

20-21-06

**RESOLUTION TO APPROVE THE ANNUAL ASSESSMENT
FOR THE OPERATION AND MAINTENANCE OF STORAGE RESERVOIRS
IN THE BLACK RIVER AREA FOR THE THIRD YEAR OF THE THREE-YEAR
BUDGET PERIOD BEGINNING JULY 1, 2020 THROUGH JUNE 30, 2021**


WHEREAS, the Secretary has submitted to the Board for approval the Annual Assessment for Storage Reservoirs for the Black River Area, for the third year of the Budget period beginning July 1, 2020; and

WHEREAS, the Secretary is hereby directed to insert a printed copy of this assessment duly verified, in the minutes of this meeting; and

NOW THEREFORE BE IT RESOLVED, that the Annual Assessment for Storage Reservoirs for the Black River Area, for the third year of the budget period beginning July 1, 2020 in the total amount of \$914,535.00, is hereby approved; and

BE IT FURTHER RESOLVED, that the Secretary be and hereby is authorized and instructed to take such action necessary for the collection of said assessments, as allowed or required by law.

Approved as to form:



Robert P. Leslie
General Counsel

Motion was made by Mr. Rosenthal and seconded by Mr. Hayes that the Resolution be approved.

Present and Voting:

<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle	<u> X </u>	_____	_____
Mr. Hayes	<u> X </u>	_____	_____
Mr. Rosenthal	<u> X </u>	_____	_____
Mr. De Witt	<u> X </u>	_____	_____
Mr. Bird	<u> X </u>	_____	_____

20-22-06

**RESOLUTION TO APPROVE THE STATE SHARE FOR
THE OPERATION AND MAINTENANCE OF STORAGE RESERVOIRS IN
THE BLACK RIVER AREA FOR THE THIRD YEAR (JULY 1, 2020 – JUNE 30, 2021)
OF THE THREE-YEAR BUDGET PERIOD BEGINNING JULY 1, 2018**

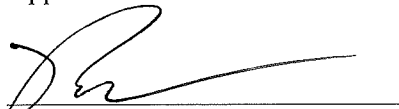
WHEREAS, the Secretary has submitted to the Board for approval the State Share for Storage Reservoirs for the Black River Area, for the third year of the Budget period beginning July 1, 2020; and

WHEREAS, the Secretary is hereby directed to insert a printed copy of this assessment duly verified, in the minutes of this meeting; and

NOW THEREFORE BE IT RESOLVED, that the State Share for Storage Reservoirs for the Black River Area, for the third year of the budget period beginning July 1, 2020 in the total amount of \$250,000.00, is hereby approved; and

BE IT FURTHER RESOLVED, that the Secretary be and hereby is authorized and instructed to take such action necessary for the collection of said assessments, as allowed or required by law.

Approved as to form:



Robert P. Leslie
General Counsel

Motion was made by Mr. Rosenthal and seconded by Mr. Bird that the Resolution be approved.

Present and Voting:

<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle.....	<u>X</u>	_____	_____
Mr. Hayes	<u>X</u>	_____	_____
Mr. Rosenthal	<u>X</u>	_____	_____
Mr. De Witt	<u>X</u>	_____	_____
Mr. Bird	<u>X</u>	_____	_____

Approved at the June 9, 2020 Board Meeting

RESOLUTION TO APPROVE THE ANNUAL ASSESSMENT FOR THE OPERATION AND MAINTENANCE OF STORAGE RESERVOIRS IN THE HUDSON RIVER AREA FOR THE THIRD YEAR (JULY 1, 2020 – JUNE 30, 2021) OF THE THREE-YEAR BUDGET PERIOD BEGINNING JULY 1, 2018


WHEREAS, the Secretary has submitted to the Board for approval the Annual Assessment for Storage Reservoirs for the Hudson River Area, for the third year of the Budget period beginning July 1, 2020; and

WHEREAS, the Secretary is hereby directed to insert a printed copy of this assessment duly verified, in the minutes of this meeting; and

NOW THEREFORE BE IT RESOLVED, that the Annual Assessment for Storage Reservoirs for the Hudson River Area, for the third year of the budget period beginning July 1, 2020 in the total amount of \$2,993,725.00, is hereby approved; and

BE IT FURTHER RESOLVED, that the Secretary be and hereby is authorized and instructed to take such action necessary for the collection of said assessments, as allowed or required by law.

