

Meeting	Hudson River Drinking Water Intermunicipal Council
Date	Thursday, October 17, 2021 Quorum: 5:30pm Adjourn: 6:19pm
Location	Remote
Chairperson	Mayor Gary Bassett, Village of Rhinebeck
Vice Chair	Supervisor Jay Baisley, Town of Poughkeepsie
Secretary	Deputy Supervisor Neil Krupnick, Town of Hyde Park
In Attendance	<ul style="list-style-type: none"> ● Gary Bassett, Mayor (VoR) ● Elizabeth Spinzia, Supervisor (ToR) ● Marc Nelson, City Administrator (CoP) ● Neil Krupnick, Deputy Supervisor (ToHP) ● Shannon Harris (ToE) ● Paul Malmrose (Technical Advisor, Engineering) ● Emily Svenson (Technical Advisor, Land Use) ● Brad Barclay, Dutchess County Representative ● Rebecca Martin, Riverkeeper (Coordinator) ● Dan Shapley, Riverkeeper ● John Lipscomb, Riverkeeper ● Grant Jiang, Department of Health

Regular Business

1. Call To Order 5:30pm
2. Roll Call & Quorum Determination.
 - a. **Voting members: Gary Bassett (VoR), Neil Krupnick (ToHP), Marc Nelson (CoP), Shannon Harris (ToE) Four voting members. Quorum**
3. Approval of minutes
 - a. **Motion to approve 8/26/21 Bassett/Harris. Motion carried. Nelson abstained.**
 - b. **Motion to approve 9/21/21 Bassett/Harris. Motion carried. Nelson and Krupnick abstained.**
4. Communications. Review of items received throughout September and October.
5. County representative report
 - a. Ulster County: The Drinking Water Source Protection 2 (DWSP2) presentation for the Village of New Paltz was given at the Ulster County Water Quality Council meeting. It was completed by the Hudson Valley Regional Council (HVRC). Chana (“hana”) Friedenber expressed

willingness to provide a presentation to the Hudson 7. [Cfriedenberg \(at\) hudsonvalleyrc.org](mailto:Cfriedenberg@hudsonvalleyrc.org) The Community resilience workshop was presented by the Hudson River Watershed Alliance (HRWA) as a Lloyd/Esopus joint presentation. There was a mapping component, flooding and assets in the community (infrastructure and specific neighborhoods and roads). The county is updating its multi-jurisdictional hazard mitigation plan next year. All prioritized local communities will be identified in order to access FEMA funds for hazard mitigation projects.

- b. Dutchess County. County Executive Molinaro will give his budget address on 10/27/21.

6. Public Comment

- a. None.

Reports and Actions on Old Business

1. Hudson 7 Priorities for 2021-2022

- a. Scope and funding for coordinator position.

- i. **ES:** Gary, Rebecca, Dan, Elizabeth workshopped the job description and are presenting it this evening. Grateful to the two counties and municipalities for their monetary support for the role. It was decided that the level of person to hire should be a quasi-senior leadership position. **MN:** The position would be an employee of the council? **GB:** There is work to do on this, where this person resides, who pays, etc. The goal this evening is to get input from the council and take it back to the committee. **ES:** We discussed talking to a labor consultant or attorney to get input on how an intermunicipal arrangement could be a mechanism to hire someone, and whether we could get civil service involved so that the position could receive benefits. **MN:** My sense is that the answer to that question will be no (as it pertains to an intermunicipal arrangement and civil service). The PWTF is the oldest IMA in the state, and it's been the opinion of both sides (T/C of Poughkeepsie), that the Joint Water Board is a council under terms of IMA and is not an entity that can employ employees. Randy is technically an employee of the City of Poughkeepsie and the funds are reimbursed on a pro-rata basis. Might be easier. **BB:** From the county point of view, the original offer for a consultant to be hired through Riverkeeper. A municipal employee is a more difficult step than a consultant. The position is also meant to work on tributary issues beyond the Hudson 7's jurisdiction, such as the Class C streams in both counties. Defers the

discussion on who will employ the coordinator to the committee. Those serving include Bassett/Spinzia/Harris/Shapley/Carlos/Martin.

1. Motion to approve the job description for project coordinator. Bassett/Nelson. Motion carried.

b. Form committee for NYS Drinking Water Source Protection Program.

