



**Minutes  
Quarterly Meeting  
Wednesday, December 2<sup>nd</sup>, 2020**

**10:00am-12:00pm**

**Meeting was held remotely via Zoom**

**Please note:** All voting items are indicated by an \*

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1. Call to order and Roll Call

Commissioners Present: Philip DeGaetano (Chair-NY), John Scagnelli (Vice-Chair-NJ), Patricia Sesto (Vice-Chair, CT), Loel Muetter (NJDOH), Alena Baldwin-Brown (NJDEP), Bruce Friedman (NJDEP), Jeffrey Myers (NY), Judith Baron (NY), Selvin Southwell (NY), Pamela Scully (CTDPH), David Wrinn (CT AGO), John Atkin (CT).

A quorum was present.

Also in Attendance: Evelyn Powers (IEC Executive Director), Aimee Boucher (EPA Region 2), Lauren LaRusso (NJ GAU)

2. Chair's Report

Chair DeGaetano welcomed the Commissioners and thanked them for making the time to attend to ensure a quorum. Chair DeGaetano noted that this was his second Commission meeting as Chair, he continues to learn and thanked the Executive Committee and Vice-Chairs for their assistance and participation. Executive Committee support has been especially helpful in the search for a larger facility to serve as office and laboratory space for the Commission. Evelyn Powers will report on the details and progress toward securing space. Commissioner DeGaetano that much work will have to be done in the next few months and additional special meetings of the full Commission may be necessary to vote on approving a term sheet, architect proposals and other matters. Chair DeGaetano noted that the Executive Committee meets monthly on the first Wednesday of the month when there is no full Commission meeting, and Chair DeGaetano asked Commissioners to hold these times in case a full Commission meeting becomes necessary. Evelyn will send out calendar invites for the January And February Executive Committee meeting dates and times.

3. Approval of minutes from the September 2<sup>nd</sup>, 2020 Quarterly Meeting (Appendix A) \*

- a. October 7<sup>th</sup>, 2020 Executive Meeting Summary (Appendix B)
- b. November 4<sup>th</sup>, 2020 Executive Meeting Summary (Appendix C)

The minutes of the September 2<sup>nd</sup>, 2020 quarterly meeting and October and November Executive Committee meeting notes were presented. Chair DeGaetano asked if there were any comments or questions on the minutes or notes and requested a motion to approve the minutes from the September

meeting. A motion, duly made by Pamela Scully and seconded by Commissioner Sesto to approve the September 2<sup>nd</sup>, 2020 meeting minutes, which were unanimously approved.

4. IEC Finances and Current Grant Funds Update
  - a. Accounting Services Update
  - b. FY2020 Budget Update (Appendix D)

Evelyn Powers reported on the accounting services provided by Jitasa. The transition continues relatively smoothly with some work to be done on finalizing the format and content on financial reports. Evelyn presented Appendix D which first summarizes the FY20 financials (Statement of Financial Activity, or Profit and Loss, October 1, 2019- September 30, 2020), including income and expenditures. Total income was \$749,547, which includes grant funds, state appropriations and interest. Total operating expenditures were \$691,414. Evelyn Powers noted that the FY20 financials may go under minor revisions, with items being further classified or re-classified, but the total picture regarding income and expenditure amounts are accurate. Evelyn Powers presented the statement of financial position (assets) which reports the amount the Commission had in reserves in the Chase accounts as of September 30, 2020 was \$648,148. The statement of financial position also includes grant balances, which need to be updated to include the budget of the recently awarded FY20 grants. Commissioner Atkin noted that he and Evelyn discussed the financials and should be able to work with the accounting firm to display and report the financial information in whatever format is most informative for Commissioners. It was noted that comparing annual financials vs. prior year or quarterly financials vs total annual budget (budget vs. actual) would be helpful. Especially as the Commission moves towards leasing additional space, accurate and timely assessment of financials will be critical. Jitasa does “close the books” monthly and forwards monthly financial reports and a financial “dashboard” to Evelyn Powers at the beginning of each month for the prior month.

