

**HUDSON RIVER-BLACK RIVER REGULATING DISTRICT  
GOVERNANCE COMMITTEE MEETING**

**Sacandaga Field Office  
737 Bunker Hill Road  
Mayfield, NY 12117**

3920 Ocean Pearl Clubhouse, Fort Pierce, Fl.  
54 Cedar Dunes Drive, New Symrna Beach, Florida.

**March 12, 2024  
10 AM**

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

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**CALL TO ORDER**

Committee Chair Alfred J. Candido Jr. called the meeting to order at 10:00 AM.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Present:** Committee Members Albert J. Hayes and Nicole T. Allen; Board Chair Mark M. Finkle; Board Member Timothy J. Reagan; Executive Director John C. Callaghan; General Counsel Robert P. Leslie; Chief Engineer Robert S. Foltan; Chief Fiscal Officer Timothy M. Maniccia; and Director of Administrative Services Stephanie V. Ruzycky.

**Video Feed:** Committee Chair Alfred J. Candido, Jr. (travel)

**Excused:** Committee Member Kenneth F. DeWitt, Board Member Richard Bird

**MOTION TO ADOPT COMMITTEE MEETING AGENDA**

Committee Chair Candido asked for a motion to adopt or revise the Committee meeting agenda. Mrs. Allen moved to adopt the meeting agenda. Mr. Hayes seconded and the Committee approved the motion by unanimous vote.

## **APPROVAL OF SEPTEMBER 12, 2023 GOVERNANCE COMMITTEE MEETING MINUTES**

Committee Chair Candido called for a motion to adopt the September 12, 2023 Governance Committee meeting minutes. Mr. Hayes so moved. Mrs. Allen seconded and the Committee approved the motion by unanimous vote.

### **COMMITTEE BUSINESS**

#### **New Business**

**(1) Discussion of Annual Review and Approval of Investment Policy - *Mr. Maniccia***

Mr. Maniccia noted that pursuant to Public Authorities Law §2925(1) the Board is required to annually review the Regulating District's Investment Policy. Mr. Maniccia recommended the Board make no changes to the policy.

Mr. Candido called for a motion to advance the resolution to the full Board and recommend adoption. Mrs. Allen made a motion to advance to the full Board & recommend approval of a resolution to satisfy annual review and approval of the Regulating District's Investment Policy. Mr. Hayes seconded and the Committee unanimously approved the motion.

**(2) Discussion of Annual Review and Approval of Procurement Policy - *Mr. Maniccia***

Mr. Maniccia noted that pursuant to Public Authorities Law §2879(1), the Board is to annually review the Regulating District's Procurement Policy. Mr. Maniccia recommended the Board change the policy to conform the threshold for delivery of a procurement contract to the Office of the State Comptroller to match language at PAL §2879(3).

Mr. Candido called for a motion to advance the resolution to the full Board and recommend adoption. Mr. Hayes made a motion to advance to the full Board & recommend approval of a resolution to satisfy annual review and approval of the Regulating District's Procurement Policy. Mrs. Allen seconded and the committee unanimously approved the motion.

**(3) Discussion of Annual Review and Approval of the Disposition of Property Guidelines Policy - *Mr. Maniccia***

Mr. Maniccia noted that pursuant to Public Authorities Law §2896(1) the Board is to annually review the Regulating District's Disposition of Property Guidelines. Mr. Maniccia recommended the Board make no changes to the policy.

Mr. Candido called for a motion to advance the resolution to the full Board and recommend adoption. Mrs. Allen made a motion to advance to the full Board & recommend approval

of a resolution to annually review and approve the Regulating District's revised Disposition of Property Guidelines pursuant to section 2896(1) of the Public Authorities Law. Mr. Hayes seconded and the committee unanimously approved the motion.

**(4) Discussion of the Authority Mission Statement and Performance Measures –**  
*Mr. Leslie*

Mr. Leslie asked Mr. Callaghan to recite the Regulating District's Mission Statement and then reviewed with the Committee the performance measurements against which the Board measures the Regulating District's performance.

Mr. Candido called for a motion to advance the mission statement & performance measures to the full board for their consideration. Mr. Hayes made a motion to advance to the full Board & recommend approval of the Mission Statement and Performance Measures without revision. Mrs. Allen seconded and the committee unanimously approved the motion.

