



**Minutes
Quarterly Meeting
Wednesday, June 1st, 2022**

Please note: All voting items are indicated by an *

1. Call to order and Roll Call

Commissioners present: Philip DeGaetano (Chair), Selvin Southwell (NYSDEC), Jeffrey Myers (NY), Judith Baron (NY), Rose Trentman (NY), John Scagnelli (Vice-Chair, NJ), Bruce Friedman (NJDEP), Loel Muetter (NJDOH), Virginia Wheatley (NJDOH), Nisha Patel (CTDEEP), John Atkin (CT), Patricia Sesto (CT).

A quorum was present. Note Bruce Friedman had to excuse himself from the meeting at 10:30 a.m. after elections, assigning John Scagnelli as his proxy for the remainder of the meeting via email.

Also in attendance: Evelyn Powers (IEC), Michael Flood (EPA Region 2), Jeffry Nielsen

2. Approval of minutes from the March 2nd, 2022 Annual Meeting (Appendix A)*

- a. March 11th 2022 Executive Meeting Summary (Appendix B)
- b. April 6th 2022 Executive Meeting Summary (Appendix C)

Initially, the approval of minutes from the March 2nd, 2022 Annual Meeting and the Elections of Officers was skipped as there was not a quorum. When a quorum was reached, the minutes were presented for approval. Commissioner Baron made a motion to approve the minutes, which was seconded by Commissioner Sesto. With no one opposed, the minutes were unanimously approved.

3. Elections of Officers*

- a. Chair (Connecticut)

Commissioner DeGaetano explained that, as per the bylaws, the Chairmanship rotates from New York, to Connecticut, to New Jersey. Elections of Officers are typically held bi-annually during the March annual meeting, however, the elections this year were tabled until June to allow the Connecticut delegation time to prepare, due to recent retirements and resulting vacancies. Commissioner DeGaetano opened the nominations for Chair. Commissioner Sesto nominated John Atkin for Chair, which was seconded by Commissioner DeGaetano. With no other nominations, Commissioner Atkin was unanimously approved as Chair, with no objections or abstentions.

- b. Vice-Chairs (New Jersey and New York)

Chair Atkin then called for nominations for Vice-Chair from New Jersey. Bruce Friedman nominated John Scagnelli for New Jersey Vice-Chair, which was seconded by Commissioner DeGaetano. With no other one opposed. Commissioner Scagnelli was unanimously elected as New Jersey Vice-Chair. Chair Atkin then called for nominations for New York Vice-Chair. Commissioner Baron nominated

Philip DeGaetano, which was seconded by Jeffrey Myers. With no other nominations and no one opposed, Commissioner DeGaetano was unanimously elected as New York Vice-Chair.

c. Treasurer

Chair Atkin then called for nominations for Treasurer. Commissioner DeGaetano nominated Jeffrey Myers, which was seconded by Commissioner Scagnelli. With no other nominations and no one opposed, Commissioner Myers was unanimously elected as Treasurer.

d. Executive Committee members (CT, NJ, NY)

Chair Atkin then called for nominations to the Executive Committee. The Executive Committee is comprised of two members from each state: the Chair (or Vice-Chair) from each state sits on the Executive Committee. The other seat on the Executive Committee is filled by either a statutory representative or gubernatorial appointee (citizen Commissioner), whichever role is NOT represented by the Chair (or Vice-Chair) from that State. John Atkin called for nominations for the Executive Committee from New York. Commissioner DeGaetano nominated Selvin Southwell to the Executive Committee from New York, which was seconded by Jeffrey Myers. With no other eligible members, and no other nominations, with no one opposed, Selvin Southwell was unanimously elected to the Executive Committee from New York. Chair Atkin then called for nominations from New Jersey to the Executive Committee. Commissioner Scagnelli nominated Bruce Friedman to the Executive Committee, which was seconded by Selvin Southwell. With no other nomination and no one opposed, Bruce Friedman was unanimously elected to the Executive Committee from New Jersey. Chair Atkin then called for nominations for the Executive Committee from Connecticut. Commissioner Sesto nominated Nisha Patel, which was seconded by Commissioner Atkin. With no other nominations and no one opposed, Nisha Patel was unanimously elected to the Executive Committee from Connecticut.

