

<b>Meeting</b>	Hudson River Drinking Water Intermunicipal Council
<b>Date</b>	Wednesday, July 21, 2022 Quorum: 5:48pm Adjourn: 6:51pm
<b>Location</b>	Remote
<b>Chairperson</b>	Mayor Gary Bassett, Village of Rhinebeck
<b>Vice Chair</b>	Supervisor Jay Baisley, Town of Poughkeepsie
<b>Secretary</b>	Shannon Harris, Town of Esopus
<b>In Attendance</b>	<ul style="list-style-type: none"> <li>● Gary Bassett, Mayor (VoR) @ PWTF</li> <li>● Bill Carlos (ToP) @ PWTF</li> <li>● Nick Butler (ToE) @ PWTF</li> <li>● Randy Alstadt (CoP) @ PWTF</li> <li>● Elizabeth Spinzia (ToP)</li> <li>● Russell Gilmore (ToL)</li> <li>● Shannon Harris (ToE)</li> <li>● Mike Donnor (ToE)</li> <li>● Rebecca Martin, Riverkeeper (Coordinator)</li> <li>● Brad Barclay, Dutchess County Representative</li> <li>● Michael Forgang, Department of Health</li> </ul>

Regular Business

1. Call To Order: 5:48pm
2. Roll Call & Quorum Determination.
  - a. **Voting members in person: Gary Bassett (VoR), Bill Carlos (ToP), Nick Butler (ToE), Randy Alstadt) (CoP). Remote, Elizabeth Spinzia (ToR), Russell Gilmore (ToL), Shannon Harris (ToE).**  
**Quorum**
3. Video Conferencing resolution and discussion of a public hearing.
  - a. **Gary Bassett motion. Bill Carlos second. Motion passes for a public hearing next month.**
4. Approval of minutes and adjournment
  - a. **Motion to approve 5/19/22 Gary/Bill. Motion approved**
  - b. **Motion to approve 6/23/22 Gary/Bill. Motion approved**
5. Communications listed in the agenda
  - a. All recent press on CHPE PILOT in Dutchess County on Hudson 7 press page

- b. Outreach from community members re: barge/tug in Rhinecliff (TDI divers)
  - c. ToHP Lynn Ruggiero to meet with DCWWA Michael Keating on August 3
  - d. Natalie Kikel, City of Kingston Grants Manager request for LOS re: Upcoming CFA applications. Hudson 7 approved.
  - e. Habibur Rahman wrote that all wastewater treatment facilities should stop using chlorine and replace it with Hydrogen Peroxide
  - f. Follow-up from Tracy Frisch on how Hudson 7 can provide public comment re: Biochar and Hudson River leachate/PFAS concerns
  - g. Hudson 7 featured in Jon Bowermaster upcoming film
6. County representative update
- a. Ulster, not present
  - b. Dutchess. Met with Hudson 7 to discuss MOU and coordinator position
7. Public Comment.
- a. Doreen Tignatelli wrote that the public hearing should be set in print.

#### Reports and Actions on Old Business

1. Hudson 7 Priorities for 2021-2022
  - a. Hudson 7 coordinator position
    - i. **GB:** Dutchess county will provide \$75k over three years, but wishes to be a voting member. **RA:** The County are users, sending water to Fishkill. **GB:** Ulster County will send \$75k per year, but doesn't want to be a voting member. They want reports and how money is spent. DC will pay \$19,999 below the threshold of \$20k to hire council to structure the Hudson 7 as a 501c3. They will hold that money, though Hudson 7 will hire their own council to do this work. They will pay the invoice when submitted. **BC:** How do we get the lawyer? **GB:** they recommend that we hire someone independent from municipalities. The money will be held by their planning department. Step one is to revise the IMA that DC is a voting member, and UC is a non-voting member. Request that we add language to allow DC to appropriate money to Hudson 7 to hire a lawyer. The purpose is to protect drinking water which needs

to be laid out in the document. Identify each municipalities contribution. Revised MOU to go before each town/city/village for approval. Counties also have to vote for approval. If one backs out, there is no deal. We need everyone on board. Step two, hire a lawyer independent of the municipalities. A conflict check needs to take place before hired. Under procurement policy for \$19,999 made with the DC legal department spelling out the terms. DC will help us to draft this document. Step three, once the bylaws have been drafted, monies can be released. Then the project coordinator process can begin. Step one and two could be accomplished this year, to hire a coordinator in the new year. The county will not begin until we vote tonight and ask them to begin. Do we want the county to be a voting member? **BC:** I see no problem with that. **ES:** Asking for order. **GB:** BC asked how we select counsel. Gary asked if the council is comfortable with DC being a voting member. **RA:** DC priority because they use 1.5 million GPD of water through the DCWWA. **ES:** They are independent of the council. **GB:** Is it DC or the DCWWA who is a member? **BB:** DCWWA is a county district but has an operating agreement with DC with the water authority. Hyde Park was involved because of land regulations that go with the water protection water plan, but it's up to Hudson 7 to decide who is involved. It's more complicated. **RA:** We can contact the county to ask if the water authority is a member. The authority is the customer but they work through the county. **GB:** Think about membership in another way. DC is one vote, but we don't want to be influenced on environmental decisions. Can we make them a voting member based on the money but not on the substance of work. **RA:** I wouldn't go there. **BB:** Brought up with Lynn today, decide what you want to negotiate, Brad will bring back to the county. Linda is familiar with the IMA and resolution to feel she could draft the first version of the IMA to include the county and get the money flowing to get the legal work done to negotiate a future IMA through a longer term process as to how this organization is going to get set up in the future if we get the go ahead. **GB:** Third proposal. We draft a three agreement with the county that we all contribute and at