**(5) RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO HIRE THE MOST QUALIFIED TWO CANDIDATES FOR THE MAINTENANCE SPECIALIST POSITION IN THE HUDSON RIVER AREA**

Mr. Callaghan noted that two vacancies exist in the Maintenance Specialist item in the Hudson River Area. Mr. Callaghan asked the Committee to advance to the Board a resolution to authorize the hiring of two Maintenance Specialists in the Hudson River Area, to be filled by the most qualified candidates as determined by applicant interviews in accordance with the provisions of the current CSEA agreement. He noted that the successful candidates will be compensated in accordance with the provisions of the current CSEA agreement at a FY 2023-2024 salary range of \$39,760-49,874. Further, Mr. Callaghan thanked Ms. Ruzycky, Mr. Ginter and Mr. Chase for their efforts to date screening candidates.

Mr. Hayes made a motion to advance to the full Board and recommend adoption of the resolution authorizing the Executive Director to hire two Maintenance Specialists to be filled by the most qualified candidates as determined by applicant interviews in accordance with the provisions of the current CSEA agreement with the successful candidates to be compensated at a FY 2023-2024 salary range of \$38,760-48,874. Mrs. Allen seconded and the Committee adopted the motion by unanimous vote.

**(6) RESOLUTION TO HIRE TEMPORARY SEASONAL LABORERS TO SUPPLEMENT PERMANENT STAFF IN THE HUDSON RIVER AREA AND BLACK RIVER AREA**

Mr. Callaghan presented a resolution to hire temporary seasonal laborers to supplement permanent staff in both the Hudson River Area and the Black River Area. He explained that the mission of Hudson River-Black River Regulating District requires a robust and capable workforce, but that financial constraints limit the Regulating District's ability to

add additional permanent, full-time personnel at present. Noting the practice of augmenting permanent staff with seasonal-specific temporary staff is well established in other New York State agencies and authorities, and that the existing CSEA contract establishes an hourly rate for the position of Laborer at \$15.42. Mr. Callaghan recommended the hiring of six (6) temporary seasonal laborers in the Hudson River and Black River Areas for a period to be determined based on operational needs, but not to exceed 26 weeks in 2024, He noted that the Regulating District will publicly advertise and fill these positions in accordance with applicable policy, law and pertinent provisions of the existing CSEA contract.

Mrs. Allen made a motion to advance to the full board and recommend adoption of the resolution authorizing the employment of six (6) temporary seasonal laborers in the Hudson River Area and Black River Area at a rate of \$15.42/ hour for a period to be determined based on operational needs, but not to exceed 26 weeks in 2024. Mr. Hayes seconded and the Committee approved the motion by unanimous vote.

**(7) RESOLUTION AUTHORIZING THE EXPENDITURE OF \$51,035.94 FOR THE PURCHASE OF A REPLACEMENT LOG BOOM FOR CONKLINGVILLE DAM**

Mr. Callaghan presented a resolution authorizing an expenditure for a new log boom at Conklingville. He noted that the Regulating District employs safety and debris “log” booms upstream of its dams to regulate vessel access and to prevent trash, logs, vegetation and other surface debris from accumulating. These log booms provide important public safety benefits, creating a physical and visual deterrent to clearly define dangerous zones and prevent boaters from getting too close to dams and other critical water-retaining infrastructure. The traditional lumber-based log booms at Conklingville are prone to failure, difficult to handle and maneuver, and in need of repair and/or replacement and have, in fact, failed, with multiple sections having transited downstream into the spillway channel. Mr. Callaghan identified safety concerns related to the frequent retrieval/ repair/ reattachment of boom sections noted that newer products available provide enhanced levels of safety and functionality. He noted that staff has identified a comparable product known as “TuffBoom” and has received a quote from Worthington Waterway Barriers for a new polyethylene “TuffBoom” log boom with interconnection hardware, anchor connections and chains for \$51,035.94; which staff found to be reasonable. Mr. Callaghan noted that the TuffBoom system comes with a 50-year warranty, and is in use by the Regulating District at the Stillwater Dam, and will be deployed at the Indian Lake Dam in conjunction with the ongoing rehabilitation project. He noted that staff has not identified another suitable product or provider that meet the Regulating District’s specifications or needs and recommended the expenditure of \$51,035.94 be authorized for the purchase of a replacement log boom from Worthington Waterway Barriers. He noted that the proposed resolution also includes a \$12,591 transfer in the Fiscal Year 2023-24 budget to account 5260-0300 (Capital Improvements) from account 5699-0300 (Surveying Services) of \$10,000 and account 5350-0300 (Equipment Repair & Parts) of \$2,591.

