

**HUDSON RIVER-BLACK RIVER REGULATING DISTRICT  
BOARD MEETING MINUTES  
Sacandaga Field Office Conference Room  
737 Bunker Hill Road  
Mayfield, NY 12117  
September 9, 2020**

**CALL TO ORDER**

Chairman Mark M. Finkle called the meeting to order at 10:00 A.M.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Present:** Board Chairman Mark M. Finkle; Second Vice-Chair Kenneth DeWitt; Board Member Albert J. Hayes; Executive Director John C. Callaghan.

**Video Feed:** First Vice-Chair Jeffrey Rosenthal; Board Member Richard Bird; General Counsel Robert P. Leslie; Chief Engineer Robert S. Foltan; Chief Fiscal Officer Timothy Maniccia; Area Administrator John Hodgson; and Compliance Officer Stephanie Ruzycky.

**MOTION TO ADOPT OR REVISE THE MEETING AGENDA**

Chairman Finkle asked for a motion to adopt the agenda. Mr. DeWitt made a motion to adopt the agenda. Mr. Rosenthal seconded. The Board approved the motion by unanimous vote.

**PUBLIC COMMENT**

Chairman Finkle opened the meeting to public comment. Three individuals addressed the Board regarding conditions imposed by a December 2015 permit issued by the APA approving a subdivision application. The speakers, including the applicant, his attorney, and the purchaser of one of the subdivided lots, sought relief from these conditions and clarity regarding HRBBD's position on any access permits associated with the subdivided lots. The owner of an eligible property questioned the equity of being placed on a waiting list for an access permit, noting that she believes the Regulating District holds the fee submitted with her access permit application. A pair of permit holders alerted the Board to loud and disquieting behavior and spill-over from an adjacent DEC/municipal access permit area, and thanked staff for working with them to address the issues.

**APPROVAL OF THE JULY 7, 2020 REGULAR BOARD MEETING MINUTES**

Chairman Finkle asked for a motion to adopt the July 7, 2020 regular board meeting Minutes. Mr. Rosenthal advanced the motion to approve the regular and special meeting minutes. Mr. Bird seconded and the Board approved the motion by unanimous vote.

## **REPORT OF THE EXECUTIVE DIRECTOR**

Mr. Callaghan presented his report to the Board. Mr. Callaghan noted that the Regulating District remains in Phase 4 of the COVID-19 reopening plan. He commended staff for their professionalism and dedication. Mr. Callaghan indicated Beth Moeller of Interactive Media Consulting, LLC will roll-out to the Board a beta version of the online permit system in the next several weeks and will then be available at the October meeting to outline the planned online permit system's transaction capabilities.

## **CONTRACTS/ACTIONS**

### **RESOLUTION APPROVING REVISED ACCESS PERMIT FEE SCHEDULE FOR GREAT SACANDAGA LAKE EFFECTIVE JANUARY 1, 2021**

Mr. Callaghan presented a resolution revising the schedule of access permit fees authorized by the *Rules and Regulations Governing Use by Permit Holders of State-Owned Property at Great Sacandaga Lake* (6 NYCRR Part 606). He reminded the Board that the "Access Permit Fee Review Working Group", comprised of existing stakeholder organizations around Great Sacandaga Lake including the Sacandaga Protection Committee, the Great Sacandaga Lake Association, the Town of Day Property Owner's Association, Edinburgh Marina, Board members and staff, recommended the fee changes which were presented to the Board at its July 7, 2020 regular meeting. Mr. Callaghan further explained that, pursuant to 6 NYCRR §606.68, staff published notice in each officially designated newspaper, once a week for three consecutive weeks, and in addition thereto reached out to the community through the HRBRRD website, its newsletter and through social media. He noted that the requisite thirty day waiting period from the date of presentation of the proposed revised fee schedule has expired and that, as of this meeting, staff have yet to receive any negative comment on the proposal.

Chairman Finkle thanked Mr. Callaghan for the presentation and opened the floor for public comment upon the proposal. A representative from the Sacandaga Protection Committee, spoke in favor of the proposed fee adjustment.

Noting the positive feedback received, Mr. Callaghan recommended that the Board adopt the resolution setting the access permit fee schedule; effective January 1, 2021.

Chairman Finkle asked for a motion to adopt the Resolution setting the access permit fee schedule effective January 1, 2021. Mr. DeWitt so moved. Mr. Rosenthal seconded and the Board approved the motion adopting the resolution by unanimous vote.

