

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, September 13, 2018

10:15am

Board Members Present:

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

Also Present:

Martin Daley – CDRPC Staff
Mark Castiglione – CDRPC Staff
Donna Reinhart – CDRPC Staff
Tom White – CDRPC Staff
Mike Miller – APJVT (CHA)
Tim Murphy – Albany County Water Purification District

I. Call to Order/Roll Call

The meeting was called to order at 10:10am.

II. Reading and Approval of Minutes of August 9, 2018

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

Action Taken

Sean Ward made a motion to approve the minutes and Garry Nathan seconded. The motion was approved unanimously.

III. Financial Report as of 7/31/18

Tom White prepared the financial report through August 31, 2018 and went over with the Board. Tom noted there wasn't much change since the last meeting and he is currently working on the reconciliation to keep track of bills that have been paid and are still unpaid.

IV. Proposed CDRPC Contract 2014-2016

A copy of the draft agreement between CDRPC and the Communities was distributed before the meeting. The new agreement does not change the scope of work or value but does include grant information and required EFC language in an effort to make contract expenses disburseable.

Legal Counsel provided some guidance on the agreement. The agreement was reviewed by EFC and the agency opined that the agreement should prove satisfactory. Once the agreement is executed by each of the communities, Martin will submit the agreement, MWBE UP and Waiver to EFC for review.

Bill Simcoe requested a cover memo be included with the agreement to give to his board.

Action Taken

Chris Wheland made a motion to approve the Proposed 2014-2016 CDRPC contract and Sean Ward seconded. The motion was approved unanimously.

V. Proposed CDRPC Contract 2019

The new CDRPC 2019 agreement has the same language as the previous agreement and does not change the scope of work or value. Prior to execution, each community needs to sign the acknowledgment of consent. Once executed by the communities, Martin will submit the agreement, MWBE UP and Waiver to EFC for review.

Action Taken

Jeremy Smith made a motion to authorize the President to execute the Proposed 2019 CDRPC Contract and Sean Ward seconded. The motion was approved unanimously.

VI. Fiscal Advisors Contract Assignment

The original Fiscal Advisors agreement executed with CDRPC prior to the Corporation's existence. This revised contract is assigns the Fiscal Advisors agreement to the Albany CSO Pool Communities Corporation and summarizes assignments and tasks Fiscal Advisors has already incurred. The new agreement includes required EFC language.

Chris Wheland mentioned that the numbering under Exhibit A needs to be corrected.

Action Taken

Chris Wheland made a motion to authorize the President to execute the Fiscal Advisors contract as amended and Mark Hendricks seconded. The motion was approved unanimously.

VII. APJVT Extra Work Authorization Assignments (EWAs)

The original contract is between APJVT and CDRPC, executed before the Corporation was in existence. The new contract assigns the APJVT EWAs to the Albany CSO Pool Communities Corporation and includes required EFC language. The extra work authorizations were sent to EFC and the language was found to be approvable.

Action Taken

Jeremy Smith made a motion to authorize the President to execute the APJVT Extra Work Authorization Assignments and Garry Nathan seconded. The motion was approved unanimously.

VIII. Hodgson Russ Contract Assignment

The original Hodgson Russ contract was prior to the Corporation existence and was with CDRPC. The updated agreement is between Hodgson Russ and the Albany CSO Pool Communities Corporation and includes certain language and requirements from EFC. The new agreement does not change the scope of work, term or fees.

Action Taken

Garry Nathan made a motion to authorize the President to execute the Hodgson Russ Contract Assignment and Bill Simcoe seconded. The motion was approved unanimously.

IX. Vendor Invoices

Martin requested approval for the following vendor invoices when funds become available:

- Beveridge and Diamond in the amount of \$304.88 for C-2 Special Counsel
- Grammercy in the amount of \$6,650.00 for work done on the Public Notification System
- Acadia Insurance in the amount of \$412.00 for Insurance
- COOL Insuring Agency, Inc in the amount of \$3,808.00 for insurance
- Barton and Loguidice in the amount of \$68.25 for GI-09 Development of GI Toolkit

- Whiteman, Osterman & Hanna in the amount of \$1,886.50 for General counsel

Action Taken

Bill Simcoe made a motion to approve payments for the vendor invoices totaling \$13,129.63 when funds become available and Jeremy Smith seconded. The motion was approved unanimously. The insurance invoices will be paid immediately to avoid a lapse in coverage.

X. IMA Status of Credit Acceptance

Most communities have signed off on the credit acceptance except City of Albany. Bill Simcoe will meet with Joe Scott on Friday in an effort to advance the completion of the credit review.

Once the numbers and instrument are accepted by each of the communities, it will be distributed to the communities for execution.

XI. Semi-Annual Report to NYSDEC

Martin is working on the semi-annual report and plans to submit to DEC soon. The report conveys to DEC the deadlines that have been met and upcoming and project updates.

XII. Other Business

Martin informed the Board that he received a call last month from Steve Stevenson from EPA regarding DNA analysis and offered their services to the communities. He received a follow-up email regarding the DNA analysis and will forward to the communities for their information.

Martin gave a presentation at a yacht club in Poughkeepsie this week on the CSO program and its accomplishments.

Bill Simcoe added that the City of Albany Floatables project has an additional archeological expense of roughly \$300,000 - \$400,000. This additional expense was not anticipated. The project will have 6-7 weeks of archeological digging and 1-year worth of cataloguing. The project is a year ahead of to the Consent Order deadline schedule, and thus these delays do not figure to impact compliance.

XIII. Adjournment

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

Respectfully submitted,

Donna Reinhart
CDRPC Office Manager

Reviewed and approved by

A handwritten signature in black ink, appearing to read "Jeremy Smith", written in a cursive style.

Jeremy Smith
Secretary