

*Stormwater Coalition of Albany County  
Board of Directors*

**Friday, January 21, 2022  
TEAMS Videoconference  
8:31am to 10:05am**

**MINUTES**

**Board of Directors Attending:**

Lucas Rogers, Albany County (Liaison to County Executive's Office and Board rep)  
Sameer Modasra, Albany County Dept of Mgmt & Budget (Board alternate)  
Neil O'Connor, City of Albany (Board alternate)  
Paul Penman, Town of Bethlehem  
Garry Nathan, City of Cohoes (Board alternate, note taker)  
Zach Harrison, Town of Colonie (Board alternate)  
Maggie Alix, Village of Green Island  
Peter Barber, Town of Guilderland  
Paul Reuss, Village of Menands  
Doug LaGrange, Town of New Scotland (Chairperson)  
Frank Fazio, Village of Voorheesville (Board alternate)  
Dave Dressel, City of Watervliet  
Karl Kilts, University at Albany

**Also Present:**

Nancy Heinzen, Coalition Stormwater Program Director  
Katelyn Reepmeyer, Town of Colonie  
Susan Quinn Laurilliard

**I. Appointment of Board of Directors chairperson and alternate (IMA/MOU Section 5.4)**

A motion to appoint Doug LaGrange chairperson of the Coalition Board of Directors was made by Paul Penman and seconded by Neil O'Connor. A roll call vote was taken and the motion passed unanimously.

A motion to appoint Neil O'Connor as the alternate chairperson of the Coalition Board of Directors was made by Neil O'Connor and seconded by Maggie Alix. A roll call vote was taken and the motion passed unanimously.

**II. Approval of September 17, 2021 Board Meeting Minutes**

A motion to approve the June 11, 2021 Board Meeting minutes was made by Frank Fazio and seconded by Maggie Alix. A roll call vote was taken, Peter Barber abstained, and the motion passed unanimously.

**III. Reports**

**A. Coalition Administration**

**1. 2021 Budget Report (End Of Year Forms; Budget TXRs)**

Nancy Heinzen reviewed the salary lines of two Coalition employees, the GIS Coordinator

position and Coalition Stormwater Program Technician. She mentioned that each had been hired mid-year in 2021 and that some funds remained in both lines.

She reminded the Board that earlier in the year funds were transferred from the Coalition Stormwater Program Technician line to the Miscellaneous Contractual line to reimburse the 4 MS4s. Also, what funds did remain in both lines would be incorporated into the reserve balance calculated for 2021.

Lucas Rogers asked about the unspent GIS Coordinator funds and how those would be tracked given the staff support language in the Coalition IMA-MOU. Would they be added to the Coalition reserve balance?

Nancy Heinzen responded, no but that 2021 was the first year to have someone hired in the GIS Coordinator position and the mechanics of adjusting the Coalition reserve accordingly to prevent this from happening will need to be worked out this spring when the reserve balance is calculated. Staff from both the County Department of Management and Budget and Comptroller's office are aware of the IMA-MOU language and reserve calculation procedures.

Nancy Heinzen then reviewed the Miscellaneous Contractual budget line. There are unspent funds in the Miscellaneous Contractual line which will need to be encumbered (\$10,788.25) and combined with funds encumbered in 2020 (\$5,483.50) to cover the \$16,271.75 remaining in the VHB contract for GIS services. Funds to encumber are noted and explained in End of Year (EOY) Forms submitted to the Comptroller's office mid-February.

There is also standing purchase order with Adirondack Environmental for water testing services and funds remaining for that purpose (\$600) will need to be encumbered, if possible.

The 2021 actual expenditures for Hospital and Medical Insurance match staffing levels for 2021 and as that amount is used to calculate the Coalition reserve balance, hopefully it will remain as is once the 2021 budget is closed out.

## **2. 2022 Budget Report (2021 Invoices, FINAL corrections, ESRI Purchases-ArcGIS Online, Web Host'g - Meticulosity)**

Nancy Heinzen explained that before the Coalition budget is incorporated into the proposed County Executive budget, she reviews with Management and Budget final details. This typically takes place late September. There were some last minute adjustments to the Coalition budget.

In particular the Temp Help line was moved from the Personnel Services – Individual category to the Personnel Services – Non Individual category as it is not salary matched to a job title.

Funds budgeted to cover Accrued Vacation expenses should have included a related Social Security expense of \$2159. This was added to our Social Security fringe line. Plus there was a small adjustment of \$180 to our DGS Shared Services Charges. Consequently Coalition revenue less expenses resulted in a County Share balance of \$79,929 up from the \$77,590 in

the Board approved June, 2020 budget. As this County Share balance is a proxy for the amount recognized as the Staff Support Supplement and cannot exceed \$100,000, the increase from \$77,590 to \$79,929 was not an issue.

