

**HUDSON RIVER-BLACK RIVER REGULATING DISTRICT
BOARD MEETING**

Hudson River-Black River Regulating District
**Indian Lake Town Hall
117 Pelon Road
Indian Lake, NY 12842**

June 11, 2019

Immediately following the Finance Committee meeting scheduled for 10:00 am.

CALL TO ORDER

Chairman Mark M. Finkle called the meeting to order at 10:13 A.M.

ROLL CALL

Present: Board Chairman Mark M. Finkle; First Vice-Chair Jeffrey Rosenthal; Second Vice-Chair Kenneth DeWitt; Board Member Albert J. Hayes; Executive Director John C. Callaghan; General Counsel Robert P. Leslie; Chief Engineer Robert Foltan; Area Administrator John Hodgson; Chief Fiscal Officer Richard J. Ferrara; and Compliance Officer Stephanie Ruzycky.

MOTION TO ADOPT OR REVISE THE MEETING AGENDA

Chairman Finkle introduced Executive Director John Callaghan and noted HRBRRD employee Darrin Harr's presence. He then asked for a motion to revise the meeting agenda to reflect consideration of a Resolution authorizing the filling of a vacant position in the Hudson River Area. Mr. Rosenthal made a motion to revise the agenda accordingly. Mr. DeWitt seconded. The Board approved the motion by unanimous vote.

PUBLIC COMMENT

Chairman Finkle opened the floor to public comment. John Voorhees, a past President of the Indian Lake Association, addressed the Board regarding the Town of Indian Lake's 2007 proposal to harness hydropower at the Indian Lake and Lake Abanakee Dams. David Smail addressed the Board regarding his 2009 proposal to alter the 2002 Offer of Settlement negotiated among GSL/Conklingville stakeholders. Chairman Finkle thanked each speaker for their comment.

APPROVAL OF THE MAY 14, 2019 REGULAR MEETING MINUTES

Chairman Finkle asked for a motion to adopt the May 14, 2019 regular meeting minutes. Mr. Rosenthal advanced the motion to approve the regular meeting minutes. Mr. DeWitt seconded and the Board approved the motion by unanimous vote.

REPORT OF THE EXECUTIVE DIRECTOR

Mr. Callaghan presented his report. Mr. Callaghan noted that this week marks Administrative Assistant Erin Dwyer's last week with the Regulating District. He lauded her efforts to re-invigorate the HRBRRD's Facebook page, its Newsletter, and her work with State Archivist and NYS Education Department Assistant Commissioner Tom Ruller regarding historic document inventorying, storage and protection. Mr. Callaghan reported that he has entered into discussions with Baker Public Relations, but that due to the short time available for Board review after the plan came together, he would advance his proposal at the next Board meeting. Mr. Callaghan noted that the next scheduled Board meeting falls just after the July 4th holiday and that because the Board traditionally skips August, a later July meeting date might be warranted.

CONTRACTS/ACTIONS

RESOLUTION TO APPROVE INSURANCE PROPOSAL FOR POLICY YEAR JULY 1, 2019 THROUGH JUNE 30, 2020

Mr. Ferrara presented a Resolution necessary to award the Regulating District's July 1, 2019 through June 30, 2020 insurance program and to set the premium amount for the final year. The Resolution extends the award of the Regulating District's insurance program to Cool Insuring Agency, Inc. for the July 1, 2019 - June 30, 2020 period. The Resolution approves the expenditure of \$160,017.83 for the period.

Chairman Finkle asked for a motion approving the Resolution. Mr. Rosenthal made a motion to adopt the Resolution authorizing the award of the Regulating District's Insurance program for Policy Years July 1, 2019 through June 30, 2020. Mr. DeWitt seconded the motion and the Board adopted the Resolution by unanimous vote.

FINANCE COMMITTEE REPORT

RESOLUTION TO APPROVE THE ANNUAL ASSESSMENT FOR THE OPERATION AND MAINTENANCE OF STORAGE RESERVOIRS IN THE BLACK RIVER AREA FOR THE SECOND YEAR (JULY 1, 2019 - JUNE 30, 2020) OF THE THREE YEAR BUDGET PERIOD BEGINNING JULY 1, 2018

Mr. Ferrara requested that the Board approve a Resolution, in accordance with Environmental Conservation Law, Title 21, Article 15, Sections 15-2123 and 15-2125 and consistent with the recommendation of the Finance Committee, setting the Annual Assessment for the Operation and Maintenance of Storage Reservoirs in the Black River Area for the second year (July 1, 2019 - June 30, 2020) of the current three year budget (July 1, 2018 - June 30, 2021).