- c. Funding and Grants Update

- CWA §106 FFY20 Grant status (\$727,000 awarded 9/30/2020)
- CWA §106 FFY21 Grant Application
- LISS FFY21 Base Program Budget Request
- LISS FFY21 Enhancement Program Proposal
- CWA §106 FFY18 Remaining Funding (\$31,532)
- CWA §106 FFY 19 Remaining Funding (\$776,460)
- LISS Remaining Funding (\$337,491)
- Save the Sound Funding for FY21
- Appropriations Update

Evelyn Powers reviewed the sources and remaining funds in current open grants as well as pending funding and funding requests. IEC’s FFY20 §106 funding in the amount of \$727,000 was awarded on September 30<sup>th</sup>, 2020. In addition, IEC has \$31,532 of funding remaining in its FFY18 §106 award, \$776,460 remaining in its FFY19 §106 award, and \$337,491 remaining in its combined open LISS funding. IEC has a combined total of approximately \$1,872,483 as of 12/2/ 2020 in open, awarded, available

grant funds. IEC submitted the required documents for its FFY21 §106 application for \$727,000 and will be forwarding a final revised workplan for this award, incorporating comments received by the Technical Advisory Committee and Commissioners by the end of calendar year 2020. FFY2021 106 funds are not anticipated to be awarded until September 2021.

In addition, IEC is finalizing its FFY21 LISS Base budget and Enhancement Proposal requests, which are due on December 4<sup>th</sup>, 2020. IEC anticipates the final budget for the FFY21 LISS requests to be approximately \$500,000-600,000. FFY21 LISS budget requests will undergo review by the LISS workgroups and are subject to approval by the LISS Management Committee. Proposals and budget requests should be approved by April 2021 and awarded by September 30, 2021.

Chair DeGaetano reported on efforts to secure an increase in the New York State appropriation. Chair DeGaetano and Evelyn Powers had a meeting with the representatives of the Governor's office just before Thanksgiving, updating the Governor's office on IEC activities and priorities, discussing the Governor's office environmental priorities in New York State and exploring ways that IEC can align its priorities in New York State with those of the Governor's office. Updates were also provided on source of non-federal match, which is an annual requirement of the Commission's 106 award. Non-federal match is also becoming increasingly important in relation to the LISS program. The LISS has experienced a growth in funding over the past several years, but unlike the 106 match, which is a fixed amount of \$214,051 regardless of overall funding, the LISS match requirement increases with the aggregate program funding (40% match requirement). Thanks to matching funds documented by NYSDEC and the Town of Greenwich in excess of what is required for IEC's FFY106 grant, IEC has been able to document non-federal match to assist the Long Island Sound program meet its non-federal match requirement.

## 5. Director's Report (See EPA Progress Reports, Appendix E)

### a. Project and Updates:

- COVID-19 Impact on Laboratory and Field Operations

Evelyn Powers reported. IEC is primarily operating out of SUNY Downstate Biotechnology Incubator space in Brooklyn. The space has enabled us to keep our commitments with only minor delays and modifications to sampling schedule. There has been some progress on routine access to CSI, but it is still by appointment, must be scheduled, with each person granted access and completing a health screening. Submitted a Site Safety Plan that Dr. Levine and the Chair of the Engineering department support. With recent surges in COVID-19, cases specifically in Staten Island, the Dean of Science and Technology is extremely cautious. CSI has waived every other quarterly payment, essentially 50% of rent. Although there are hoops to jump through, CSI has been cooperative when it comes to our essential activities

As you may recall, BioBat facility on Brooklyn Waterfront, Sunset Park, contacted me in August about a potential space: a 4900 square foot space that they were willing to subdivide. Evelyn inspected the facility and the space in August with Chair DeGaetano, Selvin Southwell and Inna Golberg, IEC Environmental Analyst. IEC began discussions with architects, procuring preliminary proposals. BioBat provided a lease template, prior to term sheet, which Commissioner Scagnelli took the time to review and provide comments to Evelyn Powers and Chair DeGaetano. Pursuing space at BioBat has been the

primary subject of our Executive Committee calls since September. Chair DeGaetano and I have had fairly regular calls with BioBat about the space, about certain clauses in the lease template, specifically a relocation clause that would be unacceptable to the Commission. In a call with BioBat on November 6<sup>th</sup>, BioBat indicated that a tenant had signed a term sheet for the entire 4900 square foot space. However, BioBat is continuing to develop space in an adjacent quadrant on the same floor. The NW quadrant has up to 2800 usable square feet, and BioBat presented a term sheet and a timeline that puts us in the space in a year. Had a call with Executive Committee on 11/25 to review the draft term sheet just prior to Thanksgiving. More detail is required on the Term sheet as well as a financial analysis. Chair DeGaetano and Evelyn will be following up with BioBat on a call scheduled for Friday 12/4. Chair DeGaetano, Commissioner Scagnelli and I will discuss the details of the term sheet, comparing it to prior term sheet prepared by the broker the last time we looked at BioBat 18 months ago, as well a financial analysis. Chair DeGaetano added that in an email exchange with an additional broker, Cushman and Wakefield, the Cushman and Wakefield representative indicated that the size of space that IEC was looking for (<5000 square feet) was not a size that would be eligible for a broker agreement with Cushman and Wakefield, especially since IEC requested that BioBat and the SUNY Downstate Incubator space be excluded from the agreement. Pamela Scully inquired whether the full Commission would need to approve the signing of the lease. Commissioner Scagnelli replied that the full Commission needs to approve the economic terms of the lease.

