

# ALBANY CSO POOL COMMUNITIES CORPORATION

C/O Capital District Regional Planning Commission  
One Park Place, Suite 102 | Albany, New York 12205 (518) 453-0850 | (518) 453-0856, fax |  
www.cdrpc.org

## Minutes of Board of Directors Meeting Thursday, July 13, 2017

### **Board Members Present:**

Richard Lyons – Albany County Water Purification District  
Bill Simcoe – City of Albany  
Mark Hendricks – City of Rensselaer  
Garry Nathan – City of Cohoes  
Jeremy Smith – City of Watervliet  
Sean Ward – Village of Green Island

### **Also Present:**

Martin Daley – CDRPC Staff  
Mark Castiglione – CDRPC Staff  
Magdy Hay – CDRPC Staff  
Donna Reinhart – CDRPC Staff  
Joe Coffey – City of Albany  
Tim Murphy – Albany County Water Purification District  
Maggie Alix – Village of Green Island  
Gerry Moscinski – Rensselaer County Sewer District  
Mike Miller – APJVT (CHA)  
Joe Scott – Hodgson Russ

### **I. Call to Order/Roll Call**

Richard Lyons called the meeting to order at 9:30am.

### **II. Reading and Approval of Minutes of May 12, 2017**

The minutes were distributed prior to the meeting. One change was made, the word coliform was misspelled as “chloroform.” Martin will make the edit to the minutes.

### **Action Taken**

Mark Hendricks made a motion to approve the May 12, 2017 meeting minutes as amended and Garry Nathan seconded. The motion was approved unanimously.

### **III. Reports from Committees**

#### **a. Finance Committee proposed FY2018 Budget**

The Finance Committee met on July 6th to review the draft FY2018 budget. The committee recommends that the Board adopt the 2018 proposed budget. Magdy Hay and Martin Daley reviewed the proposed 2018 budget for projects and corporation operations with the Board.

##### **Action Taken**

Sean Ward made a motion to adopt the 2018 budget and Bill Simcoe seconded. The motion was approved unanimously.

### **IV. Contracts**

#### **a. Hodgson Russ**

EFC requires all service and construction contracts for which the Pool communities are seeking financing have specific terms in the contracts, including not to exceed figures. Contracts with Hodgeson Russ and West and Co. have been revised to include not to exceed figure (Hodgeson Russ) and EFC language (West and Co.). The proposed contracts with the amendments were distributed prior to the meeting. No changes to contract values are proposed. The board needs to ratify the revised contracts prior to execution.

##### **Action Taken**

Garry Nathan made a motion to accept the proposed amendments to the Hodgson Russ and West and Co contracts. Jeremy Smith seconded the motion. The motion was approved unanimously.

### **V. Banking Services**

Martin received feedback from board members that a solicitation for banking services may be in the interests of the Corporation to ensure that the Corporation is working with a bank that has strong local ties.

##### **Action Taken**

Sean Ward made a motion to authorize CDRPC to issue an RFP for banking services and Jeremy Smith seconded. Bill Simcoe opposed and Garry Nathan abstained. The motion failed.

Sean Ward made a motion to table the discussion until a future meeting and Jeremy Smith seconded. The motion was approved unanimously.

## **VI. General Counsel Services**

Martin and the board members discussed potential cost savings and efficiencies from retaining local counsel for general legal matters, such as ABO oversight, governance and procedural questions, FOIL and open meetings law items. Beveridge and Diamond was retained to assist in negotiations for the implementation of the LTCP through the Consent Order, complex permit and technical assistance related to the program. The firm would continue to provide services related to permits, the Order, LTCP, and Clean Water Act related regulations.

### **Action Taken**

Sean Ward made a motion to authorize Martin to prepare a draft RFP for general counsel services and Bill Simcoe seconded. The motion was approved unanimously.

## **VII. Consultant Invoices**

Staff requested approval of the following invoices to be paid when funds become available. A portion of the CDRPC invoice, and all of the Barton and Loguidice invoices are reimbursable from the NYSDOS grant for Green Infrastructure programming. There was a typo in the Invoice cover letter, Beveridge and Diamond bill total was \$6,681.42 – NOT \$6,661.42.

- Beveridge and Diamond through May, 2017 in the amount of \$6,681.42
- Barton and Loguidice through May, 2017 in the amount of \$9,948.41
- CDRPC through June, 2017 in the amount of \$39,501.77

### **Action Taken**

Bill Simcoe made a motion to approve payment for the consultant invoices when funds are available and Mark Hendricks seconded. The motion was approved unanimously.

## **VIII. Distribution of Finances and Statement of Accounts as of June 30, 2017**

Magdy Hay reviewed the financial report through June 30, 2017 with the Board. The report includes the financial status as of the end of June, actual vs 2017 overall budget and the communities balance status as of June 30, 2017. The report was distributed to the Board prior to the meeting.

### **Action Taken**

Garry Nathan made a motion to accept the finances as presented and Jeremy Smith seconded. The motion was accepted unanimously.

## **IX. Credit Resolution**

Martin is still working on getting credit amounts finalized for the communities. He reminded the communities that some credit authorization sheets are still outstanding. Once the credit expenses are approved, the total share for each community will be available. Martin will work with Joe Scott to develop a mechanism that communities could rely on to settle credits, through the Corporation.

## **X. Wet Weather Discharge Tables**

Martin informed the Board that if they need to compile data that would assist them in estimating volumes discharged during wet weather events, that the APJVT may be able to develop a table that estimates discharge based on rain gauge data. Mike Miller recommended installing a rain gauge at each of the four sectors for more accurate information. Martin will discuss with DEC today if any grant money is available. Board members concurred that a simple chart would use useful for each of them.

## **XI. Public Outreach**

Martin suggested having a public meeting to inform the public of the status and highlights of the LTCP progress. This may help public perception and outreach and understanding of the program – it's impact CSOs and water quality.

The Board will discuss further at the next meeting.

## **XII. Other Business**

Bill Simcoe reported that City of Albany applied for \$10m through the Inter Municipal Grant program, and the Wastewater Investment Improvement Act. He received a phone call from EFC requesting bonding resolutions from the other four communities. Bill was asked to inquire if the other counties have bonding resolutions as well. EFC is requesting this information for the next round of funding.

Joe Scott added that the original resolution and consent order should be enough for EFC. Joe will contact EFC to discuss further.

## **XIII. Adjournment**

Jeremy Smith made a motion to adjourn the meeting and Bill Simcoe seconded. The motion was approved unanimously.

Respectfully submitted,

Donna Reinhart  
CDRPC Office Manager

Reviewed and Approved by

Jeremy Smith  
Secretary, Albany CSO Pool Communities Corporation

DRAFT