



NOTES
Quarterly Meeting

Wednesday, December 6th, 2023

12:00pm-2:00pm

IEC @ BioBAT
Brooklyn Army Terminal
140 58th Street
Building A, 2nd Floor
Brooklyn, NY 11220

Please note: All voting items are indicated by an *

1. Call to order and Roll Call

Commissioners present: John Atkin (Chair-CT), Nisha Patel (CTDEEP), Michael Lynch (CTDEEP), Patricia Bisacky (CTDPH), Philip M. DeGaetano (Vice- Chair, NY), Slevin Southwell (NYDEC), Judith Baron (NY), Jeffrey Myers (NY- Treasurer), Rose Trentman (NY), Robert Schuster (NJDEP), Virginia Wheatley (NJDOH), Alan Talarsky (NJDOH).

A quorum was not present

Others in attendance: Evelyn Powers (IEC), Michael Flood (EPA Region 2), Laura Wilton (NJGAU), Elena Soterakis (BioBAT Art Space Co-Founder and Curator)

2. Approval of Minutes from the June 7th, 2023 quarterly Meeting (Appendix A)*

Approval of minutes from the June 7th, 2023 quarterly minutes tabled (roll over to March 2024 meeting) due to lack of quorum.

3. Approval of the September 6th, 2023 Quarterly Meeting Minutes (Appendix B)*

Approval of September 6th, 2023 quarterly meeting minutes tabled due to lack of quorum.

- a. October 11th, 2023 Executive Committee Summary (Appendix C)
- b. November 15th, 2023 Executive Committee Meeting Summary (Appendix D)

Summaries of the October 11th, 2023 and November 15th, 2023 Executive Committee meetings were presented and distributed with meeting materials.

4. IEC Finances and Current Grant Funds Update

- a. FY23 Statement of Financial Activity and Balance Sheet (Appendices E and F)

Evelyn Powers and Jeff Myers (Treasurer) presented the FY23 preliminary financials. FY23 wrapped up with 107% of budget expended. As was discussed in prior meetings and Executive Committee meetings, this was expected as additional funds were awarded for projects after the enactment of the budget, specifically an increase in the NJDEP monitoring scope and budget and the contract with the Research Foundation of CUNY (Brooklyn College) for the Alley

Creek/Bergen Basin project. The NJDEP scope and budget in particular included a significant increase in supply budget (\$179,000) for continuous monitoring equipment. This primarily accounts for the 240% over budget amount in supplies (line item 8110). Other line item significantly over budget include Professional Services Expense, which is primarily due to the laboratory buildout contractor (H.M. Hughes) invoice that was received and paid in FY23 but budgeted in the laboratory buildout in FY22 (line 7591) Some revisions to the financials may result from final accounting review (coding changes to grants or expense categories) and final indirect rate reconciliation, but these should not change overall income and expense totals. All other line items were within 10% of enacted budget numbers.

Evelyn will be following up with John Scagnelli on the letter and waiver of lien package to request the return of the construction security deposit (~\$146K) from BioBAT. There is also a ~\$181,000 invoice pending payment for NJDEP harbor monitoring and ~\$65,000 in RF CUNY invoices pending payment for the Alley Creek/Bergen Basin work. Evelyn will be following up on the return of the security deposits and invoice payments, as we need to replenish these funds (as well as increase appropriations) so that we avoid any cash flow issues.

b. Funding and Grants Update

Evelyn Powers updated the Commission on ongoing and pending grant applications, awards and available grant budgets.

Ongoing or Pending Awards:

- CWA §106 FFY23 Grant status (\$764,000 pending)
- CWA §106 FFY 22 Status (\$638,000 remaining)
- CWA §106 FFY 21 Status (Project and Budget period Closed)
- LISS FFY23 Base Program Budget Request (\$598,361 MC approved, pending award)
- LISS FFY23 Enhancement/Supplemental Budget Request (\$1,101,695 MC approved, pending award 10/1/2023)

Since the agenda was drafted, Evelyn also reported that IEC's LISS FY24 base budget request was submitted 12/1/2023 in amount of \$714,134. \$65,550 of this includes a subaward to the Coalition to Save Hempstead Harbor to support their LIS monitoring program, which was previously fund

- NJDEP Harbor Monitoring Project (Year 3 \$506,921 MOA and Spending Plan approved)
- LISS Remaining Funding (\$371,308 carryover remaining)
- Brooklyn College (CUNY) and NYCDEP Alley Creek/Bergen Basin Project FY24 Contract in progress

The pilot season of the RF CUNY (Brooklyn College) Alley Creek/Bergen Basin project was completed in November, and it is anticipated that this project will continue for two more years, although there is some uncertainty to the funding as New York City has halted discretionary contracts due to budget issues. However, the project coordinators at CUNY do believe the funds will be released as the project is related to a consent order NYCDEP is under.

New Sources of Funding:

- NYSDEC 604b Funding (5 year renewable award, FY24 award \$131,171)

There was a 604b contract kickoff meeting in November. NYSDEC expects the contract for year 1 to be awarded by the end of the calendar year. Evelyn reported that IEC did receive a contract number and project manager assigned on December 6th before the Commission meeting.

- NYSDEC BIL-funded LIS watershed Septic System Replacement Program Administration (contract in draft)

Evelyn reported that NYSDEC also anticipates the contract for the septic system replacement to be awarded by the end of the calendar year.

5. Laboratory/Office Update

a. Update on Staffing and Current Laboratory Operations

Evelyn reported on staffing and operations. Full-time staff levels are status quo with seven full-time employees. Posting for seasonal internships will be posted in January and at least two full position (one Environmental Analysts for Compliance Inspections, one administrative support staff member) will be hired this year. The budget supports 12 FTEs (some of which are filled through seasonal internships, which are 0.5 FTE each).

6. Director's Report

a. Project Highlights and Updates (EPA Progress Reports, Appendix G):

- BioBAT Art Space Exhibit Update (Elena Soterakis, BioBAT Art Space Curator)

Elena Soterakis, BioBAT Art Space curator, gave an update on the IEC/BioBAT collaborative exhibit to be opened in Spring (June 2024). Elena is working with Yoko Shimizu, exhibit artist to draft exhibit floorplan and flow. Yoko is working with the materials, data and resources she acquired during her artist in residency at IEC in May 2023. Elena and Evelyn will be following up on additional sources of funding to support the educational initiatives of the exhibit and project. The exhibit will be advertised on NYC Ferry and included in local programming such as Sunset Park Wide Open and Open House NY, which provide tours of local art exhibits and galleries. Yoko and Elena will be giving a more extensive exhibit update during the March 2024 Commission meeting.

- Strategic Planning Effort

IEC's strategic planning effort is supported by IEC's FFY23 106 award, which has been awarded but is pending approval of a budget revision related to allocation of rent between indirect and direct expense. It is anticipated that an RFP will be drafted in early 2024. Chair Atkin, Commissioner DeGaetano and Michael Flood have offered to serve on the Committee. Additional Committee membership will be solicited from Commissioners, staff and partners as the RFP is released and the contractor selected.

- NJDEP Harbor Monitoring Project – expanded parameters

The NJDEP-funded Harbor monitoring project is ongoing, on a monthly schedule from October to April 2024. The first quarterly collection of samples for additional parameters added in the 2023-2024 scope (Dissolved Organic Carbon and metals) was completed in November.

- NYCDEP/Brooklyn College Alley Creek and Bergen Basin Project

Pilot season completed in November. FY24 subcontract in development pending availability of funds from NYCDEP. This project has proved to be more resource-intensive for staff than originally anticipated, requiring flexibility in receiving samples outside normal operating hours for the laboratory (tidal-cycle sampling). Valeria Izeppi, previously an IEC intern, was hired as a full-time Environmental Analyst in June 2023 to coordinate this project (as well as other QA/QC responsibilities).

- Coordinated Volunteer Pathogen Monitoring

This LIS-funded program also completed its pilot year during the 2023 recreational season, and is set to expand, supported by significantly increased funding (~\$401,000 for FY24 activities and ~\$700,000 in FY25 activities) included in IEC's FFY23 LIS budget request, which was approved by the LIS Management Committee in April and is pending award.

- Long Island Sound Monitoring

This project is continuing on a monthly schedule through May.

- Harlem River Urban Waters Federal Partnership

IEC continues to collaborate with USGS, providing analytical services for a study validating involving in-situ microbiological analyses and TSS a boat ramp adjacent to Roberto Clemente State park, on the Bronx side of the Harlem River.

- Assistance to NYSDEC Region 2 Regional Emergency Response Team

Evelyn Powers and Selvin Southwell updated the Commission on assistance IEC provided to NYSDEC and NYS in October, collecting drinking water (water fountain) samples from John Jay College, which is being used to house some of NYC's migrant residents. IEC responded to the need to test the drinking water immediately, collecting samples and coordinating the transport to a certified drinking water laboratory for analyses for metals and Total dissolved solids.

- NYSDOH/Governor's Office Public Access "pool" planning meetings

Evelyn Powers reported IEC has been included on several meetings with Friends of Plus Pool, the NYS Governor's office, and the NYS Department of Health to assess a framework and path forward to pilot water-filtering floating pools in NYS waters. The plan should be included in the Governor's State of the State initiatives unveiled in early January.

- Compliance Monitoring Inspections

IEC completed the planned FY23 industrial compliance inspections in Connecticut and will be beginning municipal inspections in January. CTDEEP and IEC have also been discussing the

incorporation of stormwater permit inspections in IEC compliance inspection performed at water pollution control facilities and potentially other sectors. Evelyn met with CTDEEP in November to discuss the process and IEC and CTDEEP are planning joint inspections in December.

7. Old Business

a. Commissioner vacancies

Evelyn will be following up to fill vacancies in New Jersey and Connecticut. IEC has resumes from previously interested candidates to fill the two (2) NJ vacancies. Evelyn needs to follow-up to make sure they are still interested. There may be additional recommendations from New Jersey members. Evelyn will also follow up with Connecticut on the process to fill the vacancy created with Patricia Sesto's resignation in 2023.

8. New Business

9. Upcoming Meetings

Wednesday, March 6th, 2024

Wednesday, June 5th, 2024

Wednesday, September 4th, 2024

Wednesday, December 4th, 2024

10. Adjourn

APPENDICES:

A- June 7th, 2023 Annual Meeting Minutes

B- September 6th, 2023 Quarterly Meeting Minutes

C- October 11th, 2023 Executive Committee Meeting Notes

D- November 15th, 2023 Executive Committee Meeting Notes

E- FY23 Statement of Financial Activity

F- FY23 Statement of Financial Position

G- EPA Progress Reports April 1-September 30, 2023