

**RESOLUTION AUTHORIZING THE EMPLOYMENT
OF A CHIEF FISCAL OFFICER FOR THE
HUDSON RIVER-BLACK RIVER REGULATING DISTRICT**

WHEREAS, the Regulating District’s Board has determined that it is in the best interests of the District to employ a Chief Fiscal Officer in the Hudson River Area Office to assume responsibility for the fiscal management of Regulating District operations; and

WHEREAS, in April 2019, Richard J. Ferrara announced his intention to retire from the position of Chief Fiscal Officer; and

WHEREAS, the District placed solicitations seeking qualified candidates for the Chief Fiscal Officer position; and

WHEREAS, the District received and reviewed resumes; interviewing a slate of 17 deemed to be highly qualified; and

WHEREAS, the District called back 5 candidates deemed to be the most qualified for a second interview; and

WHEREAS, after conducting interviews and in close consultation with the Chief Fiscal Officer, the Executive Director has recommended that the Board appoint Timothy Maniccia to fulfill the responsibilities of the position of Chief Fiscal Officer; and

NOW THEREFORE BE IT RESOLVED, that Timothy Maniccia is employed as the Chief Fiscal Officer of the Hudson River-Black River Regulating District effective September 13, 2019 and shall be placed at and shall progress from Service Rate of Grade M3 (\$125,629) of the management confidential salary schedule maintained by the Governor’s Office of Employee Relations for the state’s M/C employees.

Approved as to form:



Robert P. Leslie
General Counsel

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

Present and Voting:

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

19-37-09

RESOLUTION TO AUTHORIZE THE PURCHASE OF A SLOPE MOWER FOR THE MAINTENANCE OF THE CONKLINGVILLE DAM SITE

WHEREAS, the Conklingville Dam requires regular maintenance of the embankment and adjoining areas; and

WHEREAS, a standard mower can't perform the required maintenance in a stable and safe manner; and

WHEREAS, District staff recommends the purchase of a slope mower which is designed to more effectively and efficiently cut the grass of the embankment and adjoining area; and

WHEREAS, staff solicited and received three (3) quotes; and

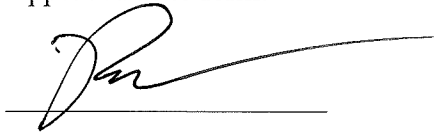
WHEREAS, the quote from Ventrac, through a Massachusetts State Contract, which OGS is "piggy backing" on for \$25,738.95, was the lowest price; and

WHEREAS, there were no MWBE or SDVOB firms responsive to this need; and

WHEREAS, the current budget for the Conklingville Dam does not have sufficient funds, and thus the mower cost will be funded out of the current Hudson River Area surplus; and

NOW, THEREFORE BE IT RESOLVED, the Board does hereby approve the purchase of a Slope Mower from Ventrac for an amount not exceeding \$25,738.95.

Approved as to form:



Robert P. Leslie
General Counsel

Motion was made by Mr. Rosenthal and seconded by Mr. De Witt 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>	_____	_____

19-38-09

**RESOLUTION TO ACCEPT PAUL C. RIZZO ENGINEERING – NEW YORK, PLLC
AMENDMENT # 1 PROPOSAL TO PERFORM COMPLETION OF SEISMIC STABILITY AND
LIQUEFACTION & DEFORMATION ANALYSIS OF THE STILLWATER DAM**

WHEREAS, in August 2010, the Board of the Hudson River-Black River Regulating District authorized staff to hire Paul C. Rizzo Engineering – New York, PLLC (Rizzo) to complete a Federal Energy Regulatory Commission (FERC) required Liquefaction & Deformation Analysis of the Stillwater Dam; and

WHEREAS, in December of 2018, the Board of the Hudson River-Black River Regulating District passed Resolution 18-38-12, accepting the proposal submitted by Rizzo and authorizing the Interim Executive Director to execute agreement C022018 in the amount of \$84,926.00; and; and