These proposed adjustments were incorporated into the final 2022 budget adopted by the County.

As of this budget report dated January 13, 2021 while membership dues checks have been received they have yet to be deposited, therefore revenue is \$0. Expenditures to date are limited to salary lines, with both full time staff, the GIS Coordinator and Stormwater Program Coordinator receiving a 2% raise for 2022, as planned.

Nancy Heinzen explained that \$6300 is budgeted in 2022 for Computer Supplies and that unlike previous years when these purchases were grant funded, the Coalition will be purchasing ArcGIS online licenses for those Coalition members who do not already have it. This is necessary because once SwIM is decommissioned, members will need an ArcGIS Online license to view replacement web mappers.

Nancy Heinzen provided the Board with her own plan to purchase which ArcGIS Online licenses for which Coalition members phased in over the next few months.

### **3. VHB SwIM/GIS Services Contract (Renewal – end date 12/31/2022)**

The VHB contract for SwIM/GIS services was extended to December 31, 2022. If there are any problems with SwIM this will support any troubleshooting by VHB staff, billed hourly as needed. Once all interested Coalition members are set up with a replacement internet mapper and necessary licensing, the VHB contract can be discontinued.

### **4. Contact List and Coalition Board/WG Representatives Info Form**

Nancy Heinzen reviewed the most current contact list, pointing out personnel changes for each Coalition member. She then explained that who serves in which capacity on the Coalition Board of Directors is at times unclear, nor is it obvious how individuals were selected.

Given staff changes and need to firm up Board representation, she asked members to fill out a form she provided titled, Board of Directors Representation Form, due back to her within a month.

This form asks for the name and job title of Board representative, their status as either a permanent or alternate Board representative, information about when and how they were appointed, and to submit paperwork, if available documenting the selection process. Board representatives agreed to provide this information with Nancy Heinzen following up as needed.

## **B. EPA & NYSDEC**

### **1. EPA Region 2 Inspections/Findings (11/3/2021; Shaker Creek tribs/MS4 Program; T/Col & Albany County)**

Nancy Heinzen explained that various Coalition members were subject to inspections by EPA. The focus was on Shaker Creek tribs, in particular an area associated with two MS4s, the Town of Colonie and Albany County. Zach Harrison from the Town of Colonie explained that their own follow up was moving along well and Lucas Roger from Albany County offered to follow up on any questions.

## **2. Draft 2020-2022 303d Impaired Waters (Delisting/New Listings - Public Comments? Due 1/28/22)**

Nancy Heinzen explained that unlike previous years there were changes in the proposed draft 2020-2022 303d Impaired Waters list. If a waterbody is impaired, that triggers the creation and adoption of a Total Maximum Daily Load (TMDL) plan. If no longer impaired the waterbody is delisted and a plan is not required.

While still in a draft stage, the Hudson River/Stream Class C; Minor Tribs to West of Hudson; and Krum Kill Upper, and tribs water are proposed for delisting. New listings include the Mohawk River/Stream, Lower, Main Stem; Vly Creek Reservoir; and Watervliet Reservoir.

While none of these water segments were prioritized by NYSDEC for immediate work developing a TMDL, impaired segments sometimes require attention in other ways. Nancy Heinzen mentioned that if interested, public comments regarding these proposed changes are due January 28, 2022.

## **3. Draft NYSDEC MS4 Permit (Public Comments? Due 2/28/2022)**

The NYSDEC draft MS4 Permit GP-0-22-002 was released for public comment on January 12, 2022. Nancy Heinzen asked the Board if they would like to submit comments which are due February 28, 2022. She then reviewed portions of the draft MS4 Permit, explaining based on her own quick look some key elements.

Given the public comment due date of February 28 and the timing of the next Board meeting on March 18, the Board would be unable to formally approve Coalition comments. After some discussion, Garry Nathan proposed that the Working Group gather comments, to be shared with their Board representatives, who if there are no objections would pre-approve the comments developed by the Working Group. Then Nancy Heinzen could send the comments to NYSDEC under the Coalition letterhead.

Neil O'Connor seconded the motion. A roll call vote was taken, which passed unanimously.

## **C. Coalition Workplans – 2021 and 2022**

### **1. 2021 September to December (SwIM/ArcGIS Online/Insp Forms/Licensing Activities; 4 MS4s Svces; Other)**

Nancy Heinzen provided a quick overview of Coalition staff activities between September and December in 2021. For the GIS Coordinator they focused on analyzing who used the SwIM mapper application; who needs what kind of GIS mapping support going forward; deciding what kind of Esri licenses at what cost are needed to support using ArcGIS Online;

and understanding how to create the appropriate ArcGIS Online applications for users.

