

**HUDSON RIVER-BLACK RIVER REGULATING DISTRICT
BOARD MEETING MINUTES
November 9, 2021**

Sacandaga Field Office
737 Bunker Hill Road
Mayfield, NY 12117

Hudson River Area Office
575 Broadway, Fl. 3
Albany, NY 12207

Remote Conference-In Information

Participants were invited to join the meeting via computer, tablet or smartphone.

<https://global.gotomeeting.com/join/624823077>

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CALL TO ORDER

Chairman Mark M. Finkle called the meeting to order at 10:44 A.M.

ROLL CALL

Present: Board Chairman Mark M. Finkle; First Vice-Chair Jeff Rosenthal; Second Vice-Chair Kenneth DeWitt; Board Members Albert Hayes, and Timothy Reagan; Executive Director John Callaghan; General Counsel Robert Leslie; and Compliance Officer Stephanie Ruzycky.

Video Feed: Board Members Richard Bird and Alfred J. Candido Jr.; Chief Engineer Robert Foltan; and Chief Fiscal Officer Timothy Maniccia.

MOTION TO ADOPT OR REVISE THE MEETING AGENDA

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

PUBLIC COMMENT

Chairman Finkle opened the meeting to public comment; hearing none.

APPROVAL OF THE OCTOBER 12, 2021 REGULAR BOARD MEETING MINUTES

Chairman Finkle asked for a motion to adopt the October 12, 2021 regular board 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 applauding Sacandaga Field Office staff Danielle Thorne, Dan Kiskis and Stephanie Porter for their role in addressing the influx of new permit applications which hit this summer. Mr. Callaghan thanked Gina Bulman for her hard work launching the Regulating District's fall newsletter and reported that he worked with GOER, CSEA & staff to

implement the vaccination or weekly testing policy adopted by the state. Mr. Callaghan noted that, following adjournment of the October meeting, staff led Lewis County officials on a tour of the Stillwater Dam and Black River Area Field Office.

PRESENTATION OF PERSONNEL PRACTICES REVIEW

John A. Monteiro of GTM Pinnacle HR presented the results of the Personnel Practices Review undertaken at the behest of the Board. He noted that the Regulating District has recently taken steps to strengthen payroll and personnel practices, including the implementation of internal controls, designed to ensure the accuracy of data submitted to the Office of the State Comptroller.

CONTRACTS/ACTIONS

RESOLUTION TO AMEND CONTRACT AWARDING HUMAN RESOURCES CONSULTING SERVICES WORK TO GTM PAYROLL SERVICES INC.

Mr. Callaghan presented a resolution to amend the contract with Pinnacle Human Resources, LLC, now known as GTM Payroll Services Inc. d.b.a. GTM Pinnacle HR (“GTM”). Mr. Callaghan noted the Board’s desire to conduct a full and comprehensive assessment of the roles and duties of current personnel in the interest of optimizing any effort to realign roles and duties and recommended that a consultant experienced in such matters provide assistance to ensure the Regulating District efficiently and effectively realizes these opportunities. GTM has supplied a statement of work to assess current staff duties, draft new duty descriptions, and recommend potential changes in current positions. GTM proposes to complete these tasks at a cost not to exceed \$10,500.

Mr. Rosenthal moved to adopt the resolution accepting GTM’s proposal and authorize the Executive Director to execute an amendment to the WBE certified contract with GTM for human resources services as defined in GTM’s proposal and increasing the contract by \$10,500 to a not to exceed amount of \$19,950. Mr. DeWitt seconded. The Board adopted the motion by unanimous vote.

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH INTERACTIVE MEDIA CONSULTING, LLC

Mr. Callaghan presented a resolution authorizing an agreement with Interactive Media Consulting Inc. to build on the improvements implemented in 2021 allowing access permit holders to renew online. He explained that the firm will enhance the functionality of the online system and provide necessary technical support to customers. Mr. Callaghan noted that Interactive Media Consulting, LLC is a certified WBE. Mr. Maniccia explained that in order to provide sufficient funding in the current Fiscal Year for the following expenses, staff seek authority to execute this transfer in the Fiscal Year 2021-22 budget;

Account Number	Account Name	Increase	Decrease
5690-0200	Computer Consultant	\$6,000	
5770-0200	Contingencies		\$6,000

Mr. Rosenthal moved to adopt the resolution authorizing the Executive Director to enter into an agreement with Interactive Media Consulting, LLC at an amount not to exceed \$4,750 and to

authorize the necessary budget transfers. Mr. DeWitt seconded and the Board adopted the motion by unanimous vote.

RESOLUTION TO ACCEPT FINGER LAKES INDUSTRIAL CONTRACTING CORP.'S PROPOSAL TO COMPLETE AN UNDERWATER INSPECTION AT INDIAN LAKE DAM D012021

Ms. Ruzycky presented a resolution authorizing a contract with Finger Lakes Industrial Contracting Corp. ("Finger Lakes"). Bergmann Associates is completing an Engineering Assessment at Indian Lake (resolution 13-45-12, C032012) and has recommended an underwater inspection as part of its Final Design and Construction Support Services. Staff provided Finger Lakes and two other firms Invitations for Bid. Finger Lakes submitted the winning a bid according to Section I-21 of the Information for Bidders documents. Ms. Ruzycky recommends a conditional award of the work to Finger Lakes and Board authorization for the Executive Director to execute an agreement in an amount not-to-exceed \$20,000.00.