Mr. Rosenthal made a motion to adopt the Resolution adopting the July 1, 2019 through June 30, 2020 Black River Area Assessment and to authorize the secretary to take such action necessary for the collection of such assessment as allowed and required by law. Mr. Hayes seconded and the Board approved the motion by unanimous vote.

RESOLUTION TO APPROVE THE ANNUAL ASSESSMENT FOR THE OPERATION AND MAINTENANCE OF STORAGE RESERVOIRS IN THE HUDSON RIVER AREA FOR THE SECOND YEAR (JULY 1, 2019 - JUNE 30, 2020) OF THE THREE YEAR BUDGET PERIOD BEGINNING JULY 1, 2018

Mr. Ferrara requested that the Board approve a Resolution, in accordance with Environmental Conservation Law, Title 21, Article 15, Sections 15-2123 and 15-2125 and consistent with the recommendation of the Finance Committee, setting the Annual Assessment for the Operation and Maintenance of Storage Reservoirs in the Hudson River Area for the second year (July 1, 2019 - June 30, 2020) of the three year budget (July 1, 2018 - June 30, 2021).

Mr. Rosenthal made a motion to adopt the Resolution adopting the July 1, 2019 through June 30, 2020 Hudson River Area Assessment and to authorize the secretary to take such action necessary for the collection of such assessment as allowed and required by law. Mr. Hayes seconded and the Board approved the motion by unanimous vote.

RESOLUTION TO APPROVE THE STATE SHARE FOR THE OPERATION AND MAINTENANCE OF STORAGE RESERVOIRS IN THE BLACK RIVER AREA FOR THE SECOND YEAR (JULY 1, 2019 - JUNE 30, 2020) OF THE THREE YEAR BUDGET PERIOD BEGINNING JULY 1, 2018

Finance Committee Chair DeWitt submitted for Board approval the state share for the operation and maintenance of storage reservoirs in the Black River area for the second year (July 1, 2019 - June 30, 2020) of the three year budget period.

Mr. Rosenthal made a motion to adopt the Resolution adopting the July 1, 2019 through June 30, 2020 Black River Area state share in the amount of \$250,000.00 and to authorize the secretary to take such action necessary for the collection of such assessment as allowed and required by law. Mr. Hayes seconded and the Board approved the motion by unanimous vote.

RESOLUTION TO APPROVE THE STATE SHARE FOR THE OPERATION AND MAINTENANCE OF STORAGE RESERVOIRS IN THE HUDSON RIVER AREA FOR THE SECOND YEAR (JULY 1, 2019 - JUNE 30, 2020) OF THE THREE YEAR BUDGET PERIOD BEGINNING JULY 1, 2018

Finance Committee Chair DeWitt submitted for Board approval a Resolution setting the state share for the operation and maintenance of storage reservoirs in the Hudson River Area for the second year (July 1, 2019 - June 30, 2020) of the three year budget period (July 1, 2018 – June 30, 2021).

Mr. Rosenthal made a motion to adopt the Resolution adopting the July 1, 2019 through June 30, 2020 state share in the amount of \$776,530.00 and to authorize the secretary to take such action necessary for the collection of such assessment as allowed and required by law. Mr. Hayes seconded and the Board approved the motion by unanimous vote.

STAFF REPORTS

Mr. Leslie presented his report. Mr. Leslie provided an update to the Board regarding a personal injury lawsuit filed by Mr. Theodore Kolb, a Captain in the City of Watertown Fire Department, as a result of injuries sustained while he fought an arson fire on the evening of February 19, 2018. Mr. Leslie reported that he addressed several outside activity requests during the reporting period, a request for the use of the Regulating District's logo on a vendor's website, and assisted staff with several access permit issues. Counsel also provided advice and counsel to the Executive Director regarding a personnel issue.

