as submitting a joint annual report and updating SWMP plan documentation regarding goals and tasks completed. In the interest of time, the Work Plan was described, but not discussed in great detail.

Dave Dressel made a motion to approve the 2020 Work Plan, which was seconded by Sean Ward. The motion passed unanimously.

Garry Nathan made a motion to adjourn which was seconded by Dave Dressel. The motion passed unanimously.

These minutes were approved at the September 20, 2019 Coalition Board Meeting.