

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

Warren County Municipal Center
1340 State Route 9, Board Room 2nd Floor
Lake George, NY 12845

Remote Conference-In Location:

Longboat Harbor Office/Library
4454 Gulf of Mexico Drive
Longboat Key, FL 34228

December 10, 2019

10:00 AM

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; Second Vice-Chair Kenneth DeWitt; Board Members Albert J. Hayes and Richard Bird; Executive Director John C. Callaghan; General Counsel Robert P. Leslie; Chief Engineer Robert S. Foltan; Chief Fiscal Officer Timothy Maniccia; Area Administrator John Hodgson; and Compliance Officer Stephanie Ruzycky.

Video Feed: First Vice-Chair Jeffrey Rosenthal

WELCOME AND INTRODUCTION

Chairman Finkle welcomed Richard Bird to Board membership and encouraged Mr. Bird to introduce himself. Mr. Bird detailed his long and established association with the Black River watershed; expanding upon a resume replete with family and community commitments to the Adirondacks.

MOTION TO ADOPT OR REVISE THE MEETING AGENDA

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

INTRODUCTION OF GUESTS

Chairman Finkle welcomed David Wick, the Executive Director of the Lake George Park Commission. Mr. Wick gave the Board a short presentation on the history and statutory underpinnings guiding the Lake George Park Commission's fulfillment of its mission.

PUBLIC COMMENT

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

APPROVAL OF THE NOVEMBER 13, 2019 BOARD MEETING MINUTES

Chairman Finkle asked for a motion to adopt the November 13, 2019 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 welcomed Richard Bird, noting that he and Chairman Finkle met with the new board member shortly after his appointment. Mr. Callaghan noted that during the reporting period he worked with senior staff on messaging surrounding the unusually high elevation of Great Sacandaga Lake and developed a new question and answer (“Q&A”) feature for the HRBRRD’s social media and website applications. On November 14th, Mr. Callaghan and Mr. Foltan participated in a call with representatives of the Great Sacandaga Lake Association and the Sacandaga Protection Committee to discuss GSL status and operation. Mr. Callaghan highlighted staff’s effort to host the fall meeting of the Great Sacandaga Lake ‘Safe Lake’s Initiative’ at the Sacandaga Field Office and encouraged stakeholders to utilize the “Send It – HDR III” app as an additional tool to identify and mitigate hazards to navigation. He reported on the recent segment taped for the local CBS affiliate (WCBS, Channel 6) and another taping to take place shortly with the local ABC affiliate (WTEN, Channel 10). Both segments focus upon the heightened dangers to snowmobile traffic over the reservoir in light of the reservoir’s historically higher elevation primarily related to the October 31st rain event. Chairman Finkle recognized the Regulating District’s operational and messaging response to the storm and resulting higher levels; reporting that he had been approached personally by several stakeholders offering positive comments on those efforts.

COMMITTEE REPORTS

AUDIT COMMITTEE

Chairman Finkle explained that the Audit Committee meeting, which was to have taken place immediately in advance of the regular board meeting, would now take place immediately after the meeting. As such, the Board would address the balance of the regular meeting agenda before Committee Chairman Hayes and the Audit Committee received Nora Galleros of Galleros Robinson Certified Public Accountants LLP’s for a presentation of the Independent Audit for the year ending June 30, 2019.

CONTRACTS/ACTIONS

RESOLUTION TO APPROVE FOURTH AMENDMENT TO CONTRACT C012012 WITH KLEINSCHMIDT ASSOCIATES, PA, PC

Mr. Foltan introduced a resolution authorizing a term extension for contract C012012 with Kleinschmidt Associates, PA, PC. The contract, set to expire on December 31, 2019, covers design work associated with the remediation of the Regulating District's dam at Hawkinsville. Staff recommend that the contract be extended through December 31, 2021.

Mr. Hayes moved to adopt the resolution authorizing a term extension through December 31, 2021 for contract C012012. Mr. DeWitt seconded and the Board adopted the resolution by unanimous vote.

RESOLUTION TO APPROVE SIXTH AMENDMENT TO CONTRACT C092007 GOMEZ AND SULLIVAN ENGINEERS, P.C.

Mr. Foltan introduced a resolution authorizing a term extension for contract C092007 with Gomez and Sullivan Engineers P.C. The contract, set to expire on December 31, 2019, covers design work associated with the dam breach analysis at Conklingville. Staff recommend that the contract be extended through December 31, 2021.

Mr. Rosenthal moved to adopt the resolution authorizing a term extension through December 31, 2021 for contract C092007. Mr. DeWitt seconded and the Board adopted the resolution by unanimous vote.