the end of three years, we can discuss whether to continue if we are happy or sever the agreement. **RA:** They are asking municipalities to contribute which we haven't discussed and agreed to. **GB:** We have discussed the financial commitment with all municipalities. \$25k DC / \$25k UC / \$25k Hudson 7. Larger communities, \$5k, smaller municipalities \$2500k. We've looked at different ways to do this that is fair. **RM:** Do you want to have the time to consider the new changes that were just put on the table today, or do you feel comfortable proceeding with a recommendation. **GB:** Opening it up for discussion. **RA:** Put together a draft to put out in order to proceed. We can't just sit. I am comfortable with what's in front of us. **ES:** Point of order. **GB:** We are all just hearing this for the first time, and I'm presenting this to the council. **ES:** Changing our name as the Hudson 7 to Hudson 8 is not on the table. It's about their funding, and we hope that after three years we are free of their funding. **GB:** We will remain as the Hudson 7. **RM:** I heard Randy bring that up this evening. **ES:** That was never on the table.

**1. Motion to prepare a draft for municipalities for a three year agreement with DC as a voting member. Gary/Randy.**

- a. **BC:** We need a lawyer to do that. **BB:** DC has volunteered to draft a simple draft of the IMA to just facilitate hiring a lawyer. We could provide a lawyer if you accept the conditions. If you don't, send a counter offer and we'll discuss. **GB:** To draft a 3-year agreement including DC to draft an IMA for municipalities.

**2. Amendment to the motion: Motion to prepare a draft a three year agreement and ask DC to draft an IMA to bring to municipalities. Gary/Randy. Elizabeth Spinzia opposed. 5/1**

- a. **BB:** He will bring it back, but said he would be remiss if I didn't report that it wasn't unanimous. **ES:** No meaningful discussion to allow DC as a voting member given their small contribution given our volunteer efforts over four years. We are

happy with their financial support, there is no reason for them to be a voting member.

- b. NYS Drinking Water Source Protection Program
    - i. **MF:** Request that Grant, Steve Gladding and Michael are added to the Hudson 7 CHPE committee calls.
      - 1. **Motion to add Grant, Steve, Michael to CHPE committee as listening members. Gary/Bill.**
        - a. **SH:** Want to clarify Mike's role, and the others.  
**MF:** Grant and Michael are technical advisors to the DWPS2. Steve Gladding from the NYSDOH and is their superior. **GB:** No regulatory decision making, until they decide how to participate. That needs to be in place before moving forward. OK to listen, but can't participate until that's resolved.  
**RM:** CHPE committee is Gary, Bill, Shannon, Randy, Paul, Dan, Rebecca. Formerly led by Emily Svenson, but she had to step down. Gary took over the leadership role.
2. Hudson River Drinking Water Source Issues
  - a. Rotating Integrated Basin Studies (RIBS)
    - i. Waiting for a formal letter.
  - b. Proposed transmission lines
    - i. Hudson 7 CHPE Committee updates
      - 1. **GB:** Meeting schedule for Friday the 7/22 at 11am. We have 11 of the 33 protocols that need to be discussed and resolved. Scope of engineering work that is by Tighe and Bond to oversee the process. We won't go until we have a third party to put together a meaningful plan. We still don't have a site for a pilot test. The VoR was the original site, but there is no anchor zone that complicates jet plowing. It was a good site, but is no longer on the table. Proposed to go to Esopus or ToP as an alternate site. Today we don't have a site, test procedure or oversight procedure in place. **BB:** Thinks it's good for Mike and his colleagues to listen in even if they don't have a role to play at this point. **GB:** Spoke with Steve Gladding cares about drinking water, but they don't have a regulatory role. They are discussing how they can contribute at this

time. In addition, there is a meeting with the water board in the ToE. Bill Carlos and Randy Alstadt were to be present, but Randy is not available, so Bill Carlos is scheduled to present. **NB:** On the topic of the DOH and the ToE, he invited them to the meeting in the town. **GB:** We don't have a site yet for the sampling. We've asked TDI to fund the process. **BC:** The letter we wrote to the DCIDA, are we suspending that? **GB:** We do not support PILOTs to Ulster or Dutchess IDAs. We don't have an agreement for testing and there isn't any benefit to DC. **BC:** There is no benefit now. When they can prove there is a benefit, we can talk about it. **GB:** TDI is not asking for a PILOT in Ulster any longer. We don't know what they are going to do in Dutchess. **BB:** Pleased by the draft letter for Dutchess and sent to Owen and Ron Hicks. Pleased by his negative reaction for the PILOT. That was based on the Hudson 7's comments. **RM:** August 29th proposal **ES:** The taxpayers shouldn't be burdening TDI.

- c. Esopus Creek Committee updates
  - i. Gary Bassett will cover for Paul Malmrose.

#### Reports and Actions on New Business

1. Hudson a 7 officers appointments tabled.

**Adjournment: 6:51pm**