



Notes
Quarterly Meeting
Wednesday, December 7th, 2022

Please note: All voting items are indicated by an *

1. Call to order and Roll Call

Commissioners present: Philip M. DeGaetano (vice-chair, New York), John Scagnelli (Vice-Chair, New Jersey), Judith Baron (New York), Selvin Southwell (NYSDEC), Jeffrey Myers (New York), Michael Lynch (Connecticut AGO), Nisha Patel (CTDEEP), Loel Muetter (NJDOH), Alan Talarsky (NJDOH)

Also present: Evelyn Powers (IEC), Jeffry Nielsen, (NJ GAU), Michael Flood (US EPA Region 2)

A quorum was not present for an official meeting. Commissioner Scagnelli, as New Jersey Vice-Chair, presided over the meeting.

2. Approval of minutes from the June 1st, 2022 Quarterly Meeting (Appendix A) *

As a quorum was not present (and there was not a quorum present at the September 7th, 2022 meeting), the minutes from the June 1st, 2022 quarterly meeting could not be approved, but were presented as part of the meeting materials. The minutes from the June 1st, 2022 quarterly meeting will be presented for approval at the March 1st, 2023 annual meeting.

a. September 7th, 2022 Meeting notes (Appendix B)

The meeting notes from the September 7th, 2022 were presented.

b. October 5th, 2022 and November 9th, 2022 Executive Committee Meeting Notes (Appendix C)

The meeting notes from the October 5th, 2022 and November 9th, 2022 Executive Committee meetings were presented.

3. IEC Finances and Current Grant Funds Update

a. FY22 Profit and Loss Statement and Balance Sheet (Appendices D and E)

Evelyn presented the FY22 Profit and Loss Statement and Balance Sheet. Overall, the Commission ended FY22 5% over budget. Considering the facility construction and move, this was not seen as a significant concern. Specific over-budget line items highlighted and discussed included the Attorney and Legal Fees, which were originally budgeted for \$5000, with \$21,804 expended, yielding a 438% over-budget number. However, the Commission did authorize an additional \$15,000 in December 2021 to cover lease and construction contract negotiation. Commissioner Scagnelli reported that the lease and construction contract did take a significant

amount of work to finalize. This should be a one-time expense, and considerably more cost-efficient than having an attorney on staff. Other line items that were significantly (>~150%) over budget included some items that were re-budgeted in IEC's FFY19 and FFY20 EPA CWA §106 grants, with funds moved from one line item to another (supplies, equipment and hardware, repairs and maintenance) and insurance. Many of the Commission's insurance premiums are due in September for the following year, with this timing resulting in increased insurance expenditures in the last quarter. IEC was also carrying property, general liability and other insurance policies on three locations. With the termination of the lease at the Downstate Technology Center and the removal of all property from the College of Staten Island, these locations have now been removed from our policies and premiums should be less moving forward.

Jeffrey Myers and Evelyn reviewed the balance sheet, with total cash of \$247,840 available and total assets, including accounts receivables and security deposits of \$636,025. Commissioner Myers and Evelyn also discussed whether the line item for unrestricted net assets is applicable for the Commission's financials, as it includes funds from prior years, may reflect funds from closed grants and may not have been fully reconciled when switching accounting firms. Evelyn will work with the accounting firm clarify this further.

b. Funding and Grants Update

- CWA §106 Assistance agreements funding update

IEC's project and budget periods for its FFY19 and FFY20 CWA §106 grants closed on September 30th, 2022, with all budgets expended. Evelyn is working with Michael Flood and the EPA Region 2 grants office to prepare and submit the documents required to close out the awards. As of 11/30/2022, IEC had approximately \$593,000 remaining in its FFY21 CWA §106 award and its FFY22 CWA §106 award remained untouched at \$751,000.

- LISS FFY23 Base Program funding update

As of 11/30/2022, IEC had approximately \$930,000 in Long Island Sound assistance award funds available, combining FFY21 and FFY22 assistance awards. Evelyn is prepared and submitted IEC's FFY23 Long Island Sound monitoring (base budget request) proposal to EPA's Long Island Sound office on December 2nd, 2022 which requested \$598,000 in funding to support IEC's year-round western Long Island Sound monitoring program, with additional funding to support monitoring to assess coastal acidification parameters. Evelyn also anticipates submitting a supplemental funding proposal to the Long Island Sound office, to support IEC's work to develop a Long Island Sound pathogen monitoring network. Supplemental proposals have not yet been requested, but IEC's supplemental proposal is estimated to include a budget request of between \$200,000-\$400,000.

- NJDEP Harbor Monitoring Project

NJDEP approved an addendum to the NJDEP/IEC Harbor Monitoring Network MOA, to fund Year 2 of the monitoring network. This funding, \$213,000 will support the monitoring initiative

activities from May 1, 2022 through April 30, 2023. Evelyn will be working with Bob Schuster and NJDEP staff on scope and budget for Year 3, which is anticipated to include continuous monitoring sites and expanded monitoring.

- State Appropriations and Outreach

Evelyn is continuing to work with Philip DeGaetano, NY Vice-Chair, John Scagnelli, NJ vice-chair, and the Executive Committee to impact IEC's budget appropriations in the respective member state's annual budgets.