Approved as to form:



Robert P. Leslie
General Counsel

Motion was made by Mr. Rosenthal and seconded by Mr. Hayes that the Resolution be approved.

Present and Voting:

<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle.....	<u> X </u>	_____	_____
Mr. Hayes.....	<u> X </u>	_____	_____
Mr. Rosenthal.....	<u> X </u>	_____	_____
Mr. De Witt.....	<u> X </u>	_____	_____
Mr. Bird.....	<u> X </u>	_____	_____

20-24-06

**RESOLUTION TO APPROVE THE STATE SHARE FOR
THE OPERATION AND MAINTENANCE OF STORAGE RESERVOIRS IN
THE HUDSON RIVER AREA FOR THE THIRD YEAR (JULY 1, 2020 – JUNE 30, 2021)
OF THE THREE-YEAR BUDGET PERIOD BEGINNING JULY 1, 2018**

WHEREAS, the Secretary has submitted to the Board for approval the State Share for Storage Reservoirs for the Hudson River Area, for the third year of the Budget period beginning July 1, 2020; and

WHEREAS, the Secretary is hereby directed to insert a printed copy of this assessment duly verified, in the minutes of this meeting; and

NOW THEREFORE BE IT RESOLVED, that the State Share for Storage Reservoirs for the Hudson River Area, for the third year of the budget period beginning July 1, 2020 in the total amount of \$827,292.00, is hereby approved; and

BE IT FURTHER RESOLVED, that the Secretary be and hereby is authorized and instructed to take such action necessary for the collection of said assessments, as allowed or required by law.

Approved as to form:



Robert P. Leslie
General Counsel

Motion was made by Mr. Rosenthal and seconded by Mr. Bird that the Resolution be approved.

Present and Voting:

<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle.....	<u> X </u>	_____	_____
Mr. Hayes.....	<u> X </u>	_____	_____
Mr. Rosenthal.....	<u> X </u>	_____	_____
Mr. De Witt.....	<u> X </u>	_____	_____
Mr. Bird.....	<u> X </u>	_____	_____

20-25-06

**RESOLUTION APPROVING BPAS TO PERFORM GASB 75 VALUATION
FOR FISCAL YEAR ENDING JUNE 30, 2020**

WHEREAS, the Regulating District is required to conform with all applicable Governmental Accounting Standards Board (GASB) statements; and

WHEREAS, GASB Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions* replaced the requirements of Statements No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*, as amended, and No. 57, *OPEB Measurements by Agent Employers and Agent Multiple-Employer Plans*, for other postemployment benefits (OPEB); and

WHEREAS, GASB Statement No. 75 is effective for fiscal years beginning after June 15, 2017; and

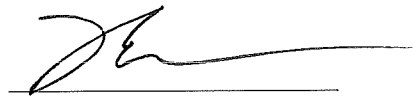
WHEREAS, GASB Statement No. 75 requires an actuarial valuation or a calculation using the specified alternative measurement method of the total OPEB liability to be performed at least every two years; and

WHEREAS, the District's last valuation was performed for fiscal year June 30, 2017; and

WHEREAS, BPAS has performed all of the District's valuations in an efficient and cost effective manner; and

NOW THEREFORE BE IT RESOLVED, that the Board of the Hudson River-Black River Regulating district accepts BPAS's proposal to perform the District's June 30, 2020 valuation as set forth in the proposal attached hereto and made a part hereof.

Approved as to form:



Robert P. Leslie
General Counsel

Motion was made by Mr. Bird and seconded by Mr. Rosenthal that the Resolution be approved.

