

# 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, December 10, 2015

### Present:

Martin Daley – CDRPC Staff  
Rocco Ferraro – CDRPC Staff  
Donna Reinhart – CDRPC Staff  
Kim Moshier – CDRPC Staff  
Joe Scott – Hodgson Russ, LLP  
Jeanine Rogers Caruso – Fiscal Advisors  
Mike Miller – Albany Pool Joint Venture Team (CHA)  
Bill Simcoe – Albany Water Board  
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  
Bill Simcoe – City of Albany  
Garry Nathan – City of Cohoes  
Jeremy Smith – City of Watervliet  
Maggie Alix – Village of Green Island  
Mark Hendricks – City of Rensselaer

Rich Lyons called the meeting to order at 9:00 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 November 12, 2015

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

### Action Taken

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

### **III. Project# APW-04 Sewer System Operations, Maintenance and Inspection Plans**

The milestone date for completion of this task was incorrectly relayed to the communities by Martin as December 15, 2015. The correct deliverable date was December 1, 2015. Upon discovery of the error, Martin notified the communities and DEC that the Plans would be delivered prior to or on December 15<sup>th</sup> and assembled together a letter and certificate of non-compliance that he submitted to DEC. DEC acknowledged the missed deadline and receipt of the letter and certificate. Martin and Richard reported that they have no reason to believe the missed deadline will result in action from DEC. Martin apologized for the error.

### **IV. Update on GI Planning Projects**

Martin met with Nadine Medina from Barton and Loguidice to review the West Side APC code audit surveys that were filled out during the Stormwater Coalition's program in 2013. Martin and Nadine developed a short list of "next steps" for the GI code audit and technical design guidance projects. Barton and Loguidice will be following up with the communities regarding the survey and send the new, blank surveys to Troy and Rensselaer to fill out. Martin requested contact information from the planning and engineering departments from each of the communities to assist Barton and Loguidice in their follow-up and new survey work.

An RFP was issued on behalf of the Pool Communities for the Green Infrastructure Stormwater In-Lieu Fees and Stormwater Retention Credit Bank Feasibility Studies. The deadline for the RFP was November 20, 2015 and three proposals were received. Martin distributed the proposals and a project scorecard to the APCs. Martin requested all feedback on proposals be submitted to him ASAP. Because they were the awardee of \$50,000 in Estuary funds, the Albany Water Board is the manager of this project and will be making the determination on a preferred proposal, but will appreciate input from the APCs.

### **V. Asset Management Program**

DEC has developed an Asset Management Planning (AMP) pilot program. After DEC selects applications from volunteer communities, the Agency and an engineering firm, (yet to be selected), will provide technical assistance services and guidance over the course of the next three years to develop asset management plans. Applications and data surveys must be submitted by January 20, 2016. The west side communities of Albany, Green Island, Watervliet, and Cohoes are required by the Order to complete AMPs by 12/1/17.

Richard Davis discussed a few issues with the Board that were of some concern. Several communities expressed concerns about the project timeline, whether communities under consent order to develop AMPs would be selected, and how flexible the program

may be for the Pool to work jointly. The west side APCs stated that they would prefer to work outside the pilot program to develop AMPs.

**VI. Directors and Officers Insurance, Audit Services**

Martin and Joe Scott are collecting model RFPs that the Corporation may utilize to retain directors and officer's insurance and audit services. These RFPs will need to be reviewed by the Audit and Finance Committees prior to being posted.

**VII. Meeting Schedule for 2016**

A list of the proposed dates for the 2016 meetings was distributed before the meeting. Martin suggested moving the Corporation meetings from 9:00am to 11:00am to ease scheduling of IMA Board and Corporation Committee meetings prior to the Corporation's monthly Board meetings.

Bill Simcoe asked for the meeting schedule for quarterly DEC meetings. The quarterly DEC meetings are scheduled for January, April, July, and October and will be held at 1:30pm.

**VIII. Consultant Invoices**

Invoices for consultant services were distributed prior to the meeting; two invoices from Beveridge & Diamond for August and September, 2015 totaling \$37,619.44, and one invoice from Fiscal Advisors for August, 2015 for \$3,700.00.

**Action Taken**

Chris Wheland made a motion to approve payment to Diamond & Beveridge and Fiscal Advisors and Jeremy Smith seconded. The motion was approved unanimously.

The treasurer will review the invoices and authorize Rocky to sign the checks.

The Board would like more detailed invoices, not just abstracts. Martin will email the Board with additional information and include the full invoice in the future.

**IX. Authority Budget Office (ABO) Reports**

The ABO's Budget Report deadline for LDC's is July 1. Investment, Audit Procurement, and Annual Reports are due 12/31. Martin and Joe have been in contact with the ABO regarding these dates and expressed concern that the Corporation was formed May 28<sup>th</sup>, and received authorization in late July. In addition, the Corporation has not yet retained an audit firm, developed a budget in September, and has no assets, and has not yet made any procurements – complicating the completeness of reports should we attempt to file and meet 2015 deadlines. The ABO concurred with the timing issues and issued an opinion that the next year's reporting dates would apply to the Corporation (July 1 and December 31, 2016).

**X. Communications**

A reporter from the Times Union contacted Martin regarding ESCO contracts in RCSD. Martin did not have a lot of information to provide, but did confirm some pump station work was done in accordance with consent orders issued by DEC and part of the LTCP program. An article was run last week in the Times Union.

Martin was also contacted by WNYT for information on a story on CSOs in the Capital Region. Martin spoke to the reporter and also sent links to the CSO website and LTCP and Consent Order. To date, WNYT has not done a story on CSOs since the call.

#### **XI. Project Updates**

The City of Albany North Swan St. Park GI, GI-02, has been completed and a certificate of operational start up and construction completion has been distributed to the APCs to execute.

GI-03, Quail Street GI is 2/3 completed. Work has been done between Western and Washington Avenues. Construction will pause for winter and start back up in the spring.

SSS-02, Partition Street is nearly complete. The last of the storm pipe is being put in this week. Pipe is going up fence line now and will be completed next week. One thousand feet of sanitary pipe is almost completed.

The Rensselaer County Sewer District requested from DEC an extension of construction completion and operational start-up dates for BMP-04, Optimization of conveyance of wet-weather flows to the WWTP by modifying up to 40 regulators. Many of the regulators have been addressed but the District would prefer to complete the remaining regulators after the Troy Pump Stations have been upgraded. DEC requested one regulator, Water St., be addressed prior to granting an extension of deadlines. RCSD will address the Water St. Regulator and send photos to DEC.

#### **XII. Other Business**

The Pioneer Bank Business Checking account is now open, however, we are waiting on the collateralization to be set up before any deposits are made. Pioneer is waiting to hear from M&T bank confirming collateralization.

We continue to work with EFC staff to close financing for the Troy and Albany shares of the total project costs and we anticipate announcements from EFC on Infrastructure Grant applications.

Jeanine Rogers Caruso spoke with Paul Johnson and is close to getting information back on Troy and is still working with Albany.

#### **Adjournment**

Jeremy Smith made a motion to adjourn the meeting and Garry Nathan seconded. The motion was approved unanimously. The meeting was adjourned at 10:45am.

The next LDC meeting is scheduled for Thursday, January 14 at 11:00am.

Respectfully submitted,

*Jeremy A. Smith*  
Jeremy Smith, Secretary

DRAFT