4. IEC Finances and Current Grant Funds Update

a. Statement of Financial Position and Balance Sheet (Appendices D and E)

Evelyn reviewed the Statement of Financial Position and Balance Sheet (Appendices D and E), which represent the Commission's finances as of March 31st, 2022. Overall, the Commission is approximately 64% of where it should be in terms of expending the budget at this point in the year (YTD). This is appropriate, as the last two quarters of the Commission's fiscal year are the most expensive operational due to the seasonal nature of the Commission's work.

b. Funding and Grants Update

- CWA §106 FFY22 Grant status (\$751,000)
- LISS FFY22 Base Program Budget Request (\$421,672)
- LISS FFY22 Enhancement Budget Request (\$158,305)
- NJDEP Harbor Monitoring Project
- CWA §106 FFY 19 Remaining Funding (\$192,969)
- CWA §106 FFY 20 Remaining Funding (\$321,955)
- LISS Remaining Funding (\$489,545)
- Save the Sound Funding (\$46,962)

Evelyn reviewed the current and pending sources of funding, including remaining balances in open grants. IEC's CWA §106 FY22 application for \$751,000 is in the process of being approved and awarded by EPA Region 2. Michael Flood, IEC's 106 Project Officer at Region 2 confirmed that the grant approval is in progress and is working with Evelyn to finalize the workplan and budget. The Long Island Sound Management Committee approved IEC's funding request for FY22. The budget includes \$421,672 to support IEC's western Long Island Sound monitoring. Included in this is expanded funding for IEC to participate in a coordinated long-term coastal acidification monitoring network along with USGS, Save the Sound, and Connecticut Department of Energy and Environmental Protection (CTDEEP). The LIS Management Committee also approved IEC's enhancement budget request of \$158,305 to support development of a regional fecal indicator monitoring network in LIS. This project is being coordinated jointly with CTDEEP, Harbor Watch and Norwalk Aquarium. IEC is continuing the Harbor Monitoring Network. Evelyn is working with Bruce Friedman to renew the MOA and spending plan. Evelyn reviewed remaining, or carryover, funds in open CWA §106 assistance agreements. As of mid-May IEC had \$192,969 remaining in its FFY19 CWA §106 CWA assistance agreement and \$321,955 remaining in its FFY 20 CWA §106 assistance agreement. The project and budget periods for both of these agreements are anticipated to on schedule to be closed out after their September 30th, 2022 end dates. The FFY 19 CWA §106 remaining funds are primarily earmarked for equipment, as well as lab supplies related to the new laboratory facility. Evelyn will be working with Michael Flood, EPA Region 2, to re-budget some line items in both the FFY 19 and FFY20 CWA §106 awards. IEC has approximately \$489,545 in remaining funding in LISS assistance agreements, and has a funding agreement with Save the Sound for \$46,962 to support IEC's monitoring in Little Neck and Manhasset Bays in support of the Unified Water Study.

5. Laboratory/Office Update

- a. Update on Staffing and Current Laboratory Operations
- b. Lease and Construction Contract Update
- c. Construction Update (Appendix F)

As summarized in the Executive Committee meeting summaries, the Executive Committee authorized Evelyn to sign both the 10-year lease for the BioBAT facility and the construction contract with H.M. Hughes at the March 11th Executive Committee meeting. The lease was signed on March 11th, 2022 and the construction contract on March 17th, 2022. Final executed documents were distributed to the Commission on April 15th, 2022. The construction of both the landlord (BioBAT) and tenant (IEC) scope of work began promptly upon execution of the construction contract. Evelyn is attending bi-weekly on-site construction meetings and inspections along with the contractor's Project Manager, the architect (Linearscape Architecture), and BioBAT management. On-site inspection reports are issued subsequent to these meetings by the architect. Construction is proceeding on schedule and on budget, with completion in early September.

The Commission discussed plans to hold a ribbon-cutting ceremony in late September. Evelyn will circulate a spreadsheet to Commissioners to populate contact information for key invitees in order to distribute save-the-dates. It was emphasized that facility construction should not only be completed, but IEC's move complete, with key equipment, especially equipment procured specifically for the new laboratory, installed prior to the ribbon-cutting. Commissioner Baron

congratulated the Executive Committee, especially Commissioners DeGaetano, Commissioner Scagnelli as well as Evelyn for their work in securing new space for the Commission and finalizing the lease and contracts.

6. IEC FY22-23 Budget (Appendix G)*

The approval of the IEC FY22-23 budget was moved up in the agenda, after the Election of Officers, to ensure that there was a quorum. Evelyn presented the proposed FY22-23 budget and budget justification (Appendix G). The proposed budget of \$1,759,751 is fully supported by open or pending grant funds. The budget supports 9 full time employees (8 supported directly through grant funds, one supported through indirect costs applied to grants). The budget also supports all activities required for the completion of grant workplan projects. A motion was duly made and seconded to approve the budget. With no one opposed, the budget unanimously passed.

