

Meeting	Hudson River Drinking Water Intermunicipal Council
Date	Thursday, January 19, 2023 Quorum: 5:30 pm Closed meeting for legal advice: 6:15pm Adjourn: 7:15pm
Location	Hybrid
Chairperson	Mayor Gary Bassett, Village of Rhinebeck
Vice Chair	Supervisor Jay Baisley, Town of Poughkeepsie
Secretary	Shannon Harris, Town of Esopus
In Attendance	<ul style="list-style-type: none"> ● Gary Bassett, Mayor (VoR) ● Randy Alstadt (CoP) ● Bill Carlos (ToP) ● Russell Gilmore (ToL) ● Nick Butler (ToE) ● Shannon Harris (ToE) ● Paul Malmrose, Technical Advisor (Engineering) ● Emily Svenson, Technical Advisor (Land Use) ● Rebecca Martin, Riverkeeper (Coordinator) ● Devin Rigolino, Dutchess County Planning ● Dan Shapley, Riverkeeper ● John Lyons, Attorney ● Michael Forgang, Department of Health ● Grant Jiang, Department of Health

Regular Business

1. Call To Order: 5:30pm
2. Roll Call & Quorum Determination. **Voting members: Gary Bassett (VoR) Randy Alstadt (CoP), Bill Carlos (ToP), Russell Gilmore (ToL), Shannon Harris (ToE/arrived at 5:50pm) Quorum (5 in-person)**
3. Approval of minutes. **Motion to approve 11/17/22 minutes. Bassett/Carlos. Motion carried.**
4. Communications listed in the agenda
 - a. Letter submitted by Supervisor Danielle Freer (ToE) from Pamela Timmins to the Town of Esopus “Request for your oversight with Port Ewen Water / Sewer District” pertaining to the CHPE proposal

- b. Robert Welton: Leachate test results from Albany area landfills and [Peer blog post on PFAS](#)
 - c. Significant Coastal Flooding on Friday (12/20/22) Jessica Kuonen
 - d. High tide surge flooding predictions (12/21/22) from Dan Shapley (Riverkeeper), Amanda LaValle and Ben Ganon (Ulster County)
 - e. [State's recent announcement on the White Hall terrestrial](#) Route, CHPE/TDI
5. County representative update
- a. Dutchess
 - i. **DR:** A resolution authorizing the County Executive to sign-on to the MOA to add Dutchess County as a voting member following all Hudson 7 municipalities signing off first was approved on 1/27/23.
 - b. Ulster
 - i. Not present. **RM** updated the Hudson 7 that Ulster County also approved the MOA in December, but hasn't yet assigned anyone as a liaison.
6. Public Comment.
- a. Lee Gough: Public/Questions for 1/19: **1)** GE and the EPA settled on a mandated plan to "intensely" study the continuing presence of PCBs in the Hudson River. How will that be happening with any integrity while the CHPE plans to jetplow and disrupt the river for cable corridor installation? Or does the lengthy and comprehensive 2022 NRDR get superseded by a brief test done by TDI in its own self interest? **2)** Why did the Hudson 7 never ask for third party testing of jetplow impacts? **3)** Will the Hudson 7 release all minutes of Subcommittees meetings such as the CHPE Subcommittee in accordance with the NY Open Meetings Law?

Reports and Actions on Old Business

- 1. Hudson 7 Priorities
 - a. Hudson 7 coordinator position. MOA municipal resolutions: It requires all seven of the Hudson 7 communities to sign-off before Dutchess County approves their resolution. There have been two municipalities (VoR and ToP) that have passed resolutions. Russell will follow up with the ToL. **RM: Will follow up with everyone next week.**

- b. Letters of Interest/Legal. Hold on this until we all pass resolutions to amend the MOA. **RM:** Gary to outreach to the legal firms for an update
 - c. NYS Drinking Water Source Protection Program. **GJ:** Sent over the list of potential contaminant sources to the subcommittee. Has the subcommittee had a time to look at the list, or would you prefer to set up a time to discuss together? **GB:** Set up a time to discuss. **GJ:** Will shop around for times next week to meet.
2. Hudson River Drinking Water Source Issues
- a. Champlain Hudson Power Express. Pilot and sediment test update. **RA:** Waiting on sediment samples and asked for a profile as to how deep they were jet plowing. They are waiting on that. **GB:** Waiting on the direct route, too. Curious if they had analyzed the rock/obstacles in the river. There is more information that we are asking for. At this time, it's incomplete. **BC:** Why don't we send TDI a letter? **GB:** They responded earlier this week, promising sediment samples (last week, though they were delayed). **DS:** TDI has been meeting regularly with this subcommittee. **BC:** have they been cooperative? **GB:** No hidden agendas so far.
 - b. Dutchess County letter rejecting TDI PILOT. **GB:** No value to the county in terms of jobs.
 - c. Esopus Creek Committee updates. Date of the ARWG comment period regarding the proposed modified IRP moved to 2/28. The Hudson 7 will prepare a comment letter to review next month. This IRP hasn't worked for 10 years and will likely be working with this problem for another 10 years. Ken Kosinski is working on the Catalum permit/DEIS and wants information from the council re: how turbidity is impacting the Hudson 7. Randy gave some great data. The other communities haven't yet responded. Need that data. Did the Town of Esopus identify solids in Esopus's raw water? **DS:** Back when the big turbid release was going on during Christmas, 2020, Riverkeeper collected samples for fingerprinting tests. We weren't able to find a lab, but have frozen the samples in case there is a lab that is identified with that capability. **RM:** To send Esopus data to Paul.
 - d. Central Hudson MGP Clean-up. Douglas Macneal replaced by Gerald Pratt. Randy received the email and put the new contact on his list. **DS:** On the substance on the clean-up, DEC is looking for options on

next steps. Every engineering solution hasn't worked one way or another for their budget or drinking water upstream. **GB:** We were concerned that TDI would get close to the coal tar, but determined that they were outside of the range of the coal tar clean-up area. **RA:** TDI called Central Hudson, who approved that the transmission cable will not be near the coal tar site.

Actions on old business

1. Hudson River Lower CAG and PCBs request from Consensus Building Institute (CBI). **RM:** CBI is set to interview both Rebecca and Dan as per Emily Svenson and Gary Bassett request.
2. Rights of Nature (Rights of the Hudson River) and Ulster County Proposed Local Law 12 of 2022. **GB:** Hudson 7 will watch and follow. No action to respond at this time. **RM:** Ulster County Legislature's Energy, Environment and Sustainability Committee discussing the proposed local law in February.
3. Hudson 7 Council Meetings in 2023. Meetings to occur on the third Thursday at 5:00pm. Hybrid meetings will continue at the PWTF.
Bassett/Altstadt. Motion carried.
4. Hudson 7 membership. Replacement for former Mayor Rob Rolison who is now in the senate. Bill Carlos will continue to serve in the Town of Poughkeepsie.

Motion: Executive Session for Attorney Client Consultation. **Harris/Alstadt.**

Motion carried. John Lyons: Clarification for the record: The meeting we're going to have is not an executive session it's a closed meeting for the purposes of having a meeting with the Hudson 7 attorney to obtain legal advice that is allowed to be a closed meeting pursuant to the Open Meetings Law, but is not an executive session. Invite Rebecca Martin to stay. **Harris/Carlos. Motion carried.** Technical advisors from Hudson 7. **Bassett/Alstadt. Motion carried**

Motion to return to the open meeting: **Bassett/Alstadt. Motion carried**

Motion to adjourn the January meeting **Bassett/Carlos. Motion carried**

Adjournment: 7:15pm