Mr. Rosenthal moved to adopt the resolution authorizing the Executive Director to enter into an agreement with Finger Lakes Industrial Contracting Corp. at an amount not to exceed \$20,000. Mr. Hayes seconded and the Board adopted the motion by unanimous vote.

STAFF REPORTS

Mr. Leslie presented his report. Erie Boulevard Hydropower has delivered additional documentation to Walden who is now assessing the sufficiency of such information and should be in a position to deliver an opinion valuing the Regulating District's 56' of head utilized by Erie at E.J. West. Stillwater Associates and the Regulating District have executed an extension of the Ground Lease and Water Usage Agreement. The Compliance Officer continues to seek an appraiser to determine the Stillwater hydroelectric plant's value to the Regulating District. Counsel addressed three (3) Foil requests during the reporting period. There were no appeals.

Ms. Ruzycky presented her report. Ms. Ruzycky conducted quarterly IC Compliance audits at SFO & HRAO and submitted the Part 248 (Ultralow sulfur) and vehicle inventory reports to DEC.

Mr. Maniccia presented his report to the Board. Therein he noted that at the close of October 31, 2021, the general fund balances for the HRA and BRA were approximately \$4,004,394 and \$2,167,073 respectively, an improvement of \$758,117 over the same period a year ago. He noted that significant disbursements for the period include: payroll, health insurance and the U.S.G.S. contract. Mr. Maniccia noted that the Regulating District's transactional processing and reporting are current. He noted that the Regulating District issued a RFP for bond counsel services in preparation for a public debt sale early in fiscal year 2022-2023.

Mr. Foltan presented the Chief Engineer's report to the Board. Mr. Foltan noted that the October average daily release from the Sacandaga Reservoir (Great Sacandaga Lake) was approximately 3,160 cubic feet per second (cfs). Precipitation during the month of October was above average across the Great Sacandaga Lake watershed and below average across the Indian Lake watershed. The monthly inflow to Great Sacandaga Lake and Indian Lake reservoir was approximately 177% and 49% of historic average, respectively. Monthly release of water from Great Sacandaga Lake and Indian Lake measured 165% and 61% of historic average, respectively.

The October average daily release from Stillwater Reservoir was approximately 600 cfs. Monthly total precipitation measured 62%, 83%, and 87% of historic average at Stillwater, Old Forge, and Sixth Lake, respectively, as of October 24th. Precipitation in the month of September was below average at Stillwater, Old Forge and Sixth Lake. The monthly inflow to Stillwater Reservoir was approximately 84% of historic average. The inflow to Sixth Lake and Old Forge Reservoir totaled 0.09 and 0.13 billion cubic feet, respectively, in October. Release of water from Stillwater Reservoir averaged 187% of historic discharge.

RESOLUTION SCHEDULING DATE, PLACE AND TIME OF THE REGULAR MEETING FOR JANUARY 11, 2022

Chair Finkle asked for a motion to adopt a resolution setting the next Regular Meeting of the Board of the Hudson River-Black River Regulating District to be held on Tuesday, January 11, 2022 virtually and in person at the Peter Kiernan Plaza, 575 Broadway, Third Floor, in Albany, NY and at the Sacandaga Field Office, 737 Bunker Hill Road, Mayfield NY at 10 AM. The Annual Organizational meeting will be held at that same location, date and time.

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

ADJOURNMENT

Mr. Rosenthal moved to adjourn the meeting. Mr. Reagan seconded. The meeting adjourned at 11:23 A.M.

RESOLUTIONS

21-49-11 RESOLUTION TO AMEND CONTRACT AWARDED HUMAN RESOURCES CONSULTING SERVICES WORK TO GTM PAYROLL SERVICES INC.

Mr. Rosenthal moved to adopt the resolution accepting GTM's proposal and authorize the Executive Director to execute an amendment to the WBE certified contract with GTM for human resources services as defined in GTM's proposal and increasing the contract by \$10,500 to a not to exceed amount of \$19,950. Mr. DeWitt seconded. The Board adopted the motion by unanimous vote.

21-50-11 RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH INTERACTIVE MEDIA CONSULTING, LLC

Mr. Rosenthal moved to adopt the resolution authorizing the Executive Director to enter into an agreement with Interactive Media Consulting, LLC at an amount not to exceed \$4,750 and to authorize the necessary budget transfers. Mr. DeWitt seconded and the Board adopted the motion by unanimous vote.

21-51-11 RESOLUTION TO ACCEPT FINGER LAKES INDUSTRIAL CONTRACTING CORP.'S PROPOSAL TO COMPLETE AN UNDERWATER INSPECTION AT INDIAN LAKE DAM D012021

Mr. Rosenthal moved to adopt the resolution authorizing the Executive Director to enter into an agreement with Finger Lakes Industrial Contracting Corp. at an amount not to exceed \$20,000. Mr. Hayes seconded and the Board adopted the motion by unanimous vote.

21-52-11 RESOLUTION SCHEDULING DATE, PLACE AND TIME OF THE REGULAR MEETING FOR JANUARY 11, 2022

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

Robert P. Leslie
Secretary

Mark M. Finkle
Board Chairman