- i. **GB:** Dan, Gary and Paul will meet to discuss. Elizabeth is happy to help. Emily would also be interested in becoming involved at some point, and may switch over from the Hudson 7 CHPE committee, particularly with the code review process that she started.

1. Motion to establish Hudson 7 DWSP2 committee and include Ulster/Dutchess county reps. Bassett/Krupnick. Motion carried.

2. Hudson River Drinking Water Source Issues

a. Proposed transmission lines

- i. **ES:** Hudson 7 sent their Tier 4 letter out in the morning of September 20. In the late afternoon on the same day, [Governor Kathy Hochul announced](#) two recommended contract awards for the Clean Path NY (CPNY) and Champlain Hudson Power Express (CHPE) Projects that will deliver wind, solar, and hydropower to New York City. Hudson 7 wants TDI to do certain testing/monitoring that they don't want to do and are not required to do based on their approved permit. Hudson 7 created a protocol for testing and monitoring in three phases: first, sediment sampling; second, pilot test with jet plow, monitoring and sampling; third, a protocol for testing when they jet plow. The committee submitted the draft proposal to the Hudson 7 to ask that they authorize their pro bono attorney and Riverkeeper to review before sending it to TDI. Paul attended the recent PSC hearing, and reiterated the Hudson 7 concerns. Riverkeeper met with NYSERDA to ask that these testing conditions be included with the Tier 4 reward. Hudson 7 set up a meeting with NYSERDA on Friday to do the same. TDI sent us another letter agreeing to discuss the issues. Hudson 7 CHPE committee decided to place concerns in the protocol request rather than attending more meetings with TDI that don't improve the situation. TDI is also asking for a PILOT in Ulster County.

“Hudson River electric line developers seek \$64.83 million tax break from Ulster County IDA”

- ii. **BB:** Asked if the DOH was being copied on everything. **ES:** Grant Jiang (DOH) is on our call, and we'll need DOH's support to get this

protocol request finalized. CHPE received its Certificate of Environmental Compliance in 2013, at a time when there wasn't much thought about drinking water issues. TDI still needs to develop an environmental management and construction plan to be approved by the PSC. We want our request to be folded in. **BB:** There will need to be referrals to state agencies as well. **GJ:** Does the Hudson 7 want an overview of the DOH's previous involvement? **GB:** Work with members one-on-one if needed. **GJ:** DOH management is aware of Hudson 7 concerns. He will share information as he receives it. Grant asked if he could join the NYSERDA meeting. Marc Nelson asked to be included, too. **PM:** Reported back on the public hearing, stating that no one there was in support of the CHPE project. John Lipscomb said that Paul did a great job on his comments.

1. Motion to keep working on CHPE protocol plan with DOH, DEC to approve. Bassett/Krupnick. Motion carried.

b. CSX/Blue Point

i. **PM:** Plans were in place to send the Hudson 7's revised action plan to prevent spills to county representatives. John Lipscomb suggested that we send it to federal reps, and thank them for getting involved in the issue. Riverkeeper will visit the site next week with Hinchey and Jacobson.

1. Motion to send the action plan to Schumer after John Lipscomb reviews and approves. Bassett/Harris. Motion carried.

c. Esopus Creek Committee updates

i. **PM:** Every quarter, the ARWG meets with the DEP. The Hudson 7 would like to be included as a stakeholder. A letter was written to request that Paul represent the council. Paul and Riverkeeper were interviewed by the Times Union regarding the Ashokan releases and Century Program Project. Paul also met with the former commissioner of the DEP.

1. Motion to approve ARWG letter for Paul. Bassett/Harris. Motion carried.

New Business

1. Lead and copper rule

a. **PM:** said that there would be significant changes to what came out in the 1990's, requiring replacements, surveys, etc. It will have a big impact on all

of our utilities, especially the City of Poughkeepsie. If the municipality doesn't know the material of the pipe, then it will be assumed to be a lead connection. 3% of the lead service lines will need to be replaced every year. If you can get that number down, you can do less replacements. GB would like to get this information out to the Water treatment operators, and suggested they discuss it at the next Hudson 7 meeting.

Adjournment:

9/16/21: 6:21pm **Bassett/Harris. Motion carried.**

10/21/21: 6:19pm **Bassett/Harris. Motion carried.**