- Other sources of funding

IEC anticipates continued participation in the Unified Water Study, coordinated by Save the Sound, with the annual budget to support IEC's monitoring in Little Neck and Manhasset Bays at approximately \$20,000-\$30,000 in FFY23-24.

4. Laboratory/Office Operations Update

a. Update on new facility operations

Evelyn updated the Commission on laboratory and office operations at the new facility at BioBAT, which are going smoothly. The ribbon-cutting ceremony on October 24th was well attended and well-received. Evelyn received several emailed messages of congratulations and the ribbon-cutting was featured on several partner social media platforms, including EPA, NJDEP and the Association of Clean Water Administrators (ACWA). The SUNY Downstate Communications department forwarded a link to all the photos, which Evelyn forwarded to all the Commissioners.

b. BioBAT Art Space potential exhibit

Chair Scagnelli and Evelyn updated the Commission on a collaborative project with the BioBAT Art Space. The project is an exhibition that will feature the Commission's work un the Harbor in an interactive multi-media and sensory exhibit. Chair Atkin, Evelyn along with Commissioners Scagnelli and Baron have met with the BioBAT management and BioBAT Art space curator, Elena Soterakis to discuss the concept. The project would involve an artist acting as an "artist in residence," spending time with Commission staff in the lab and possibly the field in inform exhibit content. This exhibit will have an information and outreach component, educating the pubic not only about Commission work, but about regional environmental issues including climate change and environmental justice as well. It is anticipated that the project will be partly supported by IEC's CWA §106 workplan, which does have a public information and education task.

c. Strategic Plan Discussion

Commissioner DeGaetano and Evelyn updated the Commission on the need for the Commission to draft a strategic plan. This plan, which would look five to ten years into the future, would assist the Commission to define specific goals and strategies to achieve them. This would help

inform not only future workplan tasks, but also help the Commission strategize on staff retention, development, and succession planning for staff and Commissioners.

5. Director's Report

a. Project Highlights and Updates:

- Coordinated Volunteer Pathogen Monitoring
- Long Island Sound Monitoring
- NJDEP Harbor Monitoring Project
- Unified Water Study
- Harlem River Urban Waters Federal Partnership
- Laboratory Proficiency studies and on-site assessments by external accrediting authorities
- Assistance to EPA Region 2 Laboratory during Edison lab closure

Evelyn updated the Commission on current, ongoing project highlights. **The Coordinated Volunteer Pathogen Monitoring Program** is heading into its eighth year in 2023. The program continues to expand, with nine groups participating in 2022. Staff are planning for 2023, with meetings with participant groups and trainings scheduled for May. **Long Island Sound monitoring** is continuing on a monthly schedule. In FY2023 IEC has added parameters related to coastal acidification monitoring, specifically dissolved inorganic carbon and alkalinity, to the suite of parameters, with a QAPP addendum submitted and approved by EPA Region 1 QA and Region 2 Project Officer. The **NJDEP/IEC Harbor Monitoring Network** is in its second year, with an addendum to the MOA and Year 2 spending plan signed in December by NJDEP. Evelyn will be setting up a meeting with NJDEP staff to plan the scope and budget for Year 3, which will likely include an expansion of the program to include several continuous monitoring sites. As mentioned during the grants and funding updates, the Commission's participation in the Unified Water Study, coordinated by Save the Sound, is anticipated to continue in 2023. IEC also will be continuing its partnership with USGS and the **Urban Waters Federal Partnership** to analyze samples collected along the Bronx side of the **Harlem River**, adjacent to Roberto Clemente State Park. The laboratory had a 2-day on-site assessment by NYSDOH in September 2022 as required for NELAP accreditation. The laboratory completed all corrective actions, and forwarded a corrective action report to NYSDOH ELAP, which responded with a close-out report accepting all corrective actions. NYSDOH ELAP also approved IEC's laboratory location change and updated the address on IEC's scope of accreditation. IEC also assisted EPA Region 2's laboratory, during a closure required to complete some roof repairs.

b. Other meetings and project/grant updates

c. Staffing

Evelyn will be posting positions including several seasonal internship positions. The Commission also has one Environmental Analyst vacancy and will be working toward a job description for Communications and Data Management staff, which are included in budgets for both the Commission's CWA §106 workplans and Long Island Sound workplans.

6. Old Business

a. Commissioner vacancies

The Commission has a number of vacancies: in Connecticut, there is a citizen Commissioner vacancy as a result of Patricia Sesto's resignation and a CTDPH vacancy since Pamela Scully's retirement. In New Jersey, there are two Citizen Commissioner vacancies. Bruce Friedman is retiring from NJDEP at the end of calendar year 2022. Bruce has recommended Robert Schuster replace him as the NJDEP Commissioner designee to the Commission.

7. New Business

8. Upcoming Meetings

Wednesday, March 1st, 2023

Wednesday June 7th, 2023

Wednesday September 6th, 2023

Wednesday, December 6th, 2023

APPENDICES:

A- June 1st, 2022 Quarterly Meeting Minutes

B- September 7th, Quarterly Meeting Notes

C- October 5th, 2022 and November 9th, 2022 Executive Committee Meeting Summaries

D- FY22 Profit and Loss Statement

E- FY22 Balance Sheet