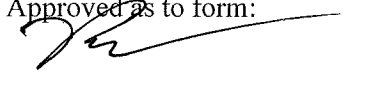
WHEREAS, in August 2019 Rizzo indicated that it did not include a work task or budget to develop a FERC-mandated Drilling Program Plan (DPP) in its November 2018 proposal, the completion of which is required prior to completing subsurface drilling and exploration activities; and

WHEREAS, Rizzo proposes to complete the work required to develop the DPP as detailed in the attached Contract C022018 Amendment # 1 Proposal, for a not-to-exceed fee of \$13,708.00; and

NOW THEREFORE BE IT RESOLVED, staff recommends the acceptance of Rizzo’s Contract Amendment # 1 Proposal and seeks Board authorization to amend Contract C022018 to include the completion of work, and authorization for the Executive Director to execute an amendment to the agreement, in the amount of \$13,708.00.

BE IT FURTHER RESOLVED, that the agreement is subject to the review and approval of the NYS Attorney General and the NYS Office of the State Comptroller.

Approved as to form:



Robert P. Leslie
General Counsel

Motion was made by Mr. Rosenthal and seconded by Mr. De Witt 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>	<u> </u>	<u> </u>
Mr. Hayes.....	<u> X </u>	<u> </u>	<u> </u>
Mr. Rosenthal.....	<u> X </u>	<u> </u>	<u> </u>
Mr. De Witt.....	<u> X </u>	<u> </u>	<u> </u>

19-39-09

RESOLUTION TO ACCEPT HENNINGSON, DURHAM & RICHARDSON ARCHITECTURE AND ENGINEERING, P.C. (HDR) AMENDMENT # 1 PROPOSAL TO COMPLETE WORK NECESSARY TO RESPOND TO FERC’S ADDITIONAL REQUEST

WHEREAS, in February of 2019, the Board of the Hudson River-Black River Regulating District authorized HDR to complete 4th Part 12 Safety Inspection of Conklingville Dam; and

WHEREAS, Contract C032018 was executed by HDR and the Regulating District on July 1, 2019; and

WHEREAS, on April 30, 2019 FERC requested that the Regulating District have the 4th Part Independent Consultant review two specific issues related to the previous evaluations and analysis; and

WHEREAS, HDR has provided a scope of services and fee proposal to complete the work necessary to respond to FERC’s additional information request and proposes to complete the work for a not-to-exceed fee of \$34,100.00; and

NOW THEREFORE BE IT RESOLVED, staff recommends the acceptance of HDR’s Amendment # 1 Proposal and seeks Board authorization to amend Contract C032018 to include the completion of work, and authorization for the Executive Director to execute an amendment to the agreement, in the amount of \$34,100.00, bringing the not-to-exceed contract value to \$69,050.00; and

BE IT FURTHER RESOLVED, that the agreement is subject to the review and approval of the NYS Attorney General and the NYS Office of the State Comptroller.

Approved as to form:



Robert P. Leslie
General Counsel

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

Present and Voting:

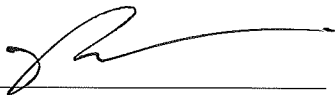
<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle	<u> X </u>	<u> </u>	<u> </u>
Mr. Hayes.....	<u> X </u>	<u> </u>	<u> </u>
Mr. Rosenthal.....	<u> X </u>	<u> </u>	<u> </u>
Mr. De Witt.....	<u> X </u>	<u> </u>	<u> </u>

19-40-09

**RESOLUTION SCHEDULING DATE, TIME AND LOCATION OF THE
OCTOBER 8, 2019 REGULAR BOARD MEETING**

BE IT RESOLVED, that the next meeting of the Board of the Hudson River-Black River Regulating District will be held on October 8, 2019, at a place to be determined, in the town of Old Forge, NY 13472, at 10:00 A.M.

Approved as to form:



Robert P. Leslie
General Counsel

Motion was made by Mr. Hayes and seconded by Mr. De Witt 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>	_____	_____