Approved at the June 9, 2020 Board Meeting

Present and Voting:

<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle	<u> X </u>	_____	_____
Mr. Hayes.....	<u> X </u>	_____	_____
Mr. Rosenthal.....	<u> X </u>	_____	_____
Mr. De Witt.....	<u> X </u>	_____	_____
Mr. Bird.....	<u> X </u>	_____	_____

Approved at the June 9, 2020 Board Meeting

CORPORATE RESOLUTION CERTIFICATION

I HEREBY CERTIFY that the following is a true and correct copy of resolution 20-25-06 duly adopted at a meeting of the Board of Directors of **The Board of Hudson River – Black River Regulating District**, a corporation incorporated under the laws of the State of New York, duly called and held on the 9th day of June, 2020, a quorum then being present; that the said resolution has been entered upon the regular minute book of the corporation and is in accordance with the certificate of incorporation and the by-laws and is now in full force and effect:

RESOLVED that John C. Callaghan, Executive Director be and hereby is authorized to sign and submit the agreement of this corporation for the following project:

GASB 75 VALUATION FOR FISCAL YEAR ENDING JUNE 30, 2020

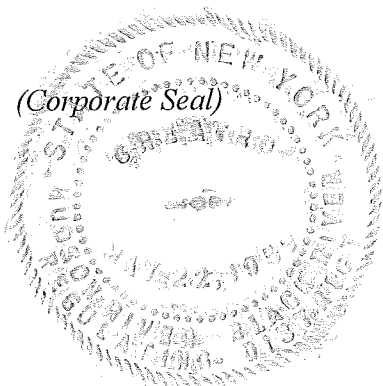
and to include in such proposal the certificate as to non-collusion required by law as the act and deed of such corporation, and for all inaccuracies or misstatements in such certificate this corporation shall be liable under the penalty of perjury; and to enter into the contract if awarded to this corporation;

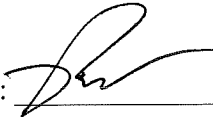
RESOLVED that the following officer(s) of this corporation is/are authorized on behalf of this corporation to sign the proposal and the contract:

John C. Callaghan

I FURTHER CERTIFY that the names of the persons holding titles referred to in the foregoing resolution are as follows:

NAME	TITLE
Mark Finkle	Chairperson
Jeffrey Rosenthal	First Vice Chair
Kenneth De Witt	Second Vice Chair
Albert Hayes	Board Member
Richard Bird	Board Member



Secretary: 
Date: 6/11/20

20-26-06

**RESOLUTION TO CONTRACT WITH BRYANT RABBINO, LLP TO PROVIDE BOND
COUNSEL SERVICES IN CONNECTION WITH
THE ISSUANCE OF SERIAL BONDS**

WHEREAS, the Hudson River-Black River Regulating District engaged Bryant Rabbino, LLP, pursuant to resolution 13-40-11 to provide certified Bond Counsel Services pursuant to the Board's desire to issue serial bonds for the completion of capital projects and the settlement of refunds; and

WHEREAS, the agreement was extended by the parties through August 6, 2016, by letter extensions dated August 4, 2014 and October 25, 2015; and

WHEREAS, the contract was extended by amendment dated November 3, 2016, through August 4, 2017; and

WHEREAS, the contract was extended by amendment dated November 28, 2017, through August 4, 2018; and

WHEREAS, the Board of the Hudson River-Black River Regulating District desired to have Bryant Rabbino, LLP complete the services required to issue amended and restated bonds and so adopted Resolution 20-08-04 at its April 14, 2020 meeting; and

WHEREAS, the Contract Approval Section of the Office of the New York State Attorney General has reviewed and not approved the Amendment given that the previous Amendment had expired on August 4, 2018; and

WHEREAS, the Board of the Hudson River-Black River Regulating District still desires to have Bryant Rabbino, LLP complete the services required to issue amended and restated bonds given their unrivaled knowledge of the legal elements relating to the District's finances, operations and existing financing arrangements; and