Ms. Ruzycky presented her report to the Board. She noted that the student interns started on May 28th. She reported that staff have completed the on-line payment and active shooter training and that she continues to work with IMC on permit system database related issues Ms. Ruzycky noted that she received the MWBE report card for FY 2018-2019 quarters 1 & 2; both A+.

Mr. Ferrara presented his report to the Board. He noted that at the close of fiscal May 31, 2019, the general fund balances for the HRA and BRA were approximately \$3,912,471 and \$2,113,632 respectively. He noted that District's transactional processing and reporting are current. District bank reconciliations are complete through April 30, 2019. Preparations for the annual independent audit are underway.

Mr. Foltan presented the Chief Engineer's report to the Board. Mr. Foltan noted that the May average daily release from the Sacandaga Reservoir (Great Sacandaga Lake) was approximately 4,340 cubic feet per second (cfs). Precipitation during the month of May was above normal across the Great Sacandaga Lake and Indian Lake watersheds. The monthly inflow to Great Sacandaga Lake and Indian Lake reservoir was approximately 142% and 141% of historic average, respectively. Monthly release of water from Great Sacandaga Lake and Indian Lake measured 180% and 184% of historic average, respectively. He noted that the Sacandaga Reservoir had essentially received 83% of its annual average inflow through May.

The May average daily release from Stillwater Reservoir was approximately 460 cfs. Monthly total precipitation measured 166%, 117%, and 133% of historic average at Stillwater, Old Forge, and Sixth Lake, respectively, as of May 27th. Precipitation in the month of May was above average at Stillwater, Old Forge and Sixth Lake. The monthly inflow to Stillwater Reservoir was approximately 150% of historic average. The inflow to Sixth Lake and Old Forge Reservoir totaled 0.17 and 0.46 billion cubic feet, respectively, in May. Release of water from Stillwater Reservoir averaged 93% of historic discharge.

Mr. Hodgson presented the Administrator's report. Mr. Hodgson noted staff's effort at spring clean-up in all areas, and that staff performed the monthly dow value tests at Conklingville. Mr. Hodgson remarked on staff's use of the work boat to assist DEC with the placement of navigation buoys at Sacandaga.

RESOLUTION AUTHORIZING THE EMPLOYMENT OF A PLANT OPERATOR IN THE HUDSON RIVER AREA

Mr. Hodgson presented a Resolution to the Board authorizing the employment of a plant operator in the Hudson River Area. He noted that at its February 12, 2019 Board meeting, the Regulating District Board authorized staff to solicit resumes to fill the long vacant plant operator position in the Hudson River Area. Staff solicited resumes and ultimately interviewed 4 candidates determining Matthew Ginter, Sr., to be the most qualified candidate for the position. Mr. Ferrara recommended that the Board authorize the Executive Director to hire Matthew Ginter, Sr., at an annual rate of \$40,463.00, which is Step 3 of the CSEA Base Salary Schedule dated July 1, 2018 through June 30, 2019, effective June 27, 2019.

Chairman Finkle asked for a Motion to approve the Resolution. Mr. DeWitt made a motion to adopt the Resolution authorizing the Executive Director to hire Matthew Ginter, Sr. at an annual rate of \$40,463.00 (Step 3 of the Base Salary Schedule dated July 1, 2018-June 30, 2019), effective June 27, 2019. Mr. Rosenthal seconded and the Board approved the Resolution by unanimous vote.

BOARD MEMBER QUESTIONS AND COMMENTS

RESOLUTION SCHEDULING DATE, TIME AND LOCATION OF THE REGULAR MEETING FOR JULY 23, 2019

Chairman Finkle asked for a motion to adopt a Resolution setting the next meeting of the Board of the Hudson River-Black River Regulating District for Tuesday, July 23, 2019 at the Northampton Town Hall, 412 South Main Street, Northville, NY 12134 at 10:00 A.M.

Mr. Rosenthal moved to adopt the Resolution setting the date, time and place of the next meeting. Mr. DeWitt seconded and the Board adopted the Resolution by unanimous vote.

ADJOURNMENT

Chairman Finkle called for a motion to adjourn the meeting. Mr. Rosenthal advanced the motion. Mr. DeWitt seconded. The meeting adjourned at 11:01 A.M.