## **STAFF REPORTS**

Mr. Leslie presented his report. He noted that at the request of the Joint Commission on Public Ethics (JCOPE) counsel reviewed each of the Financial Disclosure Statements filed by staff.

Mr. Leslie noted that he addressed issues pertaining to the conduct of the September meeting on-line and that the October meeting will also, likely, be conducted online.

Ms. Ruzycky presented her report to the Board. Ms. Ruzycky noted her involvement administering the HRBRRD's COVID-19 re-opening plan. She also highlighted her attendance at the regional MWBE conference and her participation in the quarterly BRAO IC compliance audit.

Mr. Maniccia presented his report to the Board. Therein he noted that at the close of fiscal August 31, 2020, the general fund balances for the HRA and BRA were approximately \$4,606,042 and \$1,982,189 respectively. He noted that District's transactional processing and reporting are current. Mr. Maniccia explained that as part of the District's implementation of Statement No. 75 (Accounting and Financial Reporting for Postemployment Benefits Other than Pensions) issued by the Governmental Accounting Standards Board in June 2015, the District was required to obtain an actuarial valuation of the postemployment benefits it offers to its employees, retirees and dependents. The District's Total OPEB Liability as of June 30, 2020 is expected to rise to \$15,498,316, an increase of \$4,028,590 from what it reported in its Fiscal Year 2018-19 audited financial statements.

Mr. Foltan presented the Chief Engineer's report to the Board. Mr. Foltan noted that the August average daily release from the Sacandaga Reservoir (Great Sacandaga Lake) was approximately 1,570 cubic feet per second (cfs). Precipitation during the month of August was above normal across the Great Sacandaga Lake watershed and below average in the Indian Lake watershed. The monthly inflow to Great Sacandaga Lake and Indian Lake reservoir was approximately 82% and 44% of historic average, respectively. Monthly release of water from Great Sacandaga Lake and Indian Lake measured 83% and 60% of historic average, respectively.

The August average daily release from Stillwater Reservoir was approximately 370 cfs. Monthly total precipitation measured 52%, 69%, and 85% of historic average at Stillwater, Old Forge, and Sixth Lake, respectively, as of August 20<sup>th</sup>. Precipitation in the month of August was below average at Stillwater, Old Forge and Sixth Lake. The monthly inflow to Stillwater Reservoir was approximately 20% of historic average. The inflow to Sixth Lake and Old Forge Reservoir totaled 0.01 and 0.07 billion cubic feet, respectively, in June. Release of water from Stillwater Reservoir averaged 85% of historic discharge.

Mr. Hodgson presented the Administrator's report. Mr. Hodgson noted that repairs to Gate 2 at Sixth Lake have been completed, and a new seal installed on Gate 1, commending staff for completing these tasks in-house. Mr. Hodgson also noted that staff has been deployed to Indian Lake to address a septic tank issue at the residence. Finally, he said that he had participated in the tour of HRA facilities with staff from the Division of Budget and State Emergency Management, and that he met with representatives from Mayfield regarding a path around Mayfield Lake.

## **RESOLUTION SCHEDULING DATE, PLACE AND TIME OF THE REGULAR MEETING FOR OCTOBER 14, 2020**

Chairman Finkle asked for a motion to adopt a resolution setting the date, place and time for the next meeting of the Board of the Hudson River-Black River Regulating District for

Wednesday, October 14, 2020 at the Regulating District's Sacandaga Field Office, 737 Bunker Hill Road, Mayfield, NY 12117. The meeting will be scheduled for 10:00 A.M.

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

## **ADJOURNMENT**

Chairman Finkle called for a motion to adjourn the meeting. Mr. DeWitt advanced the motion. Mr. Rosenthal seconded. The meeting adjourned at 10:57 A.M.

## **RESOLUTIONS**

### **20-35-09 RESOLUTION APPROVING REVISED ACCESS PERMIT FEE SCHEDULE FOR GREAT SACANDAGA LAKE EFFECTIVE JANUARY 1, 2021**

Chairman Finkle asked for a motion to adopt the Resolution setting the access permit fee schedule effective January 1, 2021. Mr. DeWitt so moved. Mr. Rosenthal seconded and the Board approved the motion adopting the resolution by unanimous vote.

### **20-36-09 RESOLUTION SCHEDULING DATE, PLACE AND TIME OF THE REGULAR MEETING FOR OCTOBER 14, 2020**

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

Robert P. Leslie  
Secretary

Mark M. Finkle  
Board Chairman