Evelyn anticipates that with our space needs, that were an issue before COVID, and with the ongoing search for space, we will need the Downstate Incubator Space for the next 9 months to a year. The lease in up mid-January and I anticipate requesting a draft lease from Downstate and asking the Commission to approve a 1-year lease extension. All specifics in terms of rent and utilities will be specified.

Commissioner Scagnelli made a motion that the Commission authorize Evelyn Powers to extend the current lease at the Downstate Biotechnology Incubator by one year, until January 2022 under the same terms and conditions. The motion was seconded by Commissioner Baron and, with no one opposed, passed unanimously.

Evelyn Powers referred the Commissioners to Appendix E that gives a full report of IEC's activities for the period April 1, 2020 to September 30, 2020.

- Coordinated Volunteer Pathogen Monitoring Update

The Coordinated Volunteer Pathogen Monitoring Program wrapped up in October with four groups participating in 2021: Lower Raritan Watershed Partnership, Hackensack Riverkeeper, Freshkills Park Alliance and the Gowanus Conservancy. The length of the monitoring season was extended for some groups due to a delayed start as a result of COVID.

- Long Island Sound Monitoring

Long Island Sound monitoring continues with monthly monitoring runs through May. Twelve weekly monitoring runs were completed as scheduled between June 30<sup>th</sup> and September 16<sup>th</sup> to document the

onset, extent and duration of hypoxia in the western Long Island Sound during the critical summer season.

- Unified Water Study

Unified Water Study monitoring wrapped up at the end of October, with chlorophyll analyses wrapping up in November. Data entry and analysis continues.

- Compliance Inspections

Compliance inspections in Connecticut commenced in November, but were put on hold out of an abundance of caution due to the nature of the inspections requiring facility entry and the recent increase in COVID-19 infection rates.

- NJDEP Harbor Monitoring Potential Project

IEC is in the beginning stages of discussing a Harbor Monitoring Project with NJDEP. The goals of the monitoring project are to gather data for the Integrated Report, re-assess waters that had their classifications downgraded to SE2 and SE3 as a result of a Use Attainability Assessment (UAA) in 1995 to see if the water quality warrants an upgrade to SE1, to revisit the harbor eutrophication model calibration by providing additional data, and to validate the Pathogen Model developed by the Passaic Valley Sewerage Commission. The project would be funded through NJDEP and begin in May 2021, with year one focusing on pathogens and nutrients, as well as *in-situ* parameters, with additional parameters added in successive years.

b. Other meetings and project/grant updates

See Appendix E- EPA Awards Progress Report.

c. Staffing

IEC will be hiring at least one Environmental Analyst to coordinate the Long Island Sound program, with an additional Environmental Analyst positions possible to support the Harbor Monitoring program as well as seasonal interns.

6. Old Business

a. Commissioner vacancies

Commissioner vacancies remain in New Jersey, with two Citizen Commission positions vacant. Bruce Friedman inquired about the names that were suggested to the Governor's office and suggested that Leslie McGeorge, who recently retired from NJDEP and served as Co-Chair of the New Jersey Water Monitoring Council be considered as a candidate.

7. Upcoming Meetings

Wednesday, March 3<sup>rd</sup>, 2021  
Wednesday, June 2<sup>nd</sup>, 2021  
Wednesday, September 1st, 2021

8. Executive Session (discuss personnel matter)

Commissioner Sesto made a motion to enter Executive Session to discuss a personnel matter, which was seconded by Commissioner Baron. Commissioner Sesto was made the host of the meeting and all non-Commissioners were asked to exit the meeting or placed in the waiting room. Upon return from Executive Session, Chair DeGaetano reported the outcome of the Executive Session, in which a motion was passed to adjust the Executive Director's salary. Chair DeGaetano subsequently prepared a written summary of the Executive Session for Commission files.

9. Adjourn

With no further business, the meeting was adjourned at approximately 12:00pm.

APPENDICES:

- A- September 2nd, 2020 Quarterly Meeting Minutes
- B- October 7<sup>th</sup>, 2020 Executive Committee Call Notes
- C- November 4<sup>th</sup>, 2020 Executive Committee Call Notes
- D- FY 20 Financial Statements
- E- EPA Awards Progress Reports