RESOLUTIONS

19-27-06 RESOLUTION TO APPROVE INSURANCE PROPOSAL FOR POLICY YEAR JULY 1, 2019 THROUGH JUNE 30, 2020

Chairman Finkle asked for a motion approving the Resolution. Mr. Rosenthal made a motion to adopt the Resolution authorizing the award of the Regulating District's Insurance program for Policy Years July 1, 2019 through June 30, 2020. Mr. DeWitt seconded the motion and the Board adopted the Resolution by unanimous vote.

19-28-06 RESOLUTION TO APPROVE THE ANNUAL ASSESSMENT FOR THE OPERATION AND MAINTENANCE OF STORAGE RESERVOIRS IN THE BLACK RIVER AREA FOR THE SECOND YEAR (JULY 1, 2019 - JUNE 30, 2020) OF THE THREE YEAR BUDGET PERIOD BEGINNING JULY 1, 2018

Mr. Rosenthal made a motion to adopt the Resolution adopting the July 1, 2019 through June 30, 2020 Black River Area Assessment and to authorize the secretary to take such action necessary for the collection of such assessment as allowed and required by law. Mr. Hayes seconded and the Board approved the motion by unanimous vote.

19-29-06 RESOLUTION TO APPROVE THE ANNUAL ASSESSMENT FOR THE OPERATION AND MAINTENANCE OF STORAGE RESERVOIRS IN THE HUDSON RIVER AREA FOR THE SECOND YEAR (JULY 1, 2019 - JUNE 30, 2020) OF THE THREE YEAR BUDGET PERIOD BEGINNING JULY 1, 2018

Mr. Rosenthal made a motion to adopt the Resolution adopting the July 1, 2019 through June 30, 2020 Hudson River Area Assessment and to authorize the secretary to take such action necessary for the collection of such assessment as allowed and required by law. Mr. Hayes seconded and the Board approved the motion by unanimous vote.

19-30-06 RESOLUTION TO APPROVE THE STATE SHARE FOR THE OPERATION AND MAINTENANCE OF STORAGE RESERVOIRS IN THE BLACK RIVER AREA FOR THE SECOND YEAR (JULY 1, 2019 - JUNE 30, 2020) OF THE THREE YEAR BUDGET PERIOD BEGINNING JULY 1, 2018

Mr. Rosenthal made a motion to adopt the Resolution adopting the July 1, 2019 through June 30, 2020 Black River Area state share in the amount of \$250,000.00 and to authorize the secretary to take such action necessary for the collection of such assessment as allowed and required by law. Mr. Hayes seconded and the Board approved the motion by unanimous vote.

19-31-06 RESOLUTION TO APPROVE THE STATE SHARE FOR THE OPERATION AND MAINTENANCE OF STORAGE RESERVOIRS IN THE HUDSON RIVER AREA FOR THE SECOND YEAR (JULY 1, 2019 - JUNE 30, 2020) OF THE THREE YEAR BUDGET PERIOD BEGINNING JULY 1, 2018

Mr. Rosenthal made a motion to adopt the Resolution adopting the July 1, 2019 through June 30, 2020 state share in the amount of \$776,530.00 and to authorize the secretary to take such action necessary for the collection of such assessment as allowed and required by law. Mr. Hayes seconded and the Board approved the motion by unanimous vote.

19-32-06 RESOLUTION AUTHORIZING THE EMPLOYMENT OF A PLANT OPERATOR IN THE HUDSON RIVER AREA

Chairman Finkle asked for a Motion to approve the Resolution. Mr. DeWitt made a motion to adopt the Resolution authorizing the Executive Director to hire Matthew Ginter, Sr. at an annual rate of \$40,463.00 (Step 3 of the Base Salary Schedule dated July 1, 2018-June 30, 2019), effective June 27, 2019. Mr. Rosenthal seconded and the Board approved the Resolution by unanimous vote.

19-33-06 RESOLUTION SCHEDULING DATE, TIME AND LOCATION OF THE REGULAR MEETING FOR JULY 23, 2019

Mr. Rosenthal moved to adopt the Resolution setting the date, time and place of the next meeting. Mr. DeWitt seconded and the Board adopted the Resolution by unanimous vote.

Respectfully submitted,

Richard J. Ferrara,
Secretary/Treasurer

Mark M. Finkle
Board Chairman