7. Director's Report (See EPA Progress Reports, Appendix H)

a. Project Highlights and Updates:

- NJDEP Harbor Monitoring Project
- Coordinated Volunteer Pathogen Monitoring
- Long Island Sound Monitoring
- Unified Water Study
- Harlem River Urban Waters Federal Partnership
- National Park Service Beach sample analyses
- NYCDEP/Brooklyn College Alley Creek Project
- Compliance Monitoring Inspections
- Laboratory Proficiency studies

Evelyn reviewed the ongoing and pending projects, some of which were highlighted during the grant and funding updates. The NY/NJ Harbor monitoring network project is ongoing, with sampling frequency increased to weekly at the beginning of May. Weekly sampling of 26 stations in New Jersey and shared waters will continue through September. The Coordinated Volunteer Pathogen Monitoring Program (CVPMP) has begun training sessions. This program, now coordinated by Environmental Analyst Samantha Wilder, is set to begin its fifth year, with the most participants to date. Seven groups are slated to monitor up to 20 sites a week for pathogen indicators and field parameters. Volunteer groups will transport the samples to IEC's laboratory for analysis. The groups participating this year include: the Lower Raritan Watershed Partnership, Hackensack Riverkeeper, Freshkills Park Alliance, +Pool, Hudson River Park Trust, Rahway River Watershed Alliance, Billion Oyster Project, and possibly the Gowanus Conservancy. The Commission will begin its 32nd annual summer monitoring program in western Long Island Sound at the end of June, with a weekly sampling frequency at 22 stations in western Long Island Sound. The Commission is also continuing its participation in the Unified Water Study, which is funded through LISS and coordinated by Save The Sound. IEC began monitoring Little Neck Bay and Manhasset Bays in the middle of May as part of this study. IEC is also continuing to assist National Parks Service, with beach sample analyses to assess recreational water quality at Gateway National Parks in Staten Island and Queens. IEC is also partnering with USGS and the Urban Waters Federal Partnership to complete monitoring and analyses for pathogen indicators on the Bronx side of the Harlem River. USGS will complete the

monitoring and analyses, a public access boat dock adjacent to Roberto Clemente State Park. Compliance Inspections are ongoing, with industrial inspection continuing in Connecticut.

b. Other meetings and project/grant updates

c. Staffing

Seasonal Interns

Three interns have begun seasonal internships with IEC: Valeria Izeppi is a student at Rutgers University majoring in Environmental Science with a minor in Chemistry. Valeria will be primarily assisting with IEC's Long Island Sound monitoring program and Unified Water Study monitoring. Jasmine Ku is a student at SUNY Binghamton, pursuing a bachelor's degree in Neuroscience. Jasmine found IEC's internship program through the LifeSci NYC Internship program, a program that provides quality internships in the life sciences for undergraduate and graduate students either living in, or attending college in, New York City. Jasmine will assist with IEC's Coordinated Volunteer Pathogen Monitoring Program, performing microbiological analyses on samples collected by volunteers throughout the NY-NJ Harbor Estuary. Melissa Caruana primarily assists with IEC's Harbor Monitoring Program, performing weekly land and boat-based sampling at 26 stations. A 2020 graduate of SUNY Cortland with a bachelor's in Geology and a minor in Chemistry, Melissa is currently pursuing a Ph.D. at Rutgers University's School for Environmental and Biological Science. Her doctoral thesis research is focused on examining reductive defluorination of per- and polyfluoroalkyl substances in the sediments of the Hudson River Estuary.

8. Old Business

a. Commissioner vacancies

Evelyn will be working with the Executive Committee to fill vacancies. Currently there are two citizen vacancies in New Jersey. The statutory representative for Connecticut Department of Public Health is also vacant.

9. New Business

There was no new business reported.

10. Executive Session

A motion was requested to enter into Executive Session to discuss Evelyn Powers' annual Performance Appraisal as Executive Director. A motion, duly made and seconded to enter into Executive Session was unanimously approved. Upon returning to regular session, Commissioner DeGaetano reported out the proceedings of the Executive Session. A motion was duly made and

seconded to increase the Executive Director's salary by 8%, which reflects an 18-month appraisal period and factors in inflation over the past year. With no one oppose, the motions unanimously passed. Subsequent to the meeting, Commissioner DeGaetano and Chair Atkin drafted a memo for documenting the Executive Session for Commission records, Evelyn Powers' personnel file, and payroll records.

11. Upcoming Meetings

Wednesday, September 7th , 2022

Wednesday, December 7th, 2022

Wednesday, March 1st, 2023

Wednesday, June 7th, 2023

12. Adjourn

A motion was duly made and seconded to adjourn the meeting. With no one opposed, the meeting adjourned at approximately 11:50am.

APPENDICES:

A- March 2nd, 2022 Annual Meeting Minutes

B- March 11th, 2022 Executive Committee Meeting Notes

C-April 6th, 2022 (and May 4th, 2022) Executive Committee Meeting Notes

D- Statement of Financial Position

E-Statement of Financial Activity

F-Construction Schedule and Photos

G-Proposed IEC FY2022-2023 Budget*

H- EPA Awards Progress Reports