NOW THEREFORE BE IT RESOLVED, that the Board of the Hudson River-Black River Regulating District hereby authorizes a new agreement with Bryant Rabbino, LLP through December 31, 2020 in an amount not to exceed \$10,023, which represents the amount unspent under contract C042013 as of the time that contract expired, and

BE IT FURTHER RESOLVED, that the Board takes this action using the discretionary authority provided by Section V of the District's procurement policy, which authorizes the District to use Non-Competitive Procurement Methods for purchases of commodities or services costing less than \$15,000 and when the District purchases commodities or services from certified Minority or Women-Owned Business Enterprises, and

BE IT FURTHER RESOLVED that this agreement is exempt, given the not to exceed amount, from requirements that all state agencies, authorities, state universities and public benefit corporations advertise bid opportunities valued at \$50,000 or more in the New York State Contract Reporter, and

BE IT FURTHER RESOLVED, said contract, which is attached hereto, is subject to review and approval by the New York State Attorney General.

Approved at the June 9, 2020 Board Meeting

Approved as to form:



Robert P. Leslie
General Counsel

Motion was made by Mr. DeWitt and seconded by Mr. Rosenthal that the Resolution be approved.

Present and Voting:

<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle	<u>X</u>	_____	_____
Mr. Hayes.....	<u>X</u>	_____	_____
Mr. DeWitt.....	<u>X</u>	_____	_____
Mr. Rosenthal.....	<u>X</u>	_____	_____
Mr. Bird	<u>X</u>	_____	_____

Approved at the June 9, 2020 Board Meeting

CORPORATE RESOLUTION CERTIFICATION

I HEREBY CERTIFY that the following is a true and correct copy of resolution 20-26-06 duly adopted at a meeting of the Board of Directors of **The Board of Hudson River – Black River Regulating District**, a corporation incorporated under the laws of the State of New York, duly called and held on the 9th day of June, 2020, a quorum then being present; that the said resolution has been entered upon the regular minute book of the corporation and is in accordance with the certificate of incorporation and the by-laws and is now in full force and effect:

RESOLVED that John C. Callaghan, Executive Director be and hereby is authorized to sign and submit the agreement of this corporation for the following project:

Bond Counsel Services


and to include in such proposal the certificate as to non-collusion required by law as the act and deed of such corporation, and for all inaccuracies or misstatements in such certificate this corporation shall be liable under the penalty of perjury; and to enter into the contract if awarded to this corporation;

RESOLVED that the following officer(s) of this corporation is/are authorized on behalf of this corporation to sign the proposal and the contract:

John C. Callaghan

I FURTHER CERTIFY that the names of the persons holding titles referred to in the foregoing resolution are as follows:

NAME	TITLE
Mark Finkle	Chairperson
Jeffrey Rosenthal	First Vice Chair
Kenneth De Witt	Second Vice Chair
Albert Hayes	Board Member
Richard Bird	Board Member

Secretary:  _____

Date: 6/11/20



20-27-06

**RESOLUTION OF THE HUDSON RIVER – BLACK RIVER REGULATING DISTRICT
HONORING DOUGLASS CRISS, BLACK RIVER AREA SUPERINTENDENT**

WHEREAS, Douglass H. Criss has served the Hudson River – Black River Regulating District faithfully as Superintendent in the Black River Area since September 18, 2003; and

WHEREAS, Mr. Criss’s leadership in the Black River Area, under the supervision of the Area Administrator, has been instrumental in continuing a century-long legacy of public service in the Black River basin, dating to the formation of the Black River Regulating District in 1919; and

WHEREAS, Mr. Criss has been a faithful steward of the critical infrastructure operated and maintained by the Regulating District in the Black River Area during his tenure; and

WHEREAS, through the exemplary execution of his duties, Mr. Criss has left a positive and indelible mark on our institution and the people it serves; and

WHEREAS, Mr. Criss has provided a high level of commitment, diligence and expertise in his duties; and

