

**HUDSON RIVER-BLACK RIVER REGULATING DISTRICT
BOARD MEETING**

Hudson River-Black River Regulating District
Black River Area Office
Dulles Office Bldg.
317 Washington Street, Rm 614
Watertown, NY 13601

Remote Call-in Locations

Ocean Pearl Clubhouse	Longboat Harbour Office/Library
3920 Ocean Pearl Atlantic Beach Blvd. (A-1-A)	4454 Gulf of Mexico Drive
North Hutchinson Island, Fl 34949	Longboat Key, Fl 34228

April 9, 2019

CALL TO ORDER

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

ROLL CALL

Present: Board Chairman Mark M. Finkle; First Vice-Chair Jeffrey Rosenthal; Second Vice-Chair Kenneth DeWitt; Board Member Albert J. Hayes; Interim Executive Director John Hodgson; General Counsel Robert P. Leslie; Chief Engineer Robert Foltan; Chief Fiscal Officer Richard J. Ferrara; and Compliance Officer Stephanie Ruzycky.

MOTION TO ADOPT OR REVISE THE MEETING AGENDA

Chairman Finkle noted that, as indicated through the meeting notice and in compliance with NYS's Open Meetings Law, Mr. DeWitt and Mr. Rosenthal are participating via video conference. Chairman Finkle asked for a motion to adopt or revise the meeting agenda. Mr. DeWitt made a motion to adopt the agenda without revision. Mr. Rosenthal seconded. The Board approved the motion by unanimous vote.

PUBLIC COMMENT

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

APPROVAL OF THE MARCH 12, 2019 REGULAR MEETING MINUTES

Chairman Finkle asked for a motion to adopt the March 12, 2019 regular meeting minutes. Mr. Hayes advanced the motion to approve the regular meeting minutes. Mr. DeWitt seconded and the Board approved the motion by unanimous vote.

RESOLUTION AUTHORIZING THE EMPLOYMENT OF AN EXECUTIVE DIRECTOR FOR THE HUDSON RIVER-BLACK RIVER REGULATING DISTRICT

Mr. Rosenthal made a motion that the Board adopt a Resolution to employ John C. Callaghan as the Executive Director of the Hudson River-Black River Regulating District effective April 15, 2019 and that upon hire the new Executive Director shall be placed at and shall progress from Step 3 of Grade M6 (\$149,612) of the management/confidential salary schedule maintained by the Governor’s Office of Employee Relations for the state’s M/C employees. Mr. DeWitt seconded and the Board adopted the Resolution by unanimous vote. Chairman Finkle thanked Mr. Hodgson for his services as the interim Executive Director.

REPORT OF THE INTERIM EXECUTIVE DIRECTOR

Mr. Hodgson presented his report. Mr. Hodgson first welcomed Mr. Callaghan and then reported that the Compliance Officer continues her effort crafting the Regulating District’s Continuity of Operations Plan. He noted that staff continue to work on the next the quarterly newsletter. Mr. Hodgson noted that he has planned additional interviews for the Chief Fiscal Officer’s position. He also reported that he will be setting up training on the use of the new on-line payment option for access permit renewals.

CONTRACTS/ACTIONS

RESOLUTION AUTHORIZING THE INTERIM OR EXECUTIVE DIRECTOR TO NEGOTIATE TEMPORARY MONTH TO MONTH LEASE WITH DF ACQUISITIONS LLC FOR ADDITIONAL ALBANY OFFICE

Mr. Ferrara explained that the current lease agreement for office space housing the Hudson River Area Office (L200000), effective March 1, 2018 does not include sufficient space to accommodate necessary staff. At the Board Chair’s direction, Mr. Ferrara identified 853 sq. ft. of office space near the District’s current space at 350 Northern Blvd. that will address the space needs. He presented the Board with an option to negotiate a temporary month to month lease for up to six (6) months for an amount not to exceed \$1,200.00 per month pending the identification of a more permanent office solution.

Mr. Hayes made a motion to adopt the Resolution authorizing the Interim or Executive Director to negotiate a temporary lease of 853 sq. ft. of additional office space at 350 Northern Boulevard, Albany, NY for up to six months for an amount not to exceed \$1,200 per month. Mr. DeWitt seconded and the Board approved the motion by unanimous vote.

GOVERNANCE COMMITTEE REPORT

RESOLUTION TO SATISFY ANNUAL REVIEW AND APPROVAL OF THE REGULATING DISTRICT’S INVESTMENT POLICY

Committee Chair Rosenthal noted that section 2925(1) & (7) of the Public Authority Law requires every public benefit corporation to adopt by Resolution and annually review comprehensive investment guidelines that detail the corporation’s operative policy and

instructions to the Board and management regarding the investing, monitoring and reporting of funds of the corporation. He noted that the Governance Committee reviewed the Regulating District's Investment Policy earlier and that the Committee recommended that no changes be made to the policy.