The Coalition Stormwater Program Technician focused on learning about the MS4 Permit, using the ArcGIS Online technology (tablets and web maps) and completing outfall inspections for all four Coalition members who requested additional services.

**2. 2022 January to March (High Priority: IMA-MOU Update; Operations-Invoices/BOD/WG/Civil Svce Director Spec; Website Updates; 4MS4s Support-Assignments; SwIM/HUB/ArcGIS Online/Viewer Platform; Insp Forms/Licensing Activities; GIS Policy Coordination; Training – Coalition staff/Others)**

Nancy Heinzen reviewed the Coalition Work Plan items as listed in the agenda and explained that the GIS Coordinator would continue the transition from the SwIM web mapper to the ArcGIS Online WebApps for Coalition members; while the Stormwater Program Tech would focus on specific requests from individual MS4s.

An immediate priority is updating the IMA-MOU agreement. She mentioned that finally seeing the draft MS4 Permit was helpful in this regard as there may be content in the draft MS4 Permit which points to a different role for Coalition's generally. That information may need to be considered when updating the IMA-MOU.

**D. County Plans - Updates (Climate Resiliency Plan and Shared Services)**

The Stormwater Coalition has been supportive of the County's effort to develop a Climate Resiliency Plan. The consulting firm hired to develop the plan is Bergmann and their lead staff person has been meeting with communities to gather flood location information and project suggestions. With a Climate Resiliency Plan and solid list of project ideas there is a better chance of receiving grant funding.

Nancy Heinzen reviewed a write up she had prepared updating the content of the County Shared Services plan, in particular wording pertaining to the Stormwater Coalition. The Coalition is mentioned there as a Shared Services entity which helps to reduce the overall cost of MS4 Permit implementation for individual MS4s. She explained her own method for calculating MS4 Permit related savings.

**IV. Discussions/Decisions**

**A. Coalition Intermunicipal Agreement and Memorandum of Understanding**

**1. Update**

**2. IMA-MOU Sub-Committee**

Nancy Heinzen explained that she had met several times with the County attorney assigned to work on the Coalition IMA-MOU update. To date, there was a marked up version of the IMA-MOU for review, but that it would require a close look by others before distributing it to all Coalition members.

At the last Board meeting in September, some members agreed to serve on the IMA-MOU sub-committee but as there were some unknowns at the time, a formal committee was not established by the Board.

Garry Nathan made a motion to appoint Doug LaGrange from the Town of New Scotland;

Garry Nathan from the City of Cohoes; Dave Dressel from the City of Watervliet; Paul Penman and/or Joe Cleveland from the Town of Bethlehem; and Nancy Heinzen from the Stormwater Coalition to serve on the Coalition IMA-MOU Update Sub-Committee. Paul Penman seconded the motion. A roll call vote was taken, which passed unanimously.

**B. Board of Directors –Letter of Support?**

**1. QR Code Pilot Project (CGP SWPPP Inspections - K. Barber & NYSDEC)**

Nancy Heinzen explained that Ken Barber’s firm which is routinely hired to do Construction Activity General Permit (CGP) Site Inspections has developed a system such that anyone who wants to see SWPPP inspections and other CGP documents can access that information using a QR Code visible on the construction site and smart phone.

NYSDEC agreed to have Ken Barber develop this as a pilot program and several Coalition member communities currently participate.

According to Ken Barber, NYSDEC is open to considering extending the QR Code option to others, not just the pilot program communities, but needs feedback from others and encouragement. Ken thought that a letter of support from the Coalition would be helpful.

The merits of the QR Code were discussed further. While all agreed that the QR Code worked well, many felt that paper documents on site and in general were still useful. Not everyone was inclined to fully trust the exclusive use of electronic documents for compliance.

Doug LaGrange made a motion to send a letter to NYSDEC supporting the use of QR Codes for Construction Activity Permit related inspection and paperwork requirements, but that it should be optional. Maggie Alix seconded the motion. A roll call vote was taken, which passed unanimously.

Doug LaGrange made a motion to adjourn the meeting which was seconded by Frank Fazio. There were no objections and the motion passed unanimously.

**NEXT BOARD MEETING:** Friday, March 18, 2022, 8:30am – 10:00am. Location to be determined depending on status of Covid-19 requirements.

*These minutes were approved by the Coalition Board of Directors at their March 18, 2022 meeting.*