WHEREAS, Mr. Criss has announced his retirement; and

WHEREAS, the Board of the Hudson River – Black River Regulating District wishes to recognize and honor Mr. Criss’s meritorious service and wish him well in his future endeavors; now, therefore, be it

RESOLVED, that the Board of the Hudson River-Black River Regulating District hereby commends Douglass H. Criss for seventeen years of dedicated service to the people of the State of New York in his capacity as the Regulating District’s Superintendent in the Black River Area; and be it further

RESOLVED, that the Board of the Hudson River-Black River Regulating District expresses its sincere appreciation, on behalf of Regulating District staff, retirees, beneficiaries, and other stakeholders for Mr. Criss’s exemplary service; and be it further

RESOLVED, that a copy of this resolution be transmitted to Mr. Criss with the Board’s appreciation for Mr. Criss’s significant contribution to the Regulating District’s important mission.

Approved as to form:



Robert P. Leslie
General Counsel

Approved at June 9, 2020 Board Meeting

Motion was made by Mr. DeWitt and seconded by Mr. Bird that the Resolution be approved.

Present and Voting:

<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle.....	<u>X</u>	_____	_____
Mr. Hayes.....	<u>X</u>	_____	_____
Mr. DeWitt.....	<u>X</u>	_____	_____
Mr. Rosenthal.....	<u>X</u>	_____	_____
Mr. Bird.....	<u>X</u>	_____	_____

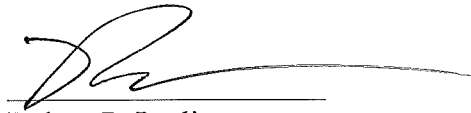
Approved at June 9, 2020 Board Meeting

20-28-06

**RESOLUTION SCHEDULING DATE, PLACE AND TIME OF A SPECIAL MEETING
ON JULY 23, 2020 TO ALLOW CONSIDERATION OF A RESOLUTION TO
APPROVE INSURANCE POLICY PROPOSAL FOR POLICY YEAR JULY 1, 2020
THROUGH JUNE 30, 2021**

BE IT RESOLVED, that the Board of the Hudson River-Black River Regulating District will hold a special meeting to discuss a Resolution authorizing acceptance of an insurance policy proposal to be held on Tuesday, June 23, 2020 at the Regulating District’s Sacandaga Field Office, 737 Bunker Hill Road, Mayfield, NY 12117 at 10 AM.

Approved as to form:



Robert P. Leslie
General Counsel

Motion was made by Mr. DeWitt and seconded by Mr. Rosenthal that the Resolution be approved.

Present and voting:

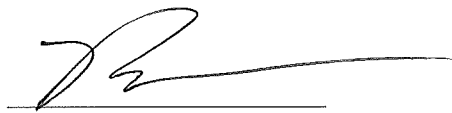
<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle.....	<u> X </u>	_____	_____
Mr. Hayes.....	<u> X </u>	_____	_____
Mr. Rosenthal.....	<u> X </u>	_____	_____
Mr. DeWitt.....	<u> X </u>	_____	_____
Mr. Bird.....	<u> X </u>	_____	_____

20-29-06

**RESOLUTION SCHEUDLING DATE, TIME AND LOCATION OF THE
JULY 7, 2020 REGULAR BOARD MEETING**

BE IT RESOLVED, that the next Regular Meeting of the Board of the Hudson River-Black River Regulating District will be held on Tuesday, July 7, 2020 at the Regulating District’s Sacandaga Field Office, 737 Bunker Hill Road, Mayfield, NY 12117 at 10 AM.

Approved as to form:



Robert P. Leslie
General Counsel

Motion was made by Mr. DeWitt and seconded by Mr. Rosenthal that the Resolution be approved.

Present and voting:

<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle.....	<u> X </u>	_____	_____
Mr. Hayes.....	<u> X </u>	_____	_____
Mr. Rosenthal.....	<u> X </u>	_____	_____
Mr. DeWitt.....	<u> X </u>	_____	_____
Mr. Bird.....	<u> X </u>	_____	_____