Chairman Finkle asked for a motion adopting the Resolution. Mr. Rosenthal made a motion to recommend approval of the Resolution to satisfy the annual review and approval of the Regulating District's Investment Policy. Mr. DeWitt seconded and the Board unanimously approved the motion.

RESOLUTION TO SATISFY ANNUAL REVIEW AND APPROVAL OF THE REGULATING DISTRICT'S PROCUREMENT POLICY

Committee Chair Rosenthal noted that section 2879(1) & (8) of the Public Authority Law requires every public benefit corporation to adopt by Resolution and annually review procurement guidelines that detail the corporation's operative policy and instructions to the Board and management regarding procurement. He noted that the Governance Committee reviewed the Regulating District's Procurement Policy earlier and that the Committee recommended that no changes be made to the policy.

Chairman Finkle asked for a motion adopting the Resolution. Mr. Rosenthal made a motion to recommend approval of the Resolution to satisfy the annual review and approval of the Regulating District's Procurement Policy. Mr. Hayes seconded and the Board unanimously approved the motion.

RESOLUTION TO ANNUALLY REVIEW AND APPROVE THE REGULATING DISTRICT'S DISPOSITION OF PROPERTY GUIDELINES PURSUANT TO SECTION 2896(1) OF THE PUBLIC AUTHORITIES LAW

Committee Chair Rosenthal noted that section 2896(1) of the Public Authority Law requires every public benefit corporation to adopt by Resolution an annual review of the Disposition of Property Guidelines that detail the corporation's operative policy and instructions to the Board and management regarding the disposition of property. He noted that the Governance Committee reviewed the Regulating District's Disposition of Property Policy earlier and that the Committee recommended that no changes be made to the policy.

Chairman Finkle asked for a motion adopting the Resolution. Mr. Rosenthal made a motion to recommend approval of the Resolution to satisfy the annual review and approval of the Regulating District's Disposition of Property Policy. Mr. DeWitt seconded and the Board unanimously approved the motion.

FINANCE COMMITTEE REPORT

RESOLUTION APPROVING BUDGET & FINANCIAL PLAN REQUIRED PURSUANT TO SECTION 2801 OF PUBLIC AUTHORITIES LAW

Finance Committee Chair DeWitt introduced a Resolution approving a budget and financial plan pursuant to Section 2801 of the Public Authorities Law. Committee Chairman DeWitt reported that the Regulating District is required to submit a budget and financial plan to a set of oversight entities by way of the Public Authorities Reporting & Information System (PARIS) between 120 and 90 days prior to the start of the Regulating District's next fiscal year; July 1, 2019. Mr. DeWitt noted that Mr. Ferrara based the plan upon the 2019-2021 budget with financial data for the 'proposed years' or 'out years' based on prior budget, actual and other estimated information.

Mr. Rosenthal made a motion to adopt the Resolution approving the budget & financial plan required pursuant to section 2801 of the Public Authorities Law. Mr. Hayes seconded and the Board approved the motion by unanimous vote.

STAFF REPORTS

Mr. Leslie presented his report. Mr. Leslie reported that he worked with Mr. Ferrara to develop/update the Regulating District's calendar of important deliverables, met with the incoming Executive Director, and addressed staff questions throughout the reporting period.

Ms. Ruzycky presented her report to the Board. She noted that the online payment application (form EVTA-2) has been approved by OGS and that she is accepting applications from potential summer interns through April 20th.

Mr. Ferrara presented his report to the Board. He noted that at the close of fiscal March 31, 2019, the general fund balances for the HRA and BRA were approximately \$2,886,709 and \$1,998,930 respectively. He noted that District's transactional processing and reporting are current. District bank reconciliations are complete through February 28, 2019.

Mr. Foltan presented the Chief Engineer's report to the Board. Mr. Foltan noted that the March average daily release from the Sacandaga Reservoir (Great Sacandaga Lake) was approximately 4,060 cubic feet per second (cfs). Precipitation during the month of March was below normal across the Great Sacandaga Lake and Indian Lake watersheds. The monthly inflow to Great Sacandaga Lake and Indian Lake reservoir was approximately 66% and 64% of historic average, respectively. Monthly release of water from Great Sacandaga Lake and Indian Lake measured 198% and 148% of historic average, respectively.

The March average daily release from Stillwater Reservoir was approximately 600 cfs. Monthly total precipitation measured 55%, 63%, and 53% of historic average at Stillwater, Old Forge, and Sixth Lake, respectively, as of March 26th. Precipitation in the month of March was below average at Stillwater, Old Forge and Sixth Lake. The monthly inflow to Stillwater Reservoir was approximately 62% of historic average. The inflow to Sixth Lake and Old Forge Reservoir totaled 0.09 and 0.21 billion cubic feet, respectively, in March. Release of water from Stillwater Reservoir averaged 143% of historic discharge.

Mr. Hodgson presented the Administrator's report. Mr. Hodgson reported that he attended the Village of Northville's Waterfront Revitalization meeting as the Village discussed a

grant covering part of the cost of a sidewalk over the dam creating Northville Lake. He also noted that April 15th is the deadline for submission of access permit renewal applications.

BOARD MEMBER QUESTIONS AND COMMENTS

RESOLUTION SCHEDULING DATE, TIME AND LOCATION OF THE REGULAR MEETING FOR MAY 14, 2019

Chairman Finkle asked for a motion to adopt a Resolution setting the next meeting of the Board of the Hudson River-Black River Regulating District for Tuesday, May 14, 2019 at the Sacandaga Field Office 737 Bunker Hill Road, Mayfield, NY 12117 at 10:00 A.M.

Mr. DeWitt moved to adopt the Resolution setting the date, time and place 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. Rosenthal advanced the motion. Mr. DeWitt seconded. The meeting adjourned at 10:36 A.M.

RESOLUTIONS

19-12-04 RESOLUTION AUTHORIZING THE EMPLOYMENT OF AN EXECUTIVE DIRECTOR FOR THE HUDSON RIVER-BLACK RIVER REGULATING DISTRICT

Mr. Rosenthal made a motion that the Board adopt a Resolution to employ John C. Callaghan as the Executive Director of the Hudson River-Black River Regulating District effective April 15, 2019 and that upon hire the new Executive Director shall be placed at and shall progress from Step 3 of Grade M6 (\$149,612) of the management/confidential salary schedule maintained by the Governor's Office of Employee Relations for the state's M/C employees. Mr. DeWitt seconded and the Board adopted the Resolution by unanimous vote.

19-13-04 RESOLUTION AUTHORIZING THE INTERIM OR EXECUTIVE DIRECTOR TO NEGOTIATE TEMPORARY MONTH TO MONTH LEASE WITH DF ACQUISITIONS LLC FOR ADDITIONAL ALBANY OFFICE

Mr. Hayes made a motion to adopt the Resolution authorizing the Interim or Executive Director to negotiate a temporary lease of 853 sq. ft. of additional office space at 350 Northern Boulevard, Albany, NY for up to six months for an amount not to exceed \$1,200 per month. Mr. DeWitt seconded and the Board approved the motion by unanimous vote.

19-14-04 RESOLUTION TO SATISFY ANNUAL REVIEW AND APPROVAL OF THE REGULATING DISTRICT'S INVESTMENT POLICY

Chairman Finkle asked for a motion adopting the Resolution. Mr. Rosenthal made a motion to recommend approval of the Resolution to satisfy the annual review and approval of the Regulating District's Investment Policy. Mr. DeWitt seconded and the Board unanimously approved the motion.

19-15-04 RESOLUTION TO SATISFY ANNUAL REVIEW AND APPROVAL OF THE REGULATING DISTRICT'S PROCUREMENT POLICY

Chairman Finkle asked for a motion adopting the Resolution. Mr. Rosenthal made a motion to recommend approval of the Resolution to satisfy the annual review and approval of the Regulating District's Procurement Policy. Mr. Hayes seconded and the Board unanimously approved the motion.

19-16-04 RESOLUTION TO ANNUALLY REVIEW AND APPROVE THE REGULATING DISTRICT'S DISPOSITION OF PROPERTY GUIDELINES PURSUANT TO SECTION 2896(1) OF THE PUBLIC AUTHORITIES LAW

Chairman Finkle asked for a motion adopting the Resolution. Mr. Rosenthal made a motion to recommend approval of the Resolution to satisfy the annual review and approval of the Regulating District's Disposition of Property Policy. Mr. DeWitt seconded and the Board unanimously approved the motion.

19-17-04 RESOLUTION APPROVING BUDGET & FINANCIAL PLAN REQUIRED PURSUANT TO SECTION 2801 OF PUBLIC AUTHORITIES LAW

Mr. Rosenthal made a motion to adopt the Resolution approving the budget & financial plan required pursuant to section 2801 of the Public Authorities Law. Mr. Hayes seconded and the Board approved the motion by unanimous vote.

19-18-04 RESOLUTION SCHEDULING DATE, TIME AND LOCATION OF THE REGULAR MEETING FOR MAY 14, 2019

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

Respectfully submitted,
Richard J. Ferrara,
Secretary/Treasurer
Mark M. Finkle
Board Chairman