

Meeting	REMOTE Hudson River Drinking Water Intermunicipal Council
Date	Thursday, May 21, 2020 Quorum: 5:32pm Adjourn: 6:40pm
Location	Poughkeepsies' Water Treatment Facility
Chairperson	Mayor Gary Bassett, Village of Rhinebeck
Vice Chair	Supervisor Jay Baisley, Town of Poughkeepsie
In Attendance	<ul style="list-style-type: none"> ● Mayor Gary Bassett, VoR ● Supervisor Jay Baisley, Town of Poughkeepsie ● Supervisor Shannon Harris, ToE ● Town Board Neil Krupnick, ToHP ● Randy Alstadt, CoP ● Emily Svenson (Technical Advisor, Land Use) ● Paul Malmrose (Acting Technical Advisor, Engineering) ● Rebecca Martin, Riverkeeper (coordinator) ● Dan Shapley, Riverkeeper (presenter)

Regular Business

1. The meeting was called to order at **5:32**
2. Roll Call & Quorum Determination. Bassett, Baisley, Harris, Krupnick, Alstadt. **Five voting members present (quorum)**
3. Approval of Meeting Minutes and Past Adjournment
 - a. 4/16/20 minutes
 - i. Alstadt/Harris. Motion carried**
4. Communications
 - a. Letter from Steve Hamilton of the Cary Institute
 - i. "In our research on the Hudson River, based at the Carey Institute of Ecosystem Studies in Millbrook, we have become

interested in long-term trends in calcium, hardness, pH, and/or alkalinity...”

- b. FOIL request by Doreen Tignanelli
 - i. Gary Bassett responded and reported that the matter is closed.
5. Public Comment
- a. Jessica Kuonen who is the Hudson Estuary Specialist for the New York Sea Grant at Ulster County Cooperative Extension Office spoke to the council to alert them of a program within Sea Grant called “Crude Move” which develops resources and conducts research on crude oil transport in the Great Lakes-St. Lawrence Region River region, including the Hudson River Estuary. Anyone can access resources at the website: glslcrudeoiltransport.org To stay connected, people can join the listserv (info on website). They will be having a summer webinar series starting in June. The topic of the first webinar will be an overview/status update on crude oil transport in our region. Minnesota Sea Grant has committed to hiring a dedicated Hazardous Materials and Marine Transport position that will lead this group – probably by the end of the year. Jessica will continue to attend Crude Move meetings representing the Hudson Valley. Rebecca Martin asked for the job description of the new position they are creating when it is available. Gary Bassett what format the information was in (by type or volume). Jessica said that it was based on the type of transport and their set routes. With the decrease of oil needs in the US, an emphasis on where oil reserves are being stored is of concern.
 - b. AMENDED (6/15/20): Doreen Tignanelli, Town of Poughkeepsie:
 - 1) A records access officer must be appointed and a FOIL Policy with instructions for appeal, etc. should be posted on the website. 2) Regarding my FOIL request, the response was "there were no records found". I then requested certification per FOIL §89(3)(a) that a diligent search was conducted and received the same response. However, email communications are records and there were emails specific to the subject of public comment for the April 16, 2020 meeting. It should be noted that the response wasn't that records were

denied - in whole or in part - but that "there were no records found" which was not the case. Therefore, I do not believe my FOIL request was accurately answered. 3) For clarification, I never said the Hudson 7 had to allow public comment. I am well-versed in the Open Meetings Law and know that public comment is not a requirement. My point was that members of the public should be treated equally if public comment is allowed per numerous Committee on Open Government Opinions. I pointed that out because a person who was not a Board member or advisor commented multiple times throughout the April meeting, even acknowledging "*I know I'm kind of out of order here and a member of the public but...*". I also never said that video was required under the governor's Executive Order. What my email said was that it was unclear why the public was invited to "listen in" only to the April meeting instead of being able to participate real-time in the public comment portion of the meeting by using Zoom as the Town of Poughkeepsie was doing.

Reports and Actions on Old Business

1. Review Goals for 2020.
 - a. COVID-related emergency preparedness and communications
 - b. Central Hudson coal tar remediation
 - c. Study and improve local watershed-protection codes
 - i. Dan Shapley said that he wanted to include these in the agenda to serve as a reminder for the council to review. Gary Bassett asked how they could be addressed.
 1. **Dan Shapley offered to work with Gary and Randy Alstadt to identify some milestones that the Hudson 7 might anticipate throughout the year and will set up a meeting.**
2. Hudson River Source Water Protection initiatives