Mr. Hayes made a motion to advance to the full board and recommend adoption of the resolution authorizing the \$51,035.94 expenditure for the TuffBoom system from Worthington Waterway Barriers; including the recommended budget transfers. Mrs. Allen seconded and the Committee approved the motion by unanimous vote.

**(8) RESOLUTION APPROVING AMENDMENTS TO POLICY GOVERNING ACCEPTANCE OF ELECTRONIC PAYMENTS BY APPLICANTS FOR ACCESS PERMIT SYSTEM TRANSACTIONS**

Ms. Ruzycky introduced the resolution approving amendments to the Regulating District policy governing the acceptance of electronic payments by applicants to access permit system transactions. She noted that, pursuant to resolution 20-01-01, the Board directed staff to implement a system for the on-line collection of access permit system fees and, at the same time, adopted a policy governing these improvements. The Regulating District continues to implement improvements to this system which now accounts for 64% of the annual renewal fees collected. Following a recent ‘Security Over Critical Systems’ audit (2023-S-24) completed in January 2024, the Office of the State Comptroller concluded that the Regulating District demonstrated effort and timeliness in addressing security issues as they arise and further found that the Regulating District has generally taken appropriate steps to secure processes and systems used to accept credit card payments. Staff has incorporated the single recommendation into the revised policy governing acceptance of electronic payment for its access permit system transactions, including provisions relating to Payment Card Industry Data Security Standards as recommended by the Office of the State Comptroller. Following Board approval, staff will communicate implementation of this revised policy governance to the Office of the State Comptroller in advance of the 180-day deadline stipulated in Section 170 of the New York State Executive Law.

Mrs. Allen made a motion to advance to the full board and recommend adoption of the resolution authorizing the revision to the policy governing acceptance of electronic payments. Mr. Hayes seconded and the Committee approved the motion by unanimous vote.

**(9) RESOLUTION AUTHORIZING PERSONNEL ADVANCEMENTS, INCLUDING HUDSON RIVER AREA FOREMAN AND BLACK RIVER AREA PRINCIPAL PLANT OPERATOR**

Mr. Callaghan presented a resolution authorizing personnel advancements for Mike Chase to Hudson River Area Forman and Joshua Rice to Black River Area Principal Plant Operator. Mr. Callaghan noted that vacancies exist in both positions and that, in accordance with the provisions of Article XXII of the current CSEA agreement, the Regulating District seeks to consider all qualified employees on the basis of qualifications and seniority. Michael Chase has served as Assistant Foreman in the Hudson River Area since March 31, 2022, and Joshua Rice has served as Plant Operator in the Black River Area since October 13, 2022. Both Mr. Chase and Mr. Rice have demonstrated professionalism and integrity, and established a record of exemplary service, in their current positions. Mr. Callaghan explained that said vacancies have been posted in all work locations in accordance with the

provisions of Article XXII of the current CSEA agreement and that Mr. Chase and Mr. Rice are internal qualified candidates for the positions of Foreman in the Hudson River Area, and Principal Plant Operator in the Black River Area, respectively.

Mr. Hayes made a motion to advance to the full board and recommend adoption of the resolution authorizing personnel advancements, effective April 11, 2024, for Mike Chase to Hudson River Area Forman and Joshua Rice to Black River Area Principal Plant Operator. Mrs. Allen seconded and the Committee approved the motion by unanimous vote.

## **ADJOURNMENT**

There being no further business to come before the Governance Committee, Mr. Hayes moved to adjourn the meeting. Mrs. Allen seconded the motion to adjourn. The Committee approved the motion by unanimous vote. The committee meeting adjourned at 10:26 A.M.

Respectfully submitted,

Robert P. Leslie  
Secretary

Mark M. Finkle  
Board Chair