

# Albany CSO Pool Communities Corporation

Capital District Regional Planning Commission  
One Park Place, Suite 102,  
Albany NY 12205  
Tel: (518) 453-0850

## Minutes of Board of Directors Meeting Thursday, October 8, 2015

### Present:

Martin Daley – CDRPC Staff  
Rocco Ferraro – CDRPC Staff  
Donna Reinhart – CDRPC Staff  
Richard Davis – Beveridge & Diamond  
Joe Scott – Hodgson Russ, LLP  
Mike Miller – Albany Pool Joint Venture Team (CHA)  
Bill Simcoe – City of Albany  
Neil Bonesteel – City of Troy  
Chris Wheland – City of Troy  
Rich Lyons – Albany County Sewer District  
Tim Murphy – Albany County Sewer District  
Gerry Moscinski – Rensselaer County Sewer District  
Garry Nathan – City of Cohoes  
Jeremy Smith – City of Watervliet  
Sean Ward – Village of Green Island  
Mark Hendricks – City of Rensselaer  
Tony Manfredi – City of Rensselaer  
Ozzie Priotti – City of Rensselaer

President Rich Lyons called the meeting to order at 10:00 AM

### I. Call to Order/Roll Call

Following introductions and a roll call, Rich Lyons reported a quorum.

### II. Reading and Approval of Minutes of September 10, 2015

The minutes were distributed before the meeting. No changes were made.

### Action Taken

Garry Nathan made a motion to approve the meeting minutes and Bill Simcoe seconded. The motion was approved unanimously.

### **III. Selection of a Bank for the LDC**

Martin has collected proposals for business checking from several area banks, has met with representatives from First Niagara and Pioneer Bank, and spoke via phone with a representative from M&T Bank. The list of banks to interview was limited to banks with a New York base, Wolf Rd. branches, municipal checking experience, and reputation.

The meeting with Pioneer Bank went very well and representatives provided extensive information on collateralization, FDIC and NYS Comptroller's office regulations and best practices, and stressed their small local presence and community ties. Martin recommended Pioneer as the bank for the LDC and will follow-up with a schedule of services and fees for the board's review prior to board action on a bank.

Bill Simcoe requested the review of services and fees be first held by the finance committee as per the procurement policy. Martin will determine if the fees also trigger the board's procurement thresholds.

#### **Action Taken**

Sean Ward made a motion to follow-up with Pioneer Bank subject to the final fee schedule and Jeremy Smith seconded. The motion was approved unanimously.

### **IV. Selection of a Vendor for the GI Code Audit and Technical Design Guidance**

The deadline for proposals was September 18 and we received five proposals. Of those five received, two were selected for interviews by the review team: Behan & Associates and Barton & Loguidice. Martin added both interviews went very well and that both firms and proposals were excellent. He summarized the review process and committee's evaluation. The review committee discussed the proposals following interviews and believed Barton and Loguidice's proposal was more suited to their needs, citing comfort and familiarity with the code audit for four of the East side communities, the involvement project staff from the prior audit, and the legal representative's prior experience as Regional Director for DEC. The review team recommended to the Board that the Barton & Loguidice team be selected as the vendors for the GI Code Audit and Technical Design guidance manual.

#### **Action Taken**

Chris Wheland made a motion to accept the recommendation to select Barton & Loguidice and subs proposal and Jeremy Smith seconded. The motion was approved unanimously.

### **V. Distribution of Binders**

CDRPC has completed the collection and organization of documents and materials for inclusion in the Board Binders and they are available for distribution. Board members had previously received the CD with all the materials that were printed plus ABO and

NYS General Municipal Law guidelines (which were not printed to save expense and space in the binders). Each community and district has one binder. The Board President and CDRPC also have a binder.

The Board suggested all official documents be available on the website. Martin will post the official documents to the website after getting Board consensus on content and format.

#### **VI. RFP for GI Credit Banking and In-Lieu-of-Free program**

A draft RFP was distributed to the Board for questions and comments before it will be posted. The Albany Water Board submitted a \$50,000 grant request to the DEC Estuary program for the GI Credit Banking and In-Lieu-of-Free program. Martin will work with the Water Board and DEC on a process to issue the RFP if the Water Board elects to have CDRPC issue the RFP on their behalf.

#### **VII. Executive Session**

There was no need for an executive session.

#### **VIII. Other Business**

Ozzie Priotti expressed some concerns about frequent delays on SSS-02, Partition St. that may cause a delay in project completion, particularly site access, negotiations with Amtrak for relocation of a water main, and a stone abutment blocking pipe jacking. The city fears that the contractor may not be able to catch up after these recurring delays. The legal and technical team will meet with representatives of the City to review these issues, many of which have already been communicated to DEC, and work with the City to develop the appropriate communication with DEC if an evaluation of the delays and scope of work remaining constitute a request for deadline modification.

Martin received confirmation from EPA that the question of SEQRA and NEPA applicability to non-discretionary actions, such as the LTCP's administration under the enforcement Order, has been settled and that they are not subject to NEPA and SEQRA review. If EPA did not recognize Enforcement Order projects as non-discretionary, and additional environmental review was to be required, the issue could have delayed grants, financing, and implementation of LTCP projects.

Martin continues to work with Joe Scott and tax staff at Hodgeson Russ to request 501c3 status with the IRS and to register with NYS Charities. Martin requested the board grant Hodgeson Russ power of attorney expressly to help expedite the filing to the IRS and NYS Charities, as a filing from an attorney may ease and speed the process. Martin also requested the Board to permit Hodgeson Russ to submit to IRS on behalf of the LDC the filing fee, \$850.

#### **Action Taken**

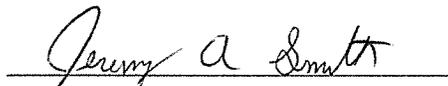
Sean Ward made a motion to authorize Hodgson Russ to submit to the IRS and NYS Charities on behalf of the LDC and pay the filing fee and Tony Manfredi seconded. The motion was approved unanimously.

**Adjournment**

There being no further business, Chris Wheland made a motion to adjourn the meeting and Sean Ward seconded. The motion was approved unanimously. The meeting adjourned at 12:00pm.

The next LDC meeting is scheduled for Thursday, November 12, 2015 at 9:00am.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jeremy A. Smith". The signature is written in black ink and is positioned above a horizontal line.

Jeremy Smith, Secretary