- a. Update on Central Hudson dredging project presentation/PWTF (Alstadt)
 - i. Randy said that Central Hudson came to the last PWTF meeting to relay that the moon pool did not work. They are planning to do hydraulic dredging instead. The process creates a lot of water that needs to be treated and there is a great deal of engineering that needs to be done. They plan to only do pilot work and planning in 2020 and not extensive dredging this year.
 - 1. **Paul Malmrose asked if the Hudson 7 could provide input during the planning process? Randy said that the DOH was working with DEC and Central Hudson and that so far, they are working in the right direction.**
- b. Stream, wetland and watershed code review (Svenson)
 - i. Emily Svenson outlined her concept to review codes for streams and wetlands in the Hudson 7 watershed area. She explained that communities implement land use laws within their municipalities. These decisions can make a positive or negative impact on water resources. Emily took a look at the local codes to see if there are things that the Hudson 7 can do to improve to reduce pollution entering into water bodies in order to improve water quality/drinking water. Quick code review for the seven municipalities, starting with the Town of Esopus (who is currently working on their comprehensive plan update and zoning). The protocol that she is using is one that she developed with the Pace Land Use Law Center where she looks at water quality protection, water quantity protection, preserving natural features to use land more efficiently and municipal processes to make all these things work better. The municipality can go through the drafts to see if she missed anything or other items to add. When complete, she'll put all municipalities together so that the council can compare and

contrast with one another to get some ideas. In Esopus, there is a provision for marinas and boatyards but didn't have anything specific that protects streams and wetlands. Emily will also include packets and resources for different ideas of code provisions that municipalities can adopt.

1. Emily and Shannon Harris will connect to discuss further

- c. The group discussed inviting Ulster/Dutchess county appointed and elected officials to an upcoming Hudson 7 meeting when COVID lifts as a follow-up to their meeting with Riverkeeper (where Dan was provided authority by the council to represent Hudson 7). Dan said that they want to support Hudson 7 especially with (or without) the Drinking Water Source Protection Program (DWSP2) through the Department of Environmental Conservation (DEC). Gary and Randy reported that neither utilities had heard from the county executive during this crisis with emergency planning communications.

- i. Gary will send a letter to both County Executives to ask if they might join the Hudson 7 virtually in August or September to discuss any emergency recovery scenarios.**

- d. Communication to operators related to COVID (Alstadt, Malmrose)
 - i. Paul said that he said that he sent Randy, Dan and Rebecca information regarding how water operators should work during COVID.

- 1. Paul will reach out to Randy to discuss.**

- e. Equipment Share

- i. Hudson 7 water plant equipment list

- 1. Randy will look into putting a list together in the coming weeks.**

- ii. Intermunicipal Agreement examples for equipment shares.

- 1. This item was tabled.

- f. Letter of thanks to Hudson 7 Water Operators

- i. A draft letter of commendation was presented to the Hudson 7 for water operators during the COVID crisis. Shannon asked if we could include sewer operators and staff, too.

1. Rebecca will follow-up to get names, titles and email addresses. Individual letters will be sent.

3. Funding

- a. All DEC grant funding sources are unavailable at this time due to the economic uncertainties of the COVID crisis.

New Business

1. New remote meeting procedure

- a. Neil gave an overview of the new remote meeting procedure. It is available on the Hudson 7 website (www.hudson7.org) as well as a link to the full document. The council made a motion to adopt the new remote procedure to remain in place throughout the COVID crisis.

i. Gary/Neil. Motion carried

2. Hudson 7 officers and coordinator position

a. FOIL Officer: Hudson 7 Chair

- i. The group discussed that the Bylaws empower the Secretary to be FOIL Officer. As the post is currently vacant, the group agreed that FOIL's would be handled by the Chairperson in this case and until the secretary role is filled. The matter will be reflected in the Bylaws.

1. Gary/Randy. Motion carried

b. FOIL Appeals Officer

- i. Doreen Tignanelli's FOIL request and appeal was read out loud. Randy offered to be the Hudson 7 FOIL Appeals Officer.

1. Gary/Shannon. Motion carried

c. Hudson 7 Coordinator Position description

- i. The group discussed giving the current coordinator position more context in the Bylaws.

- 1. Rebecca to bring forward the current language in the Bylaws and any context from previous grant applications regarding the coordinator position.**
3. Approve Paul Malmrose as Hudson 7 Technical Advisor, Engineering
 - a. Gary/Randy. Motion carried.**
4. AWWA presentation to be recorded
 - a. As far as Paul Malmrose knows, the event is still on for July. Paul asked to be send the Hudson 7's 2019 achievements. He said that he had sent information regarding Wants comments of achievements. Sent info on Endocrine disrupters and that according to a study by Columbia University and Riverkeeper, the City of Kingston's outfall has the highest quality/level of pharmaceutical drugs. It would be valuable to point out to the public not to flush or dump drugs in toilets or down sinks.
 - i. Paul Malmrose has asked to give his presentation as a trial run to the Hudson 7 in June.**
5. May 31 is 2nd anniversary of Hudson 7 formation
 - a. Riverkeeper is working on a 2nd anniversary post on the Hudson 7. Any contributions to that are welcome.

Adjournment: 6:42pm

- **Gary/Shannon Motion carried**