STAFF REPORTS

Mr. Leslie presented his report. He noted his work preparing for the arrival of the board's new member. He reported upon a meeting with representatives from the Executive Chamber, DEC, the APA, and the Lake George Park Commission to review and work toward the advancement of revisions to the LGPC's stormwater management regulations. Mr. Leslie reported on staff's efforts to address Heavy Duty Diesel fuel usage and Best Available Retrofit Technology (BART) reporting requirements. Mr. Leslie reported that he addressed a request for records pertaining to Black River hydro development rights at Sewall's Island North Channel at the former Bagley & Sewall's Power dam.

Ms. Ruzycky presented her report to the Board. Ms. Ruzycky noted she scheduled and attended credit card point of sale terminal training and that she is developing a procedural document to address issues inherent in acceptance of payments by credit card. Ms. Ruzycky noted MWBE utilization reports for the 2nd quarter have been accepted by the DMWBD.

Mr. Maniccia presented his report to the Board. He noted that at the close of fiscal November 30, 2019, the general fund balances for the HRA and BRA were approximately \$3,521,062 and \$2,476,920 respectively; a 4% reduction year over year. He noted that District's transactional processing and reporting are current. District bank reconciliations are complete

through October 31, 2019. Mr. Maniccia noted that principal payments have commenced to repay monies drawn against the bond issued to finance studies and the rehabilitation at Conklingville Dam.

Mr. Foltan presented the Chief Engineer's report to the Board. Mr. Foltan noted that the November average daily release from the Sacandaga Reservoir (Great Sacandaga Lake) was approximately 3,880 cubic feet per second (cfs). Precipitation during the month of November 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 190% and 170% of historic average, respectively. Monthly release of water from Great Sacandaga Lake and Indian Lake measured 166% and 245% of historic average, respectively. Mr. Foltan directed the board's attention to the GSL operation spreadsheet which highlighted the numerous occurrences of reservoir releases meeting or exceeding the allowable threshold established by the Offer of Settlement. For the month, the cumulative November monthly release slightly exceeded the O/S allowable cumulative release; reflecting the Regulating District's continued effort to lower the reservoir elevation as quickly as possible.

The November average daily release from Stillwater Reservoir was approximately 505 cfs. Monthly total precipitation measured 56%, 53%, and 50% of historic average at Stillwater, Old Forge, and Sixth Lake, respectively, as of November 21st. Precipitation in the month of November was below average at Stillwater, Old Forge and Sixth Lake. The monthly inflow to Stillwater Reservoir was approximately 125% of historic average. The inflow to Sixth Lake and Old Forge Reservoir totaled 0.18 and 0.50 billion cubic feet, respectively, in November. Release of water from Stillwater Reservoir averaged 131% of historic discharge.

Mr. Hodgson presented the Administrator's report. He noted that access permit system renewal applications will be mailed during the first week of January, 2020. Mr. Hodgson detailed staff's effort to remove trees on the base of the downward slope at Conklingville pursuant to a FERC requirement and that staff has taken the opportunity presented to improve vehicular access in that area. Mr. Hodgson applauded staff who utilized the skiff to place reflective tape and buoys marking downed trees and debris on the GSL.

RESOLUTION SCHEDULING DATE AND TIME OF THE ANNUAL ORGANIZATIONAL AND REGULAR MEETINGS FOR JANUARY 14, 2019

Chairman Finkle asked for a motion to adopt a resolution setting the date, place and time for the next meeting of the Board of the Hudson River-Black River Regulating District for Tuesday, January 14, 2019 at the Sacandaga Field Office Conference Room, 737 Bunker Hill Road, Mayfield, NY 12117. The meeting will be scheduled for 10:00 A.M.

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

ADJOURNMENT

Chairman Finkle called for a motion to adjourn the meeting. Mr. Bird advanced the motion. Mr. Hayes seconded. The meeting adjourned at 10:55 A.M.

RESOLUTIONS

19-50-12 RESOLUTION TO APPROVE FOURTH AMENDMENT TO CONTRACT C012012 WITH KLEINSCHMIDT ASSOCIATES, PA, PC

Mr. Hayes moved to adopt the resolution authorizing a term extension through December 31, 2021 for contract C012012. Mr. DeWitt seconded and the Board adopted the resolution by unanimous vote.

19-51-12 RESOLUTION TO APPROVE SIXTH AMENDMENT TO CONTRACT C092007 GOMEZ AND SULLIVAN ENGINEERS, P.C.

Mr. Rosenthal moved to adopt the resolution authorizing a term extension through December 31, 2021 for contract C092007. Mr. DeWitt seconded and the Board adopted the resolution by unanimous vote.

19-52-12 RESOLUTION SCHEDULING DATE AND TIME OF THE ANNUAL ORGANIZATIONAL AND REGULAR MEETINGS FOR JANUARY 14, 2019

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

Robert P. Leslie,
Secretary

Mark